

**EXPLANATION****A By-law to amend Zoning and Development By-law No. 3575  
Regarding the Redesign of the By-law**

Following the Public Hearing on July 5, 2022, Council resolved to amend the Zoning and Development By-law to amend administrative sections, general regulation sections and district schedules to improve document navigation and accessibility and to clarify and consolidate land use regulations. Enactment of the attached By-law will implement Council's resolutions.

Director of Legal Services  
July 19, 2022

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

**A By-law to amend Zoning and Development By-law No. 3575  
Regarding the Redesign of the By-law**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the Zoning and Development By-law.
2. Council strikes out section 12.
3. Council renumbers:
  - (a) section 6 as section 7;
  - (b) section 7 as section 12;
  - (c) section 8 as section 13;
  - (d) section 13 as section 6;
  - (e) section 14 as section 8;
  - (f) section 15 as section 14; and
  - (g) section 16 as section 15.
4. Council strikes out section 1 and substitutes section 1 as set out in Schedule A to this by-law.
5. Council strikes out section 2 and substitutes section 2 as set out in Schedule B to this by-law.
6. In section 3, Council:
  - (a) strikes out “By-law” wherever it appears and substitutes “by-law”; and
  - (b) in section 3.1.5, strikes out “Section” and substitutes “section”.
7. Council strikes out section 4 and substitutes section 4 as set out in Schedule C to this by-law.
8. Council strikes out section 5 and substitutes section 5 as set out in Schedule D to this by-law.
9. In section 6, Council:
  - (a) renumbers sections 6.1 and 6.2 as sections 6.1.1 and 6.1.2, respectively;
  - (b) adds a new section 6.1 as follows:

**“6.1 Amendments to the By-law”;**

- (c) in section 6.1.1, strikes out “By-law shall” and substitutes “by-law will”; and
  - (d) in section 6.2.1, strikes out “subsection 13.1” and substitutes “section 6.1”.
10. In section 7, Council:
- (a) renumbers sections 7.1 through 7.10 as sections 7.1.1 through 7.1.10, respectively;
  - (b) adds a new section 7.1 as follows:
 

**“7.1 General Prohibitions”;**
  - (c) strikes out “By-law” wherever it appears and substitutes “by-law”;
  - (d) in sections 7.1.1, 7.1.2, 7.1.3, 7.1.4, 7.1.7, 7.1.8, and 7.1.10, strikes out “shall” and substitutes “may”;
  - (e) in section 7.1.3, strikes out “or zone” wherever it appears;
  - (f) in section 7.1.5:
    - (i) strikes out “shall” wherever it appears and substitutes “will”, and
    - (ii) strikes out “sections 6.1 to 6.4 inclusive” and substitutes “section 7.1.1, section 7.1.2, section 7.1.3 or section 7.1.4”;
  - (g) in section 7.1.6:
    - (i) strikes out “section 5” and substitutes “Section 4”, and
    - (ii) strikes out “Official Development Plan” and substitutes “official development plan”; and
  - (h) in section 7.1.8, strikes out “sections 7.1 and 7.2 of section 7” and substitutes “sections 12.1.1 and 12.1.2”.
11. In section 8, Council:
- (a) under “Section 8” adds the title **“Building Lines”**;
  - (b) renumbers sections 8.1 through 8.3 as sections 8.1.1. through 8.1.3, respectively;
  - (c) adds a new section 8.1 as follows:
 

**“8.1 Building Lines”;**
  - (d) in section 8.1.1, strikes out “Parts I and II of Schedule E to this By-law and shall be” and substitutes “Part I and Part II of Schedule E: Building Lines of this by-law and are”;
  - (e) in section 8.1.2, strikes out “Part III of Schedule E to this By-law” and substitutes “Part III of Schedule E: Building Lines of this by-law”; and

- (f) strikes out section 8.1.3 and substitutes the following:

“8.1.3 No development may be carried out upon, over or under any part of a site:

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

except any development described in sections 4.8.1(c), 4.8.1(d), 4.8.1(e), 4.8.1(f), 4.8.1(g) and 4.8.1(h) of this by-law.”.

12. Council strikes out section 9 and substitutes section 9 as set out in Schedule E to this by-law.

13. Council strikes out section 10 and substitutes section 10 as set out in Schedule F to this by-law.

14. Council strikes out section 11 and substitutes section 11 as set out in Schedule G to this by-law.

15. In section 12, Council:

- (a) rennumbers sections 12.1 through 12.4 as sections 12.1.1 through 12.1.4, respectively;

- (b) adds a new section 12.1 as follows:

**“12.1 Enforcement”;**

- (c) strikes out “By-law” wherever it appears and substitutes “by-law”; and

- (d) in section 12.1.4, strikes out “shall” and substitutes “will”.

16. In section 13, Council:

- (a) rennumbers sections 13.1 through 13.3 as sections 13.1.1 through 13.1.3, respectively;

- (b) adds a new section 13.1 as follows:

**“13.1 Penalties”;**

- (c) strikes out “By-law” wherever it appears and substitutes “by-law”;

- (d) in section 13.1.1:

- (i) strikes out “which violates” and substitutes “that violates”,
- (ii) strikes out “imposed. Each day” and substitutes “imposed, and each day”, and
- (iii) strikes out “shall constitute” and substitutes “will constitute”; and



- (e) in section 13.1.2:
  - (i) strikes out "\$10,000" and substitutes "\$10,000.00",
  - (ii) strikes out "\$250" and substitutes "\$250.00",
  - (iii) strikes out "\$500" and substitutes "\$500.00", and
  - (iv) strikes out "section 6.8" and substitutes "section 7.1.8 of this by-law".
- 17. In Schedule C, Council strikes out "section 11.3" and substitutes "section 10.7".
- 18. In Schedule E, Council strikes out "section 14" and substitutes "Section 8".
- 19. In the CD-1 (Comprehensive Development) District Schedule, Council strikes out "Sections 2 to 12 of this By-law" and substitutes "Sections 2 to 13 of this by-law".
- 20. In section 5 of the (CWD) Central Waterfront District Schedule, Council strikes out "section 3.3 of the Zoning and Development By-law" and substitutes "section 4.3 of this by-law".
- 21. In section 5 of the (DD) Downtown District Schedule, Council strikes out "section 3.3 of the Zoning and Development By-law" and substitutes "section 4.3 of this by-law".
- 22. In section 5 of the (DEOD) Downtown Eastside/Oppenheimer District Schedule, Council strikes out "section 3.3 of the Zoning and Development By-law" and substitutes "section 4.3 of this by-law".
- 23. In the First Shaughnessy District Schedule, Council:
  - (a) strikes out section 4.4.2 and substitutes the following:

"4.4.2 Despite the provisions of 4.4.1 of this schedule and section 10.8 of this by-law, basement floor area underneath entries, porches and verandahs may project into the minimum front yard to a maximum of 1.8 m measured horizontally.";
  - (b) strikes out section 4.5.2;
  - (c) renumbers section 4.5.3 as 4.5.2;
  - (d) strikes out section 4.6.2;
  - (e) renumbers section 4.6.3 as 4.6.2;
  - (f) strikes out section 4.16.2 and substitutes the following:

"4.16.2 Projections into the front and rear yards that permitted under sections 4.4.2 of this schedule and sections 10.8.1(b) and 10.8.3 of this by-law must not be included in the calculation of building depth.".
- 24. Council strikes out the RA-1 District Schedule and substitutes the RA-1 District Schedule attached to this by-law as Schedule H.

25. Council strikes out the C-1 District Schedule and substitutes the C-1 District Schedule attached to this by-law as Schedule I.
26. Council strikes out the C-2 District Schedule and substitutes the C-2 District Schedule attached to this by-law as Schedule J.
27. Council strikes out the C-2B District Schedule and substitutes the C-2B District Schedule attached to this by-law as Schedule K.
28. Council strikes out the C-2C District Schedule and substitutes the C-2C District Schedule attached to this by-law as Schedule L.
29. Council strikes out the C-2C1 District Schedule and substitutes the C-2C1 District Schedule attached to this by-law as Schedule M.
30. Council strikes out the C-3A District Schedule and substitutes the C-3A District Schedule attached to this by-law as Schedule N.
31. Council strikes out the C-5, C-5A and C-6 Districts Schedule and substitutes the C-5, C-5A and C-6 Districts Schedule attached to this by-law as Schedule O.
32. Council strikes out the C-7 and C-8 Districts Schedule and substitutes the C-7 and C-8 Districts Schedule attached to this by-law as Schedule P.
33. Council strikes out the FC-1 District Schedule and substitutes the FC-1 District Schedule attached to this by-law as Schedule Q.
34. Council strikes out the FC-2 District Schedule and substitutes the FC-2 District Schedule attached to this by-law as Schedule R.
35. Council strikes out the HA-1 and HA-1A Districts Schedule and substitutes the HA-1 and HA-1A Districts Schedule attached to this by-law as Schedule S.
36. Council strikes out the HA-2 District Schedule and substitutes the HA-2 District Schedule attached to this by-law as Schedule T.
37. Council strikes out the HA-3 District Schedule and substitutes the HA-3 District Schedule attached to this by-law as Schedule U.
38. Council strikes out the I-1 District Schedule and substitutes the I-1 District Schedule attached to this by-law as Schedule V.
39. Council strikes out the I-1A District Schedule and substitutes the I-1A District Schedule attached to this by-law as Schedule W.
40. Council strikes out the I-1B District Schedule and substitutes the I-1B District Schedule attached to this by-law as Schedule X.
41. Council strikes out the I-1C District Schedule and substitutes the I-1C District Schedule attached to this by-law as Schedule Y.

42. Council strikes out the I-2 District Schedule and substitutes the I-2 District Schedule attached to this by-law as Schedule Z.
43. Council strikes out the I-3 District Schedule and substitutes the I-3 District Schedule attached to this by-law as Schedule AA.
44. Council strikes out the I-4 District Schedule (Historic Industrial District) and substitutes the I-4 District Schedule attached to this by-law as Schedule BB.
45. Council strikes out the IC-1 and IC-2 Districts Schedule and substitutes the IC-1 and IC-2 Districts Schedule attached to this by-law as Schedule CC.
46. Council strikes out the IC-3 District Schedule and substitutes the IC-3 District Schedule attached to this by-law as Schedule DD.
47. Council strikes out the M-1 District Schedule and substitutes the M-1 District Schedule attached to this by-law as Schedule EE.
48. Council strikes out the M-1A District Schedule and substitutes the M-1A District Schedule attached to this by-law as Schedule FF.
49. Council strikes out the M-1B District Schedule and substitutes the M-1B District Schedule attached to this by-law as Schedule GG.
50. Council strikes out the M-2 District Schedule and substitutes the M-2 District Schedule attached to this by-law as Schedule HH.
51. Council strikes out the MC-1 and MC-2 Districts Schedule and substitutes the MC-1 and MC-2 Districts Schedule attached to this by-law as Schedule II.
52. Council strikes out the RR-1 District Schedule and substitutes the RR-1 District Schedule attached to this by-law as Schedule JJ.
53. Council strikes out the RR-2A, RR-2B and RR-2C Districts Schedule and substitutes the RR-2A, RR-2B and RR-2C Districts Schedule attached to this by-law as Schedule KK.
54. Council strikes out the RR-3A and RR-3B Districts Schedule and substitutes the RR-3A and RR-3B District Schedule attached to this by-law as Schedule LL.
55. Council strikes out the RS-1 District Schedule and substitutes the RS-1 District Schedule attached to this by-law as Schedule MM.
56. Council strikes out the RS-1A District Schedule and substitutes the RS-1A District Schedule attached to this by-law as Schedule NN.
57. Council strikes out the RS-1B District Schedule and substitutes the RS-1B District Schedule attached to this by-law as Schedule OO.
58. Council strikes out the RS-2 District Schedule and substitutes the RS-2 District Schedule attached to this by-law as Schedule PP.

59. Council strikes out the RS-3 and RS-3A Districts Schedule and substitutes the RS-3 and RS-3A Districts Schedule attached to this by-law as Schedule QQ.
60. Council strikes out the RS-5 District Schedule and substitutes the RS-5 District Schedule attached to this by-law as Schedule RR.
61. Council strikes out the RS-6 District Schedule and substitutes the RS-6 District Schedule attached to this by-law as Schedule SS.
62. Council strikes out the RS-7 District Schedule and substitutes the RS-7 District Schedule attached to this by-law as Schedule TT.
63. Council strikes out the RT-1 District Schedule and substitutes the RT-1 District Schedule attached to this by-law as Schedule UU.
64. Council strikes out the RT-2 District Schedule and substitutes the RT-2 District Schedule attached to this by-law as Schedule VV.
65. Council strikes out the RT-3 District Schedule and substitutes the RT-3 District Schedule attached to this by-law as Schedule WW.
66. Council strikes out the RT-4, RT-4A, RT-4N and RT-4AN Districts Schedule and substitutes the RT-4, RT-4A, RT-4N and RT-4AN Districts Schedule attached to this by-law as Schedule XX.
67. Council strikes out the RT-5 and RT-5N Districts Schedule and substitutes the RT-5 and RT-5N Districts Schedule attached to this by-law as Schedule YY.
68. Council strikes out the RT-6 District Schedule and substitutes the RT-6 District Schedule attached to this by-law as Schedule ZZ.
69. Council strikes out the RT-7 District Schedule and substitutes the RT-7 District Schedule attached to this by-law as Schedule AAA.
70. Council strikes out the RT-8 District Schedule and substitutes the RT-8 District Schedule attached to this by-law as Schedule BBB.
71. Council strikes out the RT-9 District Schedule and substitutes the RT-9 District Schedule attached to this by-law as Schedule CCC.
72. Council strikes out the RT-10 and RT-10N Districts Schedule and substitutes the RT-10 and RT-10N Districts Schedule attached to this by-law as Schedule DDD.
73. Council strikes out the RT-11 and RT-11N Districts Schedules and substitutes the RT-11 and RT-11N Districts Schedule attached to this by-law as Schedule EEE.
74. Council strikes out the RM-1 and RM-1N Districts Schedule and substitutes the RM-1 and RM-1N Districts Schedule attached to this by-law as Schedule FFF.
75. Council strikes out the RM-2 District Schedule and substitutes the RM-2 District Schedule attached to this by-law as Schedule GGG.

76. Council strikes out the RM-3 District Schedule and substitutes the RM-3 District Schedule attached to this by-law as Schedule HHH.
77. Council strikes out the RM-3A District Schedule and substitutes the RM-3A District Schedule attached to this by-law as Schedule III.
78. Council strikes out the RM-4 and RM-4N Districts Schedule and substitutes the RM-4 and RM-4N Districts Schedule attached to this by-law as Schedule JJJ.
79. Council strikes out the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule and substitutes the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule attached to this by-law as Schedule KKK.
80. Council strikes out the RM-6 District Schedule and substitutes the RM-6 District Schedule attached to this by-law as Schedule LLL.
81. Council strikes out the RM-7, RM-7N and RM-7AN Districts Schedule and substitutes the RM-7, RM-7N and RM-7AN Districts Schedule attached to this by-law as Schedule MMM.
82. Council strikes out the RM-8, RM-8A, RM-8N and RM-8AN Districts Schedule and substitutes the RM-8, RM-8A, RM-8N and RM-8AN Districts Schedule attached to this by-law as Schedule NNN.
83. Council strikes out the RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Districts Schedule and substitutes the following:
- (a) the RM-9A and RM-9AN Districts Schedule attached to this by-law as Schedule OOO; and
  - (b) the RM-9, RM-9N and RM-9NB Districts Schedule attached to this by-law as Schedule PPP.
84. Council strikes out the RM-10 and RM-10N Districts Schedule and substitutes the RM-10 and RM-10N Districts Schedule attached to this by-law as Schedule QQQ.
85. Council strikes out the RM-11 and RM-11N Districts Schedule and substitutes the RM-11 and RM-11N Districts Schedule attached to this by-law as Schedule RRR.
86. Council strikes out the RM-12N District Schedule and substitutes the RM-12N District Schedule attached to this by-law as Schedule SSS.
87. Council strikes out the FM-1 District Schedule and substitutes the FM-1 District Schedule attached to this by-law as Schedule TTT.

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

89. This By-law is to come into force and take effect on November 14, 2022.

ENACTED by Council this                      day of                      , 2022

\_\_\_\_\_  
Mayor

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

## SCHEDULE A

A by-law to regulate the use of land, and the density, floor area, form, placement and design of buildings in the City of Vancouver, to divide the city into districts of such number, shape and area as necessary to carry out these regulations, to provide for the granting or refusal of development permits including where necessary the imposition of conditions relative to the granting of such permits.

The Mayor and Council of the City of Vancouver, in open meeting hereby enact as follows:

# Section 1

## Administration

### 1.1 Short Title

- 1.1.1 The name of this by-law, for citation, is the “Zoning and Development By-law”.

### 1.2 Interpretation

- 1.2.1 The following form part of this by-law:

- (a) schedules attached to this by-law; and
- (b) maps included in this by-law.

- 1.2.2 In addition to any items specifically mentioned in the by-law, the following are included in this by-law for convenient reference only and do not form part of this by-law:

- (a) drawings or other visual representations that are labelled “diagram”; and
- (b) any text in square brackets.

### 1.3 Severability

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

## SCHEDULE B

# Section 2

## Definitions

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

[Note: Individual land uses that fall within 1 of the 12 defined general land use categories, which are in bold below, are indicated with the corresponding letter and colour as follows:

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

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

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

Term	Definition
<b>A</b>	
Accessory Building	A building: (a) the use or intended use of which is ancillary to that of the principal building situated on the same site, but does not include an additional dwelling unit to a



Term	Definition	
	dwelling unit already existing; or (b) that is ancillary to the principal use being made of the site on which such accessory use is located.	
Accessory Use	A use that is: (a) ancillary to the principal building, or use of the principal building, situated on the same site; or (b) ancillary to the principal use being made of the site upon which such accessory use is located.	
Adult Magazine	Any pamphlet or magazine that: (a) contains a visual image or representation of the pubic, perineal or perianal areas, the buttocks, or the female breast; or (b) depicts sexual conduct or sadomasochistic behaviour.	
Adult Retail Store	The use of premises to display or retail either or both of the following: (a) a sex object; (b) adult magazines using more than 3.0 linear metres of shelving, being a maximum of 0.6 m in depth.	R
Affordable Housing Share	A financial contribution in an amount per share as specified in <b>Schedule F: Affordable Housing and Amenity Share Schedule</b> of this by-law, that is paid in exchange for a specified increase in the permitted floor area of a development and that is to be used for the provision of social housing.	
Agricultural Uses	Any or all of the following land uses: <b>Greenhouse;</b> <b>Nursery, Field Crop or Fruit Farm;</b> <b>Stable;</b> <b>Urban Farm – Class A;</b> <b>Urban Farm – Class B.</b>	A

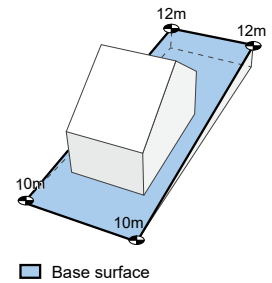
Term	Definition	
Aircraft Landing Place	The use of premises or an open area of water for the taking off or landing of aircraft where any license or permit issued pursuant to the provisions of the Aeronautics Act is conditional upon obtaining the approval of the City, or where the consent of the City is required prior to the issuance of the license or permit.	T
Amenity Share	A financial contribution in an amount per share as specified in <b>Schedule F: Affordable Housing and Amenity Share Schedule</b> of this by-law, that is paid in exchange for a specified increase in the permitted floor area of a development, and that is to be used towards the conservation or provision of an amenity as specified in the applicable district schedule regulations.	
Animal Clinic	The use of premises for the care of birds, fish, or animals except horses, including veterinary treatment, grooming, training, breeding or boarding.	S
Animal Products Processing	The use of premises for the processing of hides, skins, tankage, feathers, bristles, human hair or other crude, inedible animal products, or for the tanning, curing, or dressing of furs, hides or skins.	M
Apartment	A building containing 4 or more principal dwelling units, all of which share at least 1 common entrance from the exterior of the building and, for the purposes of this by-law, a building that contains both Apartment and Townhouse will be considered an Apartment unless otherwise specified in a district schedule.	D
Arcade	The use of premises for 4 or more machines on which games are played for amusement or entertainment and for which a coin or token must be inserted or a fee is charged for use.	C
Artist Studio	Where used without a qualifier, both an Artist Studio – Class A and an Artist Studio – Class B.	C
Artist Studio – Class A	The use of premises for the production of dance, live music, creative writing, painting, drawings, pottery, sculpture, video, or moving or still photography, none of which involves amplified sound or 1 or more of the	C

Term	Definition	
	materials or processes specified under Artist Studio – Class B.	
Artist Studio – Class B	The use of premises for the production of: <ul style="list-style-type: none"> <li>(a) dance or live music involving electronically amplified sound;</li> <li>(b) moving or still photography (excluding video) involving on-site film processing; or</li> <li>(c) paintings, drawings, pottery, or sculpture involving the use of fibreglass, epoxy and other toxic or hazardous materials or 1 or more of the following processes: welding, woodworking, spray painting, silk screening or fired ceramics.</li> </ul>	C
Arts and Culture Indoor Event	An event of an artistic or cultural nature, including but not limited to visual, performing, media, literary, craft or interdisciplinary arts, for a maximum of 250 persons, which occurs not more than 3 days per month in a building.	C
Auction Hall	The use of premises for the sale of goods where the purchasers are invited to make competitive bids for the goods offered for sale.	S
Awning	A semi-rigid or retractable framed structure that: <ul style="list-style-type: none"> <li>(a) projects from a building face;</li> <li>(b) generally provides weather and shade protection;</li> <li>(c) is covered in a flexible material; and</li> <li>(d) is entirely supported by the building.</li> </ul>	
<b>B</b>		
Balcony	A platform providing useable outdoor space that: <ul style="list-style-type: none"> <li>(a) projects from a building or is recessed into a building;</li> <li>(b) is only accessed from within the building;</li> <li>(c) may be covered by a roof or floor above; and</li> <li>(d) is not enclosed, except for a required guard, or where it is recessed between adjacent walls.</li> </ul>	
Barber Shop or Beauty Salon	The use of premises for the styling, cutting or chemical treatment of hair.	S

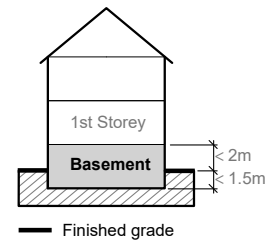
**Also see definition for Enclosed Balcony**

Term	Definition	
Base Surface	The hypothetical surface determined by joining the official established building grades at all corners of the site, except that if official established building grades cannot be obtained through application to the City Engineer, or if the Director of Planning determines that the official established building grades are incompatible with grades on adjoining sites, existing grades may be used to determine the base surface.	
Basement	A space between 2 floors, with the lower floor located less than 1.5 m below finished grade and the floor surface of the storey above located not more than 2.0 m above finished grade.	
Beauty and Wellness Centre	The use of premises to improve beauty and wellness through styling, cutting, or chemical treatment of hair and through skin and body treatments, including pedicures, manicures, facials, microdermabrasion, electrolysis, waxing, laser, hydrotherapy, anti-aging, skin rejuvenation therapy, aromatherapy, stone therapy massage and relaxation massage, but does not include Fitness Centre.	S
Bed and Breakfast Accommodation	The use of 1 or 2 bedrooms in a dwelling unit as temporary accommodation where the room rate includes breakfast provided on the premises, but does not include Short Term Rental Accommodation.	S
Bingo Hall	The use of premises for the purpose of playing bingo and where the operation is conducted and managed by, and the proceeds are distributed to, 1 or more charitable organizations, but does not include bingo where the player is not playing the same game and responding to the same caller as and with other players in the hall or the use of player-oriented video lottery terminals or slot machines.	C
Board of Variance	The Board of Variance appointed pursuant to the provisions of section 572 of the Vancouver Charter (British Columbia).	
Body-Rub Parlour	The use of premises for the practice of manipulating, touching or stimulating by any means of a person's body or part thereof but does not include:  (a) medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under	S

**Diagram: Base Surface**



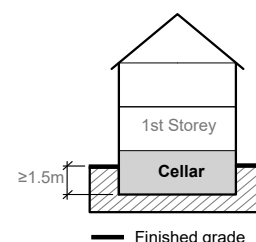
**Diagram: Basement**



Term	Definition	
	any statute of the Province of British Columbia governing such activities other than the Vancouver Charter (British Columbia); or (b) Health Enhancement Centre.	
Booming Ground	The use of premises or an open area of water for the collection, sorting, booming, rafting or storage of logs.	T
Brewing or Distilling	The use of premises for the brewing or distilling of alcoholic beverages or beverage products with alcoholic content exceeding 1% by volume, where the use may involve the milling of grain, rice or malt.	M
Building Envelope Professional	A member of the Architectural Institute of British Columbia or the Association of Professional Engineers and Geoscientists of British Columbia.	
Building Height	The vertical distance between the highest point or points of a building and the point on the base surface, as determined by interpolation, that is directly beneath the highest point or points of a building, unless otherwise specified in a district schedule.	
Building Width	The distance from a side exterior wall of a principal or accessory building, measured in a straight line to a point directly opposite on the exterior wall of the principal or accessory building facing the opposite side yard.	
Bulk Data Storage	The use of a wholly enclosed building for the storage of information on operating data servers.	T
Bulk Fuel Depot	The use of premises to wholesale gasoline, fuel oil, heating oil, petroleum, propane, kerosene, coal, coke, fuel wood, natural gas or similar fuels.	W
<b>C</b>		
Cabaret	The use of premises for dancing by customers and where entertainment may be provided.	S
Cannabis Store	The use of premises for the sale of cannabis, including any products containing cannabis, for consumption off premises, and includes a compassion club as defined in the License By-law.	R

Term	Definition	
Canopy	A rigid, roof-like structure that: (a) projects from a building face; (b) generally provides weather and shade protection; and (c) is entirely supported by the building.	
Cardlock Fuel Station	The use of premises for the sale of motor fuels for vehicles registered as commercial vehicles or the sale of electricity for electric motor vehicles, where motor fuel is dispensed by the customer who has been supplied with a card, key or other device for the operation of the fuel dispensing equipment and may include the retail sale of electricity dispensed by the customer for the purpose of charging motor vehicles.	W
Casino – Class 1	The use of premises for the purpose of playing or operating games of chance or mixed chance and skill on which money may be wagered and for which authority has been given under the authority of the Gaming Control Act (British Columbia), but does not include player-operated video lottery terminals, slot machines, bingo halls, pari-mutuel betting, non-player- operated video lottery terminals, or Casino – Class 2.	C
Casino – Class 2	The use of premises for the purpose of playing or operating games of chance or mixed chance and skill on which money may be wagered and for which authority has been given under the authority of the Gaming Control Act (British Columbia), and may include player-operated video lottery terminals or slot machines, but does not include bingo halls, pari-mutuel betting and non-player-operated video lottery terminals.	C
Catering Establishment	The use of premises for the preparation of food for consumption off premises but does not include a Retail Store or Restaurant selling food directly to the public.	S
Cellar	A space between 2 floors, with the lower floor located 1.5 m or more below finished grade.	
Character House	An existing building that, in the opinion of the Director of Planning, has sufficient heritage character to justify its conservation.	

**Diagram: Cellar**



Term	Definition	
Chemicals or Chemical Products Manufacturing – Class A	The use of premises for the manufacturing of chemicals, plastics, paints, fertilizers, synthetic rubber, synthetic resins or related chemical products, but does not include Linoleum or Coated Fabrics Manufacturing or Plastic Products Manufacturing.	M
Chemicals or Chemical Products Manufacturing – Class B	The use of premises for the manufacturing of cosmetics, toilet preparations, pharmaceuticals, medicines, disinfectants, deodorants, soaps, cleaning compounds, polishes, inks, adhesives, household tints or dyes, or similar products, but does not include Chemicals or Chemical Products Manufacturing – Class A.	M
Child Day Care Facility	The use of premises to provide care, supervision, social or educational training to children as defined by the Community Care and Assisted Living Act (British Columbia) and the Child Care Licensing Regulation made pursuant to that Act, including but not limited to group day care, preschool, special needs day care, out of school care, emergency care, child minding or overnight care, but does not include the provision of licensed care in premises where up to 8 children are cared for.	I
Church	The use of premises for religious worship, including a mosque, synagogue, temple, chapel or religious meeting room.	I
City Building Inspector	The City official appointed as such by Council or the Chief Building Official appointed as such by Council and includes the authorized representatives of the City Building Inspector.	
Clothing Manufacturing	The use of premises for the manufacturing of clothing or garments, including leather clothing, but does not include Plastic Products Manufacturing, Rubber Products Manufacturing, or Shoes or Boots Manufacturing.	M
Club	The use of premises by a non-profit society, association or corporation organized solely for the promotion of some common object and that is operated for club members and their guests only, but does not include Church, Hospital, Social Service Centre, Community Care Facility and	C

Term	Definition	
	Group Residence, or premises used for residential or administrative purposes	
Community Care Facility	Where used without a qualifier, both a Community Care Facility – Class A and a Community Care Facility – Class B.	I
Community Care Facility – Class A	The use of premises operated as a community care facility by a licensee under the Community Care and Assisted Living Act (British Columbia) to provide residential care to 6 or fewer persons not related by blood or marriage to the licensee or, if the licensee is a corporation, to any director, officer or member of the corporation.	I
Community Care Facility – Class B	The use of premises operated as a community care facility by a licensee under the Community Care and Assisted Living Act (British Columbia) to provide residential care to 7 or more persons not related by blood or marriage to the licensee or, if the licensee is a corporation, to any director, officer or member of the corporation.	I
Comprehensive Development	A development containing any number of buildings or uses or a combination of sites planned or developed in an integrated fashion and requiring special regulations with the approval of Council.	
Corner Site	A site located at the intersection or junction of 2 or more streets.	
Courtyard Configuration	2 or more multiple dwelling buildings on a site where there is at least 1 rear building.	
Creative Products Manufacturing	The use of premises for the creation, development, prototyping and ancillary marketing of products produced in a physical or digital form that are the result of a customised design process, including clothing design, furniture design, industrial product design, technological equipment design, and similar uses.	M
Cultural and Recreational Uses	Any or all of the following land uses: <b>Arcade;</b> <b>Artist Studio;</b> <b>Artist Studio – Class A;</b>	C



Term	Definition	
	<p><b>Artist Studio – Class B;</b></p> <p><b>Arts and Culture Indoor Event;</b></p> <p><b>Billiard Hall;</b></p> <p><b>Bingo Hall;</b></p> <p><b>Bowling Alley;</b></p> <p><b>Casino – Class 1;</b></p> <p><b>Casino – Class 2;</b></p> <p><b>Club;</b></p> <p><b>Community Centre or Neighbourhood House;</b></p> <p><b>Fitness Centre;</b></p> <p><b>Fitness Centre – Class 1;</b></p> <p><b>Fitness Centre – Class 2;</b></p> <p><b>Golf Course or Driving Range;</b></p> <p><b>Hall;</b></p> <p><b>Library;</b></p> <p><b>Marina;</b></p> <p><b>Museum or Archives;</b></p> <p><b>Park or Playground;</b></p> <p><b>Plaza;</b></p> <p><b>Riding Ring;</b></p> <p><b>Rink [Curling, Ice, Roller];</b></p> <p><b>Stadium or Arena;</b></p> <p><b>Swimming Pool;</b></p> <p><b>Theatre;</b></p> <p><b>Zoo or Botanical Garden.</b></p>	
<b>D</b>		
Deck	<p>A platform providing useable outdoor space that:</p> <p>(a) projects from a building and is generally supported on posts;</p> <p>(b) is accessed from within the building, and may also be accessed from grade;</p>	

Term	Definition	
	<p>(c) generally has a surface height, at any point, greater than 600 mm above grade; and</p> <p>(d) is not enclosed, except for a required guard.</p>	
Decorative Roof	An architecturally designed roof element that enhances the overall appearance of the building and screens and integrates mechanical equipment without adding to the floor area otherwise permitted.	
Detoxification Centre	The use of premises for drug or alcohol detoxification or rehabilitation.	I
Development Permit Board	The Development Permit Board of the City established under the provisions of the Development Permit Board and Advisory Panel By-law.	
Digital Entertainment and Information Communication Technology	The use, design or development of technology to process digital information, or deliver a broad range of digital products and services, or both, including business applications, data security, data storage, management and processing, entertainment and gaming, interactive educational, communications, e-commerce, social media, software and mobile applications, and may include the use of information technology and telecommunications infrastructure, for hosting, storing and processing digital media, information and applications.	
Director of Planning	The City official appointed as such by Council and includes the authorized representatives of the Director of Planning.	
Director of Licenses and Inspections	The City official appointed as such by Council and includes the authorized representatives of the Director of Licenses and Inspections.	
Double Fronting Site	A site abutting 2 parallel or approximately parallel streets.	
Drive-Through Service	The use of premises where customers order and receive services, food or other goods in their motor vehicles via 1 or more designated drive-through lanes, but does not include uses which involve the fuelling, service, repair or washing of vehicles.	S

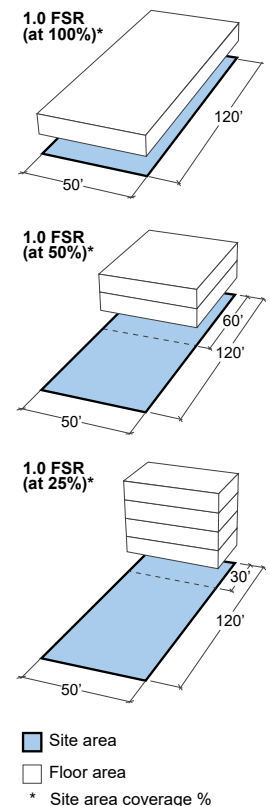
Term	Definition	
Duplex	A building containing only 2 principal dwelling units, but does not include a Multiple Conversion Dwelling.	D
Duplex with Secondary Suite	A building containing 2 principal dwelling units, 1 of which must contain and 1 of which may contain a Secondary Suite, but does not include a Multiple Conversion Dwelling.	D
Dwelling Unit	A self-contained housekeeping unit.	D
<b>Dwelling Uses</b>	<p>Any or all of the following land uses:</p> <p><b>Apartment;</b></p> <p><b>Duplex;</b></p> <p><b>Duplex with Secondary Suite;</b></p> <p><b>Dwelling Unit;</b></p> <p><b>Freehold Rowhouse;</b></p> <p><b>Infill;</b></p> <p><b>Infill Duplex;</b></p> <p><b>Infill Multiple Dwelling;</b></p> <p><b>Infill Single Detached House;</b></p> <p><b>Laneway House;</b></p> <p><b>Lock-Off Unit;</b></p> <p><b>Micro Dwelling;</b></p> <p><b>Mixed-Use Residential Building;</b></p> <p><b>Multiple Conversion Dwelling;</b></p> <p><b>Multiple Dwelling;</b></p> <p><b>Principal Dwelling Unit;</b></p> <p><b>Principal Dwelling Unit with Lock-Off Unit;</b></p> <p><b>Residential Unit associated with and forming an integral part of an Artist Studio;</b></p> <p><b>Rooming House;</b></p> <p><b>Secondary Suite;</b></p> <p><b>Seniors Supportive or Assisted Housing;</b></p> <p><b>Single Detached House;</b></p> <p><b>Single Detached House with Secondary Suite;</b></p>	D

Term	Definition	
	<p><b>Temporary Modular Housing;</b></p> <p><b>Townhouse;</b></p> <p><b>Triplex.</b></p>	
<b>E</b>		
Electrical Products or Appliances Manufacturing	The use of premises for the manufacturing or remanufacturing of small electrical appliances, both electrical and non-electrical major household appliances, lighting fixtures, table or floor lamps, radios, televisions, small component electrical or electronic equipment, electric wire or cable, or transmission cable, but does not include Batteries Manufacturing and Motor Vehicle Parts Manufacturing.	<b>M</b>
Enclosed Balcony	<p>A platform enclosed on all sides to provide protection from weather or noise that:</p> <ul style="list-style-type: none"> <li>(a) projects from a building or is recessed into a building;</li> <li>(b) is only accessed from within the building; and</li> <li>(c) is not conditioned by heat or air conditioning.</li> </ul>	
Entry, Porch and Verandah	<p>A platform located at an entrance to a building that:</p> <ul style="list-style-type: none"> <li>(a) projects from the building or is recessed into the building;</li> <li>(b) is covered by a roof or floor above to provide weather protection;</li> <li>(c) may be supported on posts;</li> <li>(d) is at grade or has stairs from grade; and</li> <li>(e) is open, other than with a required guard, on at least 1 side,</li> </ul> <p>except for covered porches above the first storey.</p>	
Existing Grade	The elevation of the surface of the existing undisturbed ground at any point on a site.	
Exterior Side Yard	That portion of a corner site extending from the front yard to the rear yard and lying between the side property line adjacent to the flanking street and the closest side of the principal building.	

Term	Definition	
<b>F</b>		
Family	<p>Either:</p> <p>(a) 1 or more individuals all related to one another by blood, marriage or adoption; or</p> <p>(b) a maximum of 3 unrelated individuals living together as a household, and</p> <p>for the purposes of this definition, 2 people living together in a common-law relationship are deemed to be in a marriage relationship and each of the blood relatives of the parties to a common-law relationship are considered to be related to the partners and to the other blood relatives thereof.</p>	
Farmers' Market	An open air or fully or partly covered market, for the sale directly by producers or by their representatives who are involved in production, of: local fresh, dried or frozen fruit and vegetables; local dried or frozen meat and seafood; local eggs; local dairy products; local plants; local prepared foods; local ready-to-eat foods; local artisan crafts; or local wine, cider, beer or spirits.	<b>R</b>
Financial Institution	The use of premises by banks, credit unions and trust companies.	<b>O</b>
Finished Grade	The elevation of the surface of the ground at any point on the site of a completed development between the site boundaries and the buildings, and for the purpose of determining a basement or cellar, finished grade means the average elevation of the surface of the ground adjoining a building at all exterior walls of a completed development, as determined by the City Building Inspector.	
Fitness Centre	Where used without a qualifier, both a Fitness Centre – Class 1 and a Fitness Centre – Class 2.	<b>C</b>
Fitness Centre – Class 1	The use of premises, which do not exceed 200 m <sup>2</sup> of gross floor area, for the development, on a 1-to-1 basis or in a group session, of physical fitness including health centres, gymnasias, racket and ball courts, reducing	<b>C</b>

Term	Definition	
	salons, yoga, pilates, weight loss, dance, self-defence, and sports.	
Fitness Centre – Class 2	The use of premises, which exceed 200 m <sup>2</sup> of gross floor area, for the development, on a 1-to-1 basis or in a group session, of physical fitness including health centres, gymnasia, racket and ball courts, reducing salons, yoga, pilates, weight loss, dance, self-defence, and sports.	C
Floor Space Ratio	The figure obtained when the area of the floors of the buildings on a site is divided by the area of the site.	
Food or Beverage Products Manufacturing – Class A	The use of premises for the manufacturing of animal feed or the manufacturing of food or beverage products, but does not include Bakery Products Manufacturing, Brewing Or Distilling, or Dairy Products Manufacturing.	M
Food or Beverage Products Manufacturing – Class B	The use of premises for the manufacturing of animal feed or the manufacturing of food or beverage products, where the use does not involve the milling of grain, rice or malt, the refining of sugar, the canning of meat, fish or poultry, the pickling of fruits or vegetables, the refining of vegetable oil, the processing of fats, bones, hides, skins, offal or animal products of a like nature, the use of fish, or the use of live animals or live poultry, but does not include Bakery Products Manufacturing, Brewing Or Distilling, or Dairy Products Manufacturing.	M
Freehold Rowhouse	A principal dwelling unit, in a row of at least 3 side-by-side principal dwelling units, that shares a party wall with at least 1 of the adjoining principal dwelling units, and is located on its own lot which abuts a street and a lane.	D
Front Yard	That part of the site lying between the ultimate front property line and the front of the principal building, extending across the full width of the site.	
Furniture or Appliance Store	The use of premises with a floor area greater than 500 m <sup>2</sup> to retail household furniture, major household appliances, or household furnishings such as carpets and draperies.	R

**Diagram: Floor Space Ratio**



Term	Definition	
Furniture or Fixtures Manufacturing	The use of premises for the manufacturing of furniture, mattresses or related non-electrical fixtures such as mirrors, curtain rods, cabinets, counters or lampshades, but not stone, concrete or marble furniture.	M
<b>G</b>		
Gasoline Station – Full Serve	The use of premises for the retail sale of motor fuels and lubricants that are dispensed by an attendant for the customer and where staff are available to provide other services such as checking tire pressure and fluid levels, cleaning windows and doing minor repairs and may include the retail sale of electricity dispensed by the customer or the attendant for the purpose of charging motor vehicles.	R
Gasoline Station – Split Island	The use of premises for the retail sale of motor fuels and lubricants that are dispensed by the customer, and which includes at least 1 pump island at which all types of gasoline and diesel fuels sold by the station are dispensed by an attendant for the customer at all times the station is open for business, and where staff are available to provide other services such as checking tire pressure and fluid levels, cleaning windows and doing minor repairs and may include the retail sale of electricity dispensed by the customer or the attendant for the purpose of charging motor vehicles.	R
General Office	The use of premises for any office use, including Digital Entertainment and Information Communication Technology, but does not include Financial Institution, Health Care Office, Health Enhancement Centre or Temporary Sales Office.	O
Grade	The elevation of the surface of the ground at any point on a site.	
Grocery or Drug Store	The use of premises to retail food or drugs, including food and drugs manufactured on the premises as an integral part of the retail operation, but does not include Neighbourhood Grocery Store or specialty shops such as bakeries, butchers, delicatessens, candy shops, and ice cream parlours that limit sales to a particular type of food.	R

**Also see definitions for Existing Grade, Finished Grade and Official Established Building Grade.**

Term	Definition	
Grocery Store with Liquor Store	A Grocery Store that has an area of at least 929 m <sup>2</sup> , with a Liquor Store located within it.	R
Groundwater	Water occurring below the surface of the ground within voids in a rock or soil matrix.	
Groundwater Management Plan	A written plan that sets out a comprehensive approach to the planning, design, implementation and operation of on-site groundwater management techniques to meet the requirements imposed on the development.	
Groundwater Management System	A system or technique for preventing the discharge of groundwater from a site into the City collection system.	
Group Residence	<p>The use of premises operated as a facility to provide accommodation to 6 or more persons not related by blood or marriage to the operator of the facility or, if the operator is a corporation, to any director, officer or member of the corporation, where:</p> <ul style="list-style-type: none"> <li>(a) legislation other than the Community Care and Assisted Living Act (British Columbia) requires such persons to reside in the facility, but does not include a facility in a hospital;</li> <li>(b) the facility provides a rehabilitation program in which all such persons, as a condition of residence, must participate; or</li> <li>(c) the facility provides accommodation for fewer than 30 days, and may provide personal services, but does not include a Hotel, Rooming House or boarding house.</li> </ul>	I
<b>H</b>		
Health Care Office	The use of premises by professions in which persons exercise skill or judgement or provide service related to the preservation or improvement of the physical, mental, or emotional health of individuals, or the treatment or care of individuals who are injured, sick, disabled or infirm, including chiropractors, dentists, optometrists, physicians, surgeons, dental hygienists, dental technicians, denturists, dietitians, licensed practical nurses, massage therapists, midwives, naturopathic physicians, nurses (registered),	O



Term	Definition	
	nurse practitioners, occupational therapists, opticians, physical therapists, psychologists, registered psychiatric nurses, traditional Chinese medicine practitioners, acupuncturists, and other health care and social service practitioners including counsellors and herbalists, but does not include Beauty and Wellness Centre, Detoxification Centre, Health Enhancement Centre, Hospital, Laboratory, Social Service Centre, Community Care Facility, or Group Residence.	
Health Enhancement Centre	The use of premises to enhance health through therapeutic touch techniques including shiatsu, reflexology, bio kinesiology, hellework, polarity, reiki, rolfing, and trager, but does not include Fitness Centre and Beauty and Wellness Centre.	O
Hen	A domesticated female chicken that is at least 4 months old.	
Homecraft	A craft or occupation conducted as an accessory use subordinate to the principal residential use of a dwelling unit.	
Hotel	Premises providing temporary accommodation by way of furnished residential units, but does not include Bed and Breakfast Accommodation or Short Term Rental Accommodation.	S
Housekeeping Unit	A sleeping unit containing facilities for cooking.	
Hydrogeological Study	A written review, certified by a professional engineer or geoscientist, of the occurrence, distribution and effect of groundwater on a proposed development site and may include a groundwater management plan.	
<b>I</b>		
Impact Assessment	A written report that sets out any potential or realized environmental impacts that may or will result from infiltration or extraction of groundwater on the development site.	

Term	Definition	
Impermeable Materials	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.	
Infill	When used by itself without reference to any other dwelling term, any or all of the following uses: (a) Infill Single Detached House; (b) Infill Duplex; (c) Infill Multiple Dwelling.	D
Infill Duplex	A building consisting of only 2 dwelling units on a site already containing 1 or more existing buildings some or all of which are retained.	D
Infill Multiple Dwelling	A building containing only 3 or more dwelling units on a site already containing 1 or more existing buildings, some or all of which are retained.	D
Infill Single Detached House	A building consisting of 1 dwelling unit on a site already containing 1 or more existing buildings, some or all of which are retained, but does not include Laneway House.	D
Information Communication Technology Manufacturing	The production of electrical, electronic or communications equipment, including computer-enabled devices, computer hardware, infrastructure, semiconductors, fibre cables and telecommunications equipment.	M
Institutional Uses	Any or all of the following land uses: <b>Ambulance Station;</b> <b>Child Day Care Facility;</b> <b>Church;</b> <b>Community Care Facility;</b> <b>Community Care Facility – Class A;</b> <b>Community Care Facility – Class B;</b> <b>Detoxification Centre;</b> <b>Group Residence;</b> <b>Hospital;</b> <b>Public Authority Use;</b>	I

Term	Definition	
	<b>School – Elementary or Secondary;</b> <b>School – University or College;</b> <b>Social Service Centre.</b>	
<b>J</b>		
Jewellery Manufacturing	The use of premises for the manufacturing of jewellery, metal badges, silverware, or precious metal alloys or products, the cutting or polishing of industrial diamonds, plating with precious metals, lapidary work, or engraving on metals except for printing purposes.	<b>M</b>
Junk Yard or Shop	The use of premises for the sale of scrap or waste materials such as rubber, tires, metal, paper, sacks, wire, ropes, rags, machinery, or motor vehicle parts, including associated wrecking, dismantling, recycling or processing.	<b>W</b>
<b>L</b>		
Laboratory	The use of premises not providing service directly to the public for the provision of analytical, research, or testing services, including biotechnologies and energy and environmental technologies, but does not include Photofinishing or Photography Laboratory.	<b>S</b>
Lane	A public thoroughfare or way not more than 10.1 m in width that affords only a secondary means of access to a site, at the side or rear.	
Laneway House	A detached dwelling unit constructed in the rear yard of a site on which is situated a Single Detached House or Single Detached House with Secondary Suite, but does not include Infill Single Detached House.	<b>D</b>
Laundromat or Dry Cleaning Establishment	The use of premises with a maximum floor area of 300 m <sup>2</sup> for the laundering or cleaning of clothing, draperies or related small household goods.	<b>S</b>
Laundry or Cleaning Plant	The use of premises for the laundering, cleaning or dying of textiles, knit goods, draperies, clothing, garments, or related goods, but does not include Laundromat or Dry Cleaning Establishment.	<b>S</b>

Term	Definition	
Leather Products Manufacturing	The use of premises for the manufacturing of luggage, handbags or small leather goods, but does not include Animal Products Processing, Clothing Manufacturing, or Shoes or Boots Manufacturing.	M
Linoleum or Coated Fabrics Manufacturing	The use of premises for the manufacturing of linoleum, oil cloth, artificial leather, asphalt-felt-base floor covering, pyroxylin or vinyl-coated fabrics or other similar coated fabrics.	M
Liquor Store	The use of premises for the sale of beer, wine, spirits, or other products that are intended for human consumption, containing more than 1% alcohol by volume, for consumption off premises.	R
Live-Work Use	<p>The use of premises for:</p> <ul style="list-style-type: none"> <li>(a) a dwelling unit;</li> <li>(b) General Office, Health Care Office, Barber Shop or Beauty Salon, Photofinishing or Photography Studio, or Artist Studio – Class A; or</li> <li>(c) any use referred to in section (b) in combination with a dwelling unit,</li> </ul> <p>but does not include:</p> <ul style="list-style-type: none"> <li>(d) any dating service, entertainment service, exotic dancer business, social escort business, or other similar business, as determined by the Director of Planning in consultation with the Chief License Inspector; or</li> <li>(e) any tattooing, piercing, branding, or other similar service, as determined by the Director of Planning in consultation with the Vancouver Coastal Health Authority.</li> </ul>	
Lock-Off Unit	A smaller dwelling unit within a larger principal dwelling unit, which must have separate external access and shared internal access, and which can be locked off from the larger dwelling unit, but does not include a Secondary Suite.	D
Locked-In Lots	A lot or lots that, as a result of development of any adjoining lots, is or are unlikely to be consolidated with an adjoining lot to increase the site size.	

Term	Definition	
Low Operational Cost Housing	A building that is designed for certification under the Passive House standard or the International Living Future Institute's Zero Energy standard in order to lower energy use, reduce greenhouse gas emissions and energy costs, and is therefore considered to be a form of affordable housing under section 565.1(2)(b) of the Vancouver Charter (British Columbia).	
Lumber and Building Materials Establishment	The use of premises to wholesale and retail merchandise consisting primarily of lumber, plywood, millwork, and related building materials.	W
<b>M</b>		
Machinery or Equipment Manufacturing	The use of premises for the manufacturing of machinery or equipment primarily intended for industrial or commercial use, including business or office equipment only secondarily intended for household use, but does not include Electrical Products or Appliances Manufacturing, Motor Vehicle Parts Manufacturing, or Transportation Equipment Manufacturing.	M
<b>Manufacturing Uses</b>	Any or all of the following land uses: <b>Animal Products Processing;</b> <b>Bakery Products Manufacturing;</b> <b>Batteries Manufacturing;</b> <b>Brewing or Distilling;</b> <b>Chemicals or Chemical Products Manufacturing - Class A;</b> <b>Chemicals or Chemical Products Manufacturing - Class B;</b> <b>Clothing Manufacturing;</b> <b>Creative Products Manufacturing;</b> <b>Dairy Products Manufacturing;</b> <b>Electrical Products or Appliances Manufacturing;</b> <b>Food or Beverage Products Manufacturing - Class A;</b> <b>Food or Beverage Products Manufacturing - Class B;</b> <b>Furniture or Fixtures Manufacturing;</b> <b>Ice Manufacturing;</b>	M

Term	Definition
	<p>Information Communication Technology Manufacturing;</p> <p>Jewellery Manufacturing;</p> <p>Leather Products Manufacturing;</p> <p>Linoleum or Coated Fabrics Manufacturing;</p> <p>Machinery or Equipment Manufacturing;</p> <p>Metal Products Manufacturing – Class A;</p> <p>Metal Products Manufacturing – Class B;</p> <p>Miscellaneous Products Manufacturing – Class A;</p> <p>Miscellaneous Products Manufacturing – Class B;</p> <p>Motor Vehicle Parts Manufacturing;</p> <p>Non-Metallic Mineral Products Manufacturing – Class A;</p> <p>Non-Metallic Mineral Products Manufacturing – Class B;</p> <p>Paper Manufacturing;</p> <p>Paper Products Manufacturing;</p> <p>Petroleum Products or Coal Products Manufacturing;</p> <p>Plastic Products Manufacturing;</p> <p>Printing or Publishing;</p> <p>Pulp Manufacturing;</p> <p>Rubber Manufacturing;</p> <p>Rubber Products Manufacturing;</p> <p>Shoes or Boots Manufacturing;</p> <p>Textiles or Knit Goods Manufacturing;</p> <p>Tobacco Products Manufacturing;</p> <p>Transportation Equipment Manufacturing;</p> <p>Vegetable Oil Manufacturing;</p> <p>Wood Products Manufacturing - Class A;</p> <p>Wood Products Manufacturing - Class B.</p>
Marina	<p>The use of premises for the mooring of pleasure craft, but does not include repairing or building boats.</p>

Term	Definition	
Marine Terminal or Berth	The use of premises for the mooring of boats, ships, float planes, ferries and other water vessels, but not including pleasure craft, for the land or water trans-shipment of goods or transfer of passengers, for the operations of a water taxi service, piloting service, boat rental or charter service, or for related marine services including stevedoring, salvaging, dredging or diving.	T
Mass Timber Building	A building where the majority of structural members are made of wood with a minimum dimension of 96 mm.	
Metal Products Manufacturing – Class A	The use of premises for the manufacturing of metal ingots, shapes, pigs or powders from ore or scrap, for the alloying, extruding, casting or rolling of metals, or for the manufacturing of metal structural shapes or metal castings, but does not include Jewellery Manufacturing.	M
Metal Products Manufacturing – Class B	The use of premises for the manufacturing of boilers, metal tanks, fabricated structural metal products, non-electrical wire or wire products, hardware, tools, cutlery, heating equipment or other fabricated metal products, or for the machining, stamping, pressing, coating, welding or smithing of metal or metal products, but does not include Electrical Products or Appliances Manufacturing, Machinery or Equipment Manufacturing, Metal Products Manufacturing – Class A, Motor Vehicle Parts Manufacturing, or Transportation Equipment Manufacturing.	M
Micro Dwelling	A self-contained residential unit that measures no less than 23.2 m <sup>2</sup> and no more than 29.7 m <sup>2</sup> .	D
Mini-Storage Warehouse	The use of a wholly enclosed building for the storage of personal property in self-contained, self-storage units, each of which units has separate and exclusive access from either the exterior or interior of the building.	T
Miscellaneous Products Manufacturing – Class A	The use of premises for the manufacturing of any product not included in any other manufacturing uses included in this <a href="#">Section 2</a> .	M

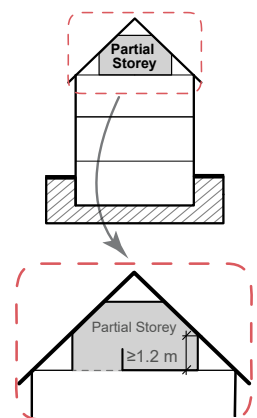
Term	Definition	
Miscellaneous Products Manufacturing – Class B	The use of premises for the manufacturing of toys, games, bicycles, novelties, ornaments, decorations, brooms, brushes, scientific or professional equipment, dentures and dental supplies, eye glasses, contact lenses, orthopaedic and other health care devices, clocks, signs, displays, sporting goods, recreational equipment, musical instruments, office or artists' supplies other than paper products, marking devices, awnings, window shades, blinds, umbrellas, notions, or wax products not involving the manufacturing of wax.	M
Mixed-Use Residential Building	A building containing at least 1 principal dwelling unit and at least 1 non-dwelling use.	D
Motor Vehicle Parts Manufacturing	The use of premises for the manufacturing of parts for motor vehicles, but does not include Batteries Manufacturing, Rubber Manufacturing, or Rubber Products Manufacturing.	M
Motor Vehicle Repair Shop	The use of premises for the repairing of motor vehicles or motor vehicle parts including tires, or for the painting or repairing of motor vehicle bodies.	S
Motor Vehicle Wash	The use of premises for the washing of motor vehicles.	S
Multiple Conversion Dwelling	An existing building converted to contain only 2 or more residential units, but does not include a Community Care Facility or Group Residence.	D
Multiple Dwelling	Any or all of the following: (a) Apartment; (b) Townhouse; (c) Triplex.	D
Mural	A use of land constituting a work of art or graphic depiction of any kind which is painted, inscribed, inlaid or otherwise placed on, affixed to, or formed as an element of the design of an exterior wall, roof, fence, or hoarding, but does not include a sign as defined in the Sign By-law.	
<b>N</b>		



Term	Definition	
Neighbourhood Grocery Store	The use of premises in a residential district for the primary purpose of selling groceries and convenience goods, and may include selling and serving prepared food and beverages for consumption on or off the premises, but does not include the sale of beer, wine, spirits, or other products that are intended for human consumption, containing more than 1% alcohol by volume.	R
Non-Metallic Mineral Products Manufacturing – Class A	The use of premises for the manufacturing of cement, clay, concrete, gypsum, glass, stone products, clay or concrete bricks, tiles or blocks, or other non-metallic mineral products.	M
Non-Metallic Mineral Products Manufacturing – Class B	The use of premises for the manufacturing of china, crockery, porcelain products, stone or concrete furniture or monuments, statuary, glass or glass products other than within glassworks, or abrasives, but does not include Non-Metallic Mineral Products Manufacturing – Class A.	M
Nursery, Field Crop or Fruit Farm	The use of land for the growing of plants, shrubs, trees, vegetables, field crops, berry or bush crops, or orchard crops.	A
<b>O</b>		
<b>Office Uses</b>	Any or all of the following land uses: <b>Financial Institution;</b> <b>General Office;</b> <b>Health Care Office;</b> <b>Health Enhancement Centre;</b> <b>Temporary Sales Office.</b>	O
Official Established Building Grade	The intended elevations of the street or lane along the property line of the site related to City datum, as established by the City Engineer.	
<b>P</b>		
Packaging Plant	The use of premises for the boxing, crating or related packaging of goods or material brought specifically to the premises for that purpose.	T
Paper Manufacturing	The use of premises for the manufacturing of paper.	M

Term	Definition	
Paper Products Manufacturing	The use of premises for the manufacturing of paper products, but does not include Paper Manufacturing, Pulp Manufacturing, Petroleum Products or Coal Products Manufacturing, or Printing or Publishing.	M
Parking Area	An open area of land other than a street or lane, used or intended to be used to provide space for the parking or storage of motor vehicles, and includes parking spaces, loading spaces, manoeuvring aisles and other areas providing access to parking or loading spaces, but does not include an area providing 4 or fewer spaces accessory to a residential use and may include the retail sale of electricity for the purpose of charging motor vehicles.	P
Parking Garage	A structure or a portion of a structure which is principally used or intended to be used for the parking or storage of motor vehicles, but does not include a structure providing 4 or fewer spaces accessory to a residential use and may include the retail sale of electricity for the purpose of charging motor vehicles.	P
Parking Uses	Any or all of the following land uses: <b>Parking Area;</b> <b>Parking Garage.</b>	P
Partial Storey	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, limited to a specified proportion of the storey immediately below.	
Passive House	A building that has been designed to meet the Passive House standard and achieve certification by the Passive House Institute of Darmstadt, Germany, as verified by a Passive House building certifier.	
Passive House Building Certifier	A person internationally accredited by the Passive House Institute in Darmstadt, Germany for the purpose of certifying buildings as being designed in accordance with its Passive House standards.	

**Diagram: Partial Storey**



Term	Definition	
Patio	A platform providing useable outdoor space that: (a) is not enclosed; and (b) generally has a surface height, at any point, no greater than 600 mm above finished grade.	
Pawnshop	The use of premises for the retailing of goods and chattels in pawn.	R
Permeable Materials	Materials including 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.	
Petroleum Products or Coal Products Manufacturing	The use of premises for the manufacturing of petroleum products, coal products, tar products or derivatives, tarpaper or asphalt roofing or siding material, and for the recycling or re-refining of oil.	M
Photofinishing or Photography Laboratory	The use of premises for photofinishing or photography but does not include Photofinishing or Photography Studio.	S
Photofinishing or Photography Studio	The use of premises with a maximum floor area of 300 m <sup>2</sup> for photofinishing or portrait photography.	S
Plastic Products Manufacturing	The use of premises for the manufacturing of plastic products, including plastic clothing and footwear, but does not include Chemicals or Chemical Products Manufacturing – Class A.	M
Plaza	An open space for use by the public, generally provided with amenities such as seating, drinking and ornamental fountains, weather-proofing, art, trees, and landscaping, which may support passive or active uses and may be publicly owned, or privately owned with a secured right-of-access for the public.	C
Porch	See definition for Entry, Porch and Verandah.	

Term	Definition	
Principal Building	A building that contains the principal use being made of the site, but does not include Accessory Building, Infill or Laneway House.	
Principal Dwelling Unit with Lock-Off Unit	A larger principal dwelling unit, containing a smaller dwelling unit that must have separate external access and shared internal access, and that can be locked off from the larger principal dwelling unit.	D
Print Shop	The use of premises with a maximum floor area of 300 m <sup>2</sup> for printing or lithographing.	S
Printing or Publishing	The use of premises for printing, lithographing or silkscreen printing; for platemaking or engraving as allied to the printing or publishing industries; for the publishing and printing of newspapers, magazines, periodicals, books, almanacs, maps, guidelines, pamphlets, flyers, or similar matter; or for book binding and associated binding operations as allied to the printing or publishing industries; but does not include print shop.	M
Production or Rehearsal Studio	The use of premises for the production of motion pictures, videos, television or radio programs or sound recordings or for the rehearsal of dance, music or drama, but does not involve the presence of an audience and does not include Artist Studio – Class A, Artist Studio – Class B, or Theatre.	S
Public Bike Share	A use of premises that provides the general public with an opportunity to rent bicycles through an automated system, on a short-term basis for use within the City as part of a network comprised of no fewer than 50 public bike share stations located on separate sites.	R
Public Bike Share Station	A bicycle sharing facility where bicycles are stored and from which the general public may rent and return bicycles and other objects or equipment necessary for or appurtenant to the operation of a public bike share service.	
Pulp Manufacturing	The use of premises for the manufacturing of pulp, woodfibre, fibreboard or paperboard.	M
<b>R</b>		

Term	Definition	
Radiocommunication Station	The use of premises for the transmitting or receiving of radio, television, satellite, microwave or related communications, but not when used for domestic purposes.	U
Railway Station or Rail Yard	The use of premises as a depot or station for passengers awaiting use of rail transport (non-commuter), for the servicing, cleaning or live storage of railroad cars, engines and other rolling stock, for the marshalling of trains, and including related storage of goods pending transport.	T
Rainwater	Rainfall and other natural precipitation.	
Rainwater Drainage	Runoff resulting from rainwater or from melting snow or ice.	
Rainwater Management Plan	A hydrological and hydraulic study, certified by a professional engineer, that sets out a comprehensive approach to the planning, design, implementation and operation of a rainwater management system in a manner that balances and optimizes environmental impacts and drainage efficiency and sets out the size, location, and configuration of the rainwater management system on the site as well as associated methodology, calculations and plan drawings that demonstrate how the requirements imposed on the development will be met.	
Rainwater Management System	A system for collecting, retaining, detaining, treating or conveying rainwater and rainwater drainage, including catch basins, sewers and pumps and the storm drainage facilities, structures or devices used for storage, management and treatment to buffer the effects of runoff or improve the quality of the rainwater and rainwater drainage, including natural ecosystem based facilities, structures, and devices.	
Rear Building	An infill, a second principal building, or the rear building in a courtyard configuration that is adjacent to the rear of the site.	
Rear Yard	That part of the site lying between the ultimate rear property line and the rear of the principal building or rear building, extending across the full width of the site.	

Term	Definition	U
Recycling Depot	The use of premises for the collection and sorting of garbage, and the packaging of paper, newspapers, clothing, cans, bottles and similar domestic or commercial garbage, but does not include Animal Products Processing, Junk Yard or Shop, or Waste Disposal Facility.	
Rental Housing Unit	<p>For the purposes of section 4.3.9 of this by-law, and for the purposes of:</p> <ul style="list-style-type: none"> <li>(a) section 2.2.8 of the <b>RM-2 District Schedule</b>;</li> <li>(b) section 2.2.5 of <b>RM-3 District Schedule</b>;</li> <li>(c) section 2.2.3 of <b>RM-3A District Schedule</b>;</li> <li>(d) section 2.2.2 of the <b>RM-4 and RM-4N Districts Schedule</b>;</li> <li>(e) section 2.2.7 of the <b>RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule</b>;</li> <li>(f) section 2.2.6 of the <b>RM-6 District Schedule</b>;</li> <li>(g) section 2.2.2 of the <b>FM-1 District Schedule</b>;</li> <li>(h) section 2.2.4 of the <b>C-2 District Schedule</b>;</li> <li>(i) section 2.2.4 of the <b>C-2B District Schedule</b>;</li> <li>(j) section 2.2.5 of the <b>C-2C District Schedule</b>; and</li> <li>(k) section 2.2.4 of the <b>C-2C1 District Schedule</b>,</li> </ul> <p>a dwelling unit, housekeeping unit, or sleeping unit on a site that a tenant rents, or has rented, for the purpose of living accommodation, but does not include:</p> <ul style="list-style-type: none"> <li>(l) a unit rented by a not for profit housing cooperative to a member of the cooperative;</li> <li>(m) a unit in a Community Care Facility or Group Residence;</li> <li>(n) a unit in a Hotel;</li> <li>(o) units in an equity co-op where, at the time of rezoning application, or at the time of development permit application for projects that do not require rezoning, the building was operated as an equity co-op within the last 3 years; or</li> </ul>	

Term	Definition	
	<p>(p) units in a strata titled building where, at the time of rezoning application, or at the time of development permit application for projects that do not require rezoning, the majority of the units were within the last 3 years individually owned and:</p> <p>(i) for which a petition has been filed with the Supreme Court of BC to dissolve the strata corporation; or</p> <p>(ii) for which all the strata lots within the corporation are now under single ownership.</p>	
Repair Shop – Class A	The use of premises for the repairing of products or goods not included in Motor Vehicle Repair Shop or Repair Shop – Class B.	S
Repair Shop – Class B	The use of premises for the repairing of household goods, including the repairing of jewellery, leather goods, sporting goods, clothing, shoes, toys, bicycles, or other household items capable of being carried to the premises by the customer, or for the sharpening of blades, cutting of keys, or re-upholstering or mending of household furniture.	S
Residential Rental Accommodation	<p>Any building or part thereof that:</p> <p>(a) is being used; or</p> <p>(b) having been used, has ceased to be used,</p> <p>as habitable living accommodation on a landlord and tenant basis, but does not include any building that has been lawfully changed to any other use from such use prior to October 26, 1989.</p>	
Residential Rental Tenure	<p>Any of the following:</p> <p>(a) a tenancy governed by a tenancy agreement as defined in the Residential Tenancy Act (British Columbia) or, in the event that the Act is repealed and not replaced, that contains the standard terms set out in the Residential Tenancy Regulation B.C. Reg. 477/2003;</p>	

Term	Definition	
	<p>(b) a tenancy in which the landlord is the City of Vancouver, the Metro Vancouver Housing Corporation, the City of Vancouver Public Housing Corporation, the B.C. Housing Management Commission, a non-profit society or association incorporated under the Societies Act (British Columbia) whose objects include the provision of affordable rental housing, or a partnership between any 2 or more such entities;</p> <p>(c) an occupancy between a member and a non-profit housing co-operative incorporated under the Cooperative Association Act (British Columbia) whose objects include the provision of affordable rental housing.</p>	
Residential Storage Space	Floor area within or accessory to a dwelling unit, used to store personal items such as recreation equipment, tires, barbecues, suitcases, miscellaneous household articles, and similar items, but does not include floor area for clothes closets, linen closets, or kitchen or bathroom cupboards.	
Residential Unit	A sleeping unit, housekeeping unit or dwelling unit.	
Restaurant	Where used without a qualifier, both a Restaurant – Class 1 and a Restaurant – Class 2.	S
Restaurant – Class 1	The use of premises for the primary purpose of selling and serving prepared food to the public during all hours of operation, where the premises include at least 17 indoor or outdoor seats for customers consuming food purchased on the premises, and where live entertainment, including the use of non-amplified or amplified musical instruments and disc jockey mixing turntables, but excluding patron participation such as karaoke, dancing and open microphone performing, may be available.	S



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

Term	Definition	
	<b>Pawnshop;</b> <b>Public Bike Share;</b> <b>Retail Store;</b> <b>Secondhand Store;</b> <b>Small-Scale Pharmacy;</b> <b>Vehicle Dealer.</b>	
Riding Ring	The use of a building for practising equestrian skills.	C
Roof Deck	A platform providing useable outdoor space that: <ul style="list-style-type: none"> <li>(a) is located in such a way as to form a roof over an existing or proposed floor below;</li> <li>(b) is primarily accessed from within a building;</li> <li>(c) is not covered;</li> <li>(d) is not enclosed, except for a required guard, or where it is located next to a portion of the same building or an adjacent building; and</li> <li>(e) may include a garden or planted area.</li> </ul>	
Rooming House	A building containing 3 or more sleeping units, but does not include a Multiple Conversion Dwelling.	D
Rubber Manufacturing	The use of premises for the manufacturing of rubber from raw material or for the manufacturing of tires.	M
Rubber Products Manufacturing	The use of premises for the manufacturing of rubber products, including rubber clothing and footwear, or for the retreading of tires, but does not include Rubber Manufacturing.	M
<b>S</b>		
School – Arts or Self-Improvement	The use of premises for training or instruction other than as included in any other use in this by-law, including training or instruction in drama, music, art, driving, cooking, sewing, language, or similar forms of self-improvement.	S

Term	Definition	
School – Business	The use of premises for training or instruction in business skills, including secretarial, teller, bookkeeping, key punching, computer programming, business machine operating or general sales skills, but does not include School – Elementary or Secondary, or School – University or College.	S
School – Vocational or Trade	The use of premises for training or instruction in particular vocations or trades, including barbering, beauty culture, hairdressing, broadcasting, charm or modelling, salesmanship in a particular vocation, driving (commercial transport), piloting (commercial transport), woodworking, metalworking, construction or other trade or technical occupations or vocations, but does not include School – Elementary or Secondary, or School – University or College.	S
Secondary Suite	A smaller dwelling unit within a larger Single Detached House or Duplex, which must have separate external access and may have shared internal access, but does not include a Lock-Off Unit.	D
Secondhand Store	The use of more than 2.5 m <sup>2</sup> of floor area in premises for the retailing of:  (a) used electronic equipment, including audio or video equipment or accessories, computers, printers or fax machines; or  (b) 2 or more of the following types of used merchandise: bicycles, sports equipment, luggage, jewellery, cameras, musical equipment, or tools.	R
Secured Market Rental Housing	A development or part of a development, used only as market rental housing, which has a covenant or housing agreement registered against title restricting its use to market rental housing, for the longer of 60 years or the life of the building, or for such other term as may be agreed upon by the City and the owner.	
Seniors Supportive or Assisted Housing	The use of a building for residential units designed to accommodate seniors as they age including separate common areas for dining and socializing, and the provision of meals, housekeeping and personal care.	D

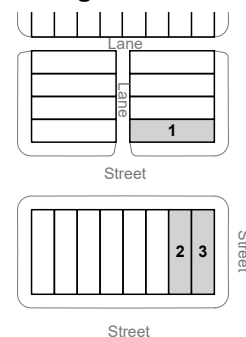
Term	Definition	
<b>Service Uses</b>	<p>Any or all of the following land uses:</p> <p><b>Animal Clinic;</b></p> <p><b>Auction Hall;</b></p> <p><b>Barber Shop or Beauty Salon;</b></p> <p><b>Beauty and Wellness Centre;</b></p> <p><b>Bed and Breakfast Accommodation;</b></p> <p><b>Body-Rub Parlour;</b></p> <p><b>Cabaret;</b></p> <p><b>Catering Establishment;</b></p> <p><b>Drive-Through Service;</b></p> <p><b>Funeral Home;</b></p> <p><b>Hotel;</b></p> <p><b>Laboratory;</b></p> <p><b>Laundromat or Dry Cleaning Establishment;</b></p> <p><b>Laundry or Cleaning Plant;</b></p> <p><b>Motor Vehicle Repair Shop;</b></p> <p><b>Motor Vehicle Wash;</b></p> <p><b>Neighbourhood Public House;</b></p> <p><b>Photofinishing or Photography Laboratory;</b></p> <p><b>Photofinishing or Photography Studio;</b></p> <p><b>Print Shop;</b></p> <p><b>Production or Rehearsal Studio;</b></p> <p><b>Repair Shop – Class A;</b></p> <p><b>Repair Shop – Class B;</b></p> <p><b>Restaurant;</b></p> <p><b>Restaurant – Class 1;</b></p> <p><b>Restaurant – Class 2;</b></p> <p><b>Restaurant – Drive-In;</b></p> <p><b>School – Arts or Self-Improvement;</b></p> <p><b>School – Business;</b></p> <p><b>School – Vocational or Trade;</b></p> <p><b>Short Term Rental Accommodation;</b></p>	<b>S</b>

Term	Definition	
	<b>Sign Painting Shop;</b> <b>Wedding Chapel;</b> <b>Work Shop.</b>	
Sex Object	Any of the following: (a) a replica of a penis, vagina, buttocks, anus, or female breast; (b) a device, machine or instrument intended for the stimulation primarily of the penis, the vagina or the anus by vibration or suction; (c) a pill, lotion or other medication intended to prolong or enhance the erection of the penis or the desire for sex, except when dispensed by or under the direction of a pharmacist licensed by the College of Pharmacists of British Columbia; (d) a whip or implement intended for use in the enactment of human bondage or sadomasochistic activities when displayed in combination with or on the same premises as any of the objects referred to in sections (a), (b) or (c).	
Shoes or Boots Manufacturing	The use of premises for the manufacturing of shoes or boots, including leather footwear, but does not include Plastic Products Manufacturing or Rubber Products Manufacturing.	M
Short Term Rental Accommodation	The use of a dwelling unit, or 1 or more bedrooms in a dwelling unit, as temporary accommodation, but does not include Bed and Breakfast Accommodation or Hotel.	S
Side Yard	The part of the site extending from the front yard to the rear yard and lying between the ultimate side property line and the closest side of the principal building.	
Single Detached House	A building containing only 1 principal dwelling unit.	D
Single Detached House with Secondary Suite	A building containing 2 dwelling units, 1 of which is a principal dwelling unit and 1 of which is a Secondary Suite.	D

Term	Definition	
Site	An area of land consisting of 1 or more adjoining parcels or lots abutting on a street not being a lane, but does not include a strata lot or a leasehold parcel created under section 99(1)(k) of the Land Title Act (British Columbia).	
Sleeping Unit	1 or more rooms equipped to be used for sleeping and sitting purposes.	
Small-Scale Pharmacy	A Drug Store that has a total gross store area of less than 600 m <sup>2</sup> .	R
Social Housing	<p>Rental housing:</p> <ul style="list-style-type: none"> <li>(a) in which at least 30% of the dwelling units are occupied by households with incomes below housing income limits, as set out in the current "Housing Income Limits" table published by the British Columbia Housing Management Commission, or equivalent publication;</li> <li>(b) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and</li> <li>(c) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situated has granted to the City a section 219 covenant, housing agreement, or other security for the housing commitments required by the City, registered against the freehold or leasehold title, with such priority of registration as the City may require,</li> </ul> <p>except that in the HA-2 district; in the area of the FC-1 district located north of National Avenue; in the area of the M-1, I-2, RT-3 and RM-3A districts located north of Venables Street, Malkin Avenue and Prior Street, south of Hastings Street, east of Gore Avenue and west of Clark Drive; in the Downtown Eastside Oppenheimer District; and in the area of the Downtown District denoted as C2 on Map 1 of the Downtown Official Development Plan; social housing means rental housing:</p>	

**Also see definitions for Corner Site and Double Fronting Site**

#### Diagram: Site Configurations



#### Site Configurations

- 1 Corner site
- 2 Double fronting site
- 3 Corner double fronting site

Term	Definition	
	<p>(d) in which at least one-third of the dwelling units are occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are rented at rates no higher than the shelter component of Income Assistance;</p> <p>(e) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and</p> <p>(f) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situated has granted to the City a section 219 covenant, housing agreement, or other security for the housing commitments required by the City, registered against the freehold or leasehold title, with such priority of registration as the City may require.</p>	
Social Service Centre	<p>The use of premises by a non-profit society:</p> <p>(a) providing information, referral, counselling, advocacy or health care services;</p> <p>(b) dispensing aid in the nature of food or clothing; or</p> <p>(c) providing drop in or activity space,</p> <p>but does not include premises used for residential purposes or Detoxification Centre.</p>	I
Stable	The use of premises for the keeping, breeding, raising, training or boarding of horses, but does not include a Riding Ring.	A
Storage Warehouse	The use of a wholly enclosed building, or portion thereof, for the storage of goods, material, machinery, or equipment, but not any storage that is ancillary to a principal use of premises, but does not include cold storage plant or grain elevator.	T
Storage Yard	The use of a partially enclosed building, or portion thereof, or an open area of land for the storage of goods, material, machinery or equipment, but not any storage that is ancillary to a principal use of the premises.	T

Term	Definition	
Storey	The portion of a building that is situated between the surface of any floor and the surface of the floor next above it and, if there is no floor above it, that portion between the surface of such floor and the ceiling surface above it, but does not include a basement or cellar.	
<b>T</b>		
Taxicab or Limousine Station	The use of premises as a base of operations for a taxicab, limousine, charter bus, or other land-vehicle passenger transport service, or for a pilot car service.	<b>T</b>
Temporary Modular Housing	Demountable structures, not permanently affixed to land, containing 3 or more residential units and accessory uses, but does not include a Multiple Conversion Dwelling, Community Care Facility, or Group Residence.	<b>D</b>
Temporary Sales Office	The use of a building in an RS or RT district, for a period not exceeding 3 years, for the sole purpose of marketing and selling dwelling units associated with a residential development.	<b>O</b>
Textiles or Knit Goods Manufacturing	The use of premises for the manufacturing of textiles, textile products or knit goods, including carpets, mats, rugs, canvas products, cotton bags, jute bags, automobile fabrics, draperies, silk fabrics, linen fabrics, thread, cordage, twine, or similar products, but does not include Clothing Manufacturing, or Linoleum or Coated Fabrics Manufacturing.	<b>M</b>
Theatre	A facility for performing arts, motion pictures, other media arts or presentations before a live audience, but does not include Cabaret.	<b>C</b>
Townhouse	A building containing 4 or more principal dwelling units where each unit has its own entrance from the exterior of the building, unless otherwise specified in a district schedule.	<b>D</b>

**Also see definition for Partial Storey**



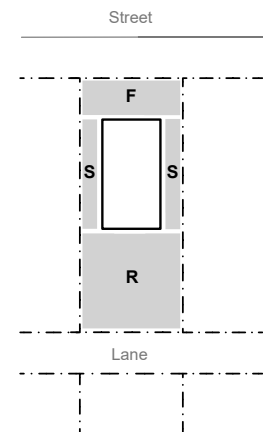
Term	Definition	
Transportation and Storage Uses	Any or all of the following land uses: <b>Aircraft Landing Place;</b> <b>Booming Ground;</b> <b>Bulk Data Storage;</b> <b>Cold Storage Plant;</b> <b>Grain Elevator;</b> <b>Marine Terminal or Berth;</b> <b>Mini-Storage Warehouse;</b> <b>Packaging Plant;</b> <b>Railway Station or Rail Yard;</b> <b>Stockyard;</b> <b>Storage Warehouse;</b> <b>Storage Yard;</b> <b>Taxicab or Limousine Station;</b> <b>Truck Terminal or Courier Depot;</b> <b>Weighing or Inspection Station;</b> <b>Works Yard.</b>	T
Transportation Equipment Manufacturing	The use of premises for the manufacturing of aircraft, railroad rolling stock, ships, boats, truck or bus bodies, truck trailers, snowmobiles or motor vehicles.	M
Triplex	A building containing 3 principal dwelling units, but does not include a Multiple Conversion Dwelling.	D
Truck Terminal or Courier Depot	The use of premises for the parking and servicing of trailers, containers, trucks, and other motor vehicles involved in commercial transport, cartage, moving, delivery, or related goods movement.	T
<b>U</b>		
Ultimate Property Line	The property line that results when an anticipated or partially dedicated lane or street abuts a site, and that becomes the property boundary for the purposes of measuring required yards.	
Urban Farm – Class A	The use of land, with or without a principal building, for the cultivation of fruits or vegetables for sale.	A

Term	Definition	
Urban Farm – Class B	The use of land or premises for the cultivation of fruits or vegetables for sale, and of which part or all of the use may take place in a greenhouse or other structure, and may include on-site sales.	A
Under-Utilized Lots	A lot or lots in the RT-5, RT-5N and RT-6 districts under developed to less than 0.45 FSR on January 16, 2018, but excludes lots on the Council approved Vancouver Heritage Register.	
Unnecessary Hardship	Hardship that results from unique physical circumstances that are peculiar to the site and does not include mere inconvenience, preference for a more lenient standard or a more profitable use, or self-induced hardship resulting from the actions of the owner or applicant.	
Utility and Communication Uses	Any or all of the following land uses: <b>Public Utility;</b> <b>Radiocommunication Station;</b> <b>Recycling Depot;</b> <b>Waste Disposal Facility.</b>	U
<b>V</b>		
Vehicle Dealer	The use of premises to retail motor vehicles, boats or recreational trailers.	R
Verandah	See definition for Entry, Porch and Verandah.	
<b>W</b>		
Waste Disposal Facility	The use of premises for the treatment, reduction, recycling, incineration or disposal of refuse, garbage, sewage, or other waste material, but does not include Animal Products Processing, Junk Yard or Shop, or Recycling Depot.	U
Water Table	The level below which the ground is saturated with water at a pressure of 1 atmosphere or greater.	
Wedding Chapel	The use of premises for wedding ceremonies only.	S

Term	Definition	
Weighing or Inspection Station	The use of premises for the weighing or inspection of vehicles.	T
Wholesale	To offer to sell or rent, or to sell or rent, merchandise other than at retail.	
<b>Wholesale Uses</b>	Any or all of the following land uses: <b>Bulk Fuel Depot;</b> <b>Cardlock Fuel Station;</b> <b>Junk Yard or Shop;</b> <b>Lumber and Building Materials Establishment;</b> <b>Wholesaling – Class A;</b> <b>Wholesaling – Class B.</b>	W
Wholesaling – Class A	The use of premises to wholesale merchandise where the operator of the premises keeps merchandise for sale or rent on the premises and the floor area for storage space exceeds the floor area for showroom or display space, but does not include any other wholesale uses included in this <b>Section 2</b> .	W
Wholesaling – Class B	The use of premises to wholesale merchandise where the operator of the premises keeps merchandise for sale or rent on the premises and the floor area for showroom or display space exceeds the floor area for storage space, but does not include any other wholesale uses listed in this <b>Section 2</b> and an office for an import agent or broker, manufacturer's agent or similar establishment.	W
Wood Products Manufacturing – Class A	The use of premises for the manufacturing of wood products that involves the use or milling of logs, including the operations of sawmills, planing mills, shingle mills, veneer mills or plywood mills, but does not include Paper Manufacturing or Pulp Manufacturing.	M
Wood Products Manufacturing – Class B	The use of premises for the manufacturing of wood products that does not involve the use or milling of logs, but does not include Furniture or Fixtures Manufacturing, Paper Manufacturing, Pulp Manufacturing, or Wood Products Manufacturing – Class A.	M

Term	Definition	
Work Shop	The use of wholly enclosed premises for the storing, maintenance, and assembly of equipment and material for audio, electrical, plumbing, construction, and related trades.	<b>S</b>
Works Yard	The use of a partially enclosed building or a portion thereof, or an open area of land, for the storing, repairing, or cleaning of supplies, materials, equipment, or vehicles of any business that conducts construction, installation, cleaning, repair, or other industrial trade services off-site.	<b>T</b>
<b>Y</b>		
Yard	See definitions for Exterior Side Yard, Front Yard, Rear Yard and Side Yard.	

**Diagram: Yards  
(Front, Rear, Side)**



**Site Yards**

**R** Rear Yard

**S** Side Yard

**F** Front Yard

- - - Property Line

## SCHEDULE C

# Section 4

## Development Permits

### 4.1 Development Permit Applications

- 4.1.1 Every applicant for a development permit or an amendment to a development permit must 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.
- 4.1.2 Every application for a development permit or an amendment to a development permit must include:
- (a) the legal description and location of the site, and the purpose of the proposed development, together with such further or additional information as the Director of Planning may require; and
  - (b) no less than 3 sets of any plans or drawings or as many sets as may be required by the Director of Planning, sufficient to identify the site and to describe fully the proposed development, which will, other than 1 set, become the property of the City, except that the Director of Planning may:
    - (i) 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,
    - (ii) require additional information to identify development within the immediate surroundings, and
    - (iii) if the Director of Planning deems it necessary, require the applicant to provide a survey plan of the site verified by a British Columbia Land Surveyor.
- 4.1.3 All plans or drawings submitted must 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 lesser scale as the Director of Planning may approve, and must be fully dimensioned, accurately figured, explicit and complete.
- 4.1.4 The Director of Planning may accept with any development permit application submitted in preliminary form, plans or drawings that are not in compliance with sections [4.1.2\(b\)](#) and [4.1.3](#), provided that such plans or drawings are sufficient to identify the site and satisfactorily indicate preliminary development information.
- 4.1.5 No development permit may be issued without the prior submission of plans or drawings in compliance with the requirements of sections [4.1.2\(b\)](#), [4.1.3](#) and [4.1.4](#).

- 4.1.6 No development permit may be issued until plans or drawings have been submitted that show that the proposed development or change of use is in compliance with the provisions of any by-law regulating the provision of parking and loading within the City.

## 4.2 Development Permit Application Time Limits

- 4.2.1 Unless otherwise approved, refused or subject to limitations in time as may be imposed by the Director of Planning or Development Permit Board, any development permit application will be void 12 months from the date of application.
- 4.2.2 The Director of Planning may allow an extension or extensions of the time period specified in section 4.2.1 for additional periods, if warranted by the circumstances, but in no case may any extension or extensions exceed 12 months in total.
- 4.2.3 If no development permit has been issued to the applicant within 30 days from the date on which the applicant has furnished all the information and material required by the Director of Planning in accordance with section 4.1 of this by-law, or such longer period as may be agreed by the applicant, then the development permit must be deemed to have been refused, so as to enable the applicant to exercise their right to appeal, provided always that if Council has withheld or has authorized its proper officer to withhold the issuance of a development or building permit relative to the property in question under section 570 of the Vancouver Charter (British Columbia), then the issue of a development permit will not be deemed to have been refused for as long as the issuance of such development permit continues to be withheld.

## 4.3 Development Permit Approvals

- 4.3.1 In dealing with applications for development permits the Director of Planning or Development Permit Board may, in every case and in accordance with the provisions of this by-law, grant such permits either unconditionally or subject to conditions, including a limitation in time, or may refuse such applications.
- 4.3.2 In granting or refusing development permits, granting relaxations or imposing conditions, the Director of Planning must consider the intent and purposes of this by-law.
- 4.3.3 Despite any of the other provisions of this by-law, an application for a development permit may be refused if the development in respect of which application is made:
- (a) does not conform to an amendment to this 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 must refer the application to Council for authority 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 impact public safety;

- (f) would, in the opinion of the Director of Planning or Development Permit Board, adversely affect public amenity, except that 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 Development Permit Board may require any development permit applicant to submit a hydrogeological study and an impact assessment, and may consider drainage to be inadequate if the proposed development will result in:

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

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

- (a) a rainwater management plan designed to achieve prescribed performance targets; and
- (b) a 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 until the property owner has entered into a rainwater and groundwater management agreement, to the satisfaction of the Director of Legal Services and the City Engineer, to:

- (a) construct a rainwater management system or groundwater management system, or both, on the site that is designed and certified by a professional engineer to:
  - (i) prevent groundwater discharge from entering the City's collection system,
  - (ii) retain the first 24 mm of rainwater in a 24 hour period from all areas, including rooftops, paved areas, and landscape,
  - (iii) treat the first 24 mm of rainwater in a 24 hour period from all pervious and impervious surfaces to remove 80% Total Suspended Solids (TSS) by mass prior to discharge from the site,
  - (iv) treat an additional 24 mm of rainwater in a 24 hour period to remove 80% Total Suspended Solids (TSS) by mass prior to discharge from the site of all rainwater flowing from roads, driveways and parking lots, and
  - (v) limit the peak flow rate discharged to the sewer under post-development conditions to a flow not greater than the peak pre-development flow rate for the return period specified in the City's

Intensity-Duration-Frequency curves (IDF curves) set out in [Schedule I](#) of this by-law, using the City'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 Director of Planning or Development Permit Board, the Director of Planning may approve, approve subject to conditions, or refuse any such development permit application unless, in the Director of Planning's opinion:

- (a) the development would have a significant impact 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
- (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 must 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 Director of Planning or Development Permit Board may refer any application for a development permit to the Urban Design Panel for advice, and may notify such property owners and tenants the Director of Planning or Development Permit Board deems necessary.

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

- (a) a multiple dwelling in the C-2, C-2B, C-2C1, RM-2, RM-3, RM-3A, RM-4, RM-4N, RM-5, RM-5A, RM-5B, RM-5C, RM-5D, RM-6, or FM-1 districts;



- (b) a multiple conversion dwelling with 3 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, RM-5D, or FM-1 districts;
- (c) an infill multiple dwelling with 3 or more dwelling units in the RM-4, RM-4N, RM-5, RM-5A, RM-5B, RM-5C, RM-5D, or FM-1 districts; or
- (d) a mixed-use residential building containing 3 or more dwelling units 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

- 4.4.1 When an application for a development permit and the terms of the proposed development conform to this by-law, the Director of Planning must issue a development permit and return 1 set of the approved plans and drawings to the applicant, and the City may retain any remaining sets of plans or drawings as required for its records.
- 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 does not in any way relieve the applicant from full responsibility for the carrying out of the development in accordance with this by-law.
- 4.4.3 The approval of any application and plans or drawings, or the issuing of a development permit, does not prevent the Director of Planning from thereafter requiring the correction of errors or from prohibiting a development from being carried out when it is in violation of this or any other by-law.
- 4.4.4 Save and except as provided in this by-law, it is unlawful for any person to erase, alter or modify any development permit including the application therefor or any plans or drawings accompanying the same.
- 4.4.5 The issue of a development permit does not absolve the applicant from complying with all City by-laws.
- 4.4.6 In the event of a discrepancy between any written description and the plans or drawings, the written description prevails.
- 4.4.7 The Director of Planning must, upon application being made therefor, issue a development permit in accordance with any decision of the Board of Variance.

#### 4.5 Development Permit Amendment

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

## 4.6 Development Permit Time Limits

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

- (a) the development authorized thereunder has been commenced; or
- (b) a building permit has been issued and is unexpired.

4.6.2 Any development permit issued will be void 24 months after the date it was issued unless the development authorized thereunder has been completed in compliance with all conditions attached thereto.

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

4.6.4 The Director of Planning may renew on 1 occasion only, and for a period not exceeding 12 months, a development permit that has become void, provided that at the time of such renewal the permit has not been void for a period of more than 12 months.

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

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

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

- (a) the use is configured in the same way as it lawfully existed immediately prior to the fire; and
- (b) a development permit authorizing the repair and reconstruction of the building is issued within 90 days of the building's destruction or demolition.

4.6.8 The Director of Planning may renew a development permit issued with specified time limitations on more than 1 occasion if the conditions of approval have not changed.

## 4.7 Building Permit Validity

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 will be valid unless and until a development permit has been issued.

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:

- (a) the Director of Planning has issued a "prior-to permit issuance" letter for the development;

- (b) the 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 section 4.7.2(a);
- (c) the 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) the development must include 1 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:

- (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

4.8.1 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:

- (a) the maintenance or minor repair of any building, structure or use, other than a building, structure, use or site designated under the Heritage By-law or located in an HA district, except that the Director of Planning may exempt an applicant from the requirement to obtain a development permit in an HA District where the Director of Planning is satisfied that the maintenance or minor repair does not contravene this by-law or any applicable official development plan, or Council approved policies or guidelines;
- (b) the construction or use of an accessory building or an accessory use that is permitted as an outright approval use in the applicable district schedule and is located on the same site as the principal building or use;

- (c) 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 is located on the same site or on an adjoining parcel;
- (d) 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;
- (e) the construction and maintenance of that part of a public utility placed in or upon a public thoroughfare or public utility easement;
- (f) the construction, widening, improvement, maintenance or repair of any highway, lane, street, bridge or other public thoroughfare;
- (g) the demolition of any building, except for a building:
  - (i) used for residential rental accommodation,
  - (ii) listed on the Vancouver Heritage Register, or
  - (iii) used for residential accommodation in the RS-1, RS-3, RS-3A, RS-5, RS-6, RS-7 or First Shaughnessy districts,

except that this section 4.8.1(g) does not apply to any building that is residential rental accommodation subject to the provisions of section 10.7.3, subject to a demolition order, subject to demolition as a condition of subdivision approval, or used for residential accommodation in the RS-1, RS-3, RS-3A, RS-5, RS-6, RS-7 or First Shaughnessy districts, not listed on the Vancouver Heritage Register, and for which a building permit has been issued to demolish by deconstruction;

- (h) the placing or maintenance of any fence or similar enclosure structure except those requiring the permission of the Director of Planning or Development Permit Board;
- (i) the keeping of not more than 2 boarders or lodgers or the keeping of not more than 5 foster or 8 daycare children in each dwelling unit;
- (j) the keeping of animals or birds for domestic purposes, except as otherwise prohibited or regulated by the Health By-law;
- (k) the renting of no more than 1 off-street parking space accessory to a single detached house or a duplex, provided that the space is surplus to the minimum parking requirements of the dwelling;
- (l) the provision of recreation rooms or extra bedrooms in the basement of a single detached house or duplex;
- (m) the engaging in a homecraft;
- (n) the change in use from a lawfully existing use listed in Column A to a use listed opposite in Column B:

Column A: From	Column B: To
(i) Multiple conversion dwelling or rooming house.	Single detached house.
(ii) Multiple conversion dwelling.	Multiple conversion dwelling containing the same or fewer units in total, except in the RT-4, RT-4A, RT-4AN, RT-4N, RT-5, RT-5N, RT-6, RT-7, RT-8, RT-9, RT-10, RT-10N, RT-11, RT-11N, RM-1, RM-1N, RM-7, RM-7N, RM-7AN, RM-8, RM-8A, RM-8N, RM-8AN, RM-9, RM-9A, RM-9N, RM-9AN, RM-9BN, RM-10, RM-10N, RM-11, RM-11N, RM-12N or First Shaughnessy districts.
(iii) Except as provided in section 4.8.1(n)(iv), any use located in any district and listed in the applicable district schedule as an outright or conditional approval use, except for live-work.	Any outright use listed in the same district schedule.
(iv) Any use located in an industrial district and listed in the applicable district schedule as an outright or conditional approval use, but not including a storage warehouse or any use where the number of parking and loading spaces has been relaxed.	Any outright use listed in the same district schedule.
(v) 1 or more of the following outright or conditional approval uses in a district: general office, retail store, health care office, barber shop or beauty salon, and beauty and wellness centre;	Any of the other outright or conditional approval uses in a district listed in column A, provided the total floor space does not exceed 300m <sup>2</sup> .

- (o) the construction of antennae, including satellite dishes, provided:
  - (i) 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, and
  - (ii) if they are located in an R district, they are used for domestic purposes;
- (p) the installation of a mural on a hoarding where at least 50% of the hoarding is located on a street or lane;
- (q) 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;

- (r) 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 in any of the RS district schedules;
- (s) the installation and maintenance of a public bike share station as part of public bike share, provided that the public bike share station:
  - (i) does not include any enclosed structures,
  - (ii) is automated,
  - (iii) does not interfere with any public works, facilities or amenities, and
  - (iv) is part of a network comprised of no fewer than 50 public bike share stations;
- (t) an arts and culture indoor event;
- (u) an urban farm – class A, provided that the planting area of the parcel does not exceed 325 m<sup>2</sup>; and
- (v) short term rental accommodation.

## SCHEDULE D

# Section 5

## By-law Relaxations and Powers of Discretion

### 5.1 Relaxation of By-law Provisions

5.1.1 Except as otherwise specified in this by-law, in any case where enforcement of this by-law would result in unnecessary hardship, the Director of Planning or Development Permit Board, in the exercise of their jurisdiction, may relax the provisions of this by-law to the extent necessary to relieve such hardship, except that before granting the relaxation, the Director of Planning or Development Permit Board must:

- (a) consider whether the relaxation would result in any adverse impacts on adjacent properties; and
- (b) have regard to the intent of this by-law, the regulations and policies of any official development plan, and all applicable Council policies and guidelines.

5.1.2 Except as otherwise specified in this by-law, in any case where Council determines that the proposed development would make a contribution to conserving a building or site designated by Council as protected heritage property or a building or site on the Heritage Register, the Director of Planning or Development Permit Board, in the exercise of their jurisdiction, may relax the provisions of this by-law, except that before granting the relaxation, the Director of Planning or Development Permit Board must:

- (a) consider any advice from the Vancouver Heritage Commission or any other body established by Council for a similar purpose, defining the aspects of the building or site that give it heritage value and advising on the proposed conservation work;
- (b) notify such adjacent property owners and tenants as deemed necessary, consider the responses received, and, if there is significant objection, refer the matter to Council for advice; and
- (c) consider the provisions of this by-law and all applicable Council policies and guidelines,

and any development permit issued must specify the heritage aspects of the building or site that merit the relaxation authorized by this section.

5.1.3 Except as otherwise specified in this by-law, where the proposed development makes provision for low-cost housing for persons receiving assistance and is not in the RS-1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-5, RS-6, RS-7, RT-1, RT-4, RT-4A, RT-4N, RT-4AN, RT-7, RT-9, RT-10, RT-10N, RT-11 or RT-11N districts or in any other district that permits single detached house but does not permit multiple dwelling, the Director of Planning or Development Permit Board, in the exercise of their jurisdiction, may relax the provisions of this by-law except that before granting the relaxation, the Director of Planning or Development Permit Board must consider:

- (a) all applicable Council policies and guidelines; and
- (b) the impact on the liveability of neighbouring residents,

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

- 5.1.4 The authority of the Director of Planning or Development Permit Board to relax any provision of this by-law under this section [5.1](#) includes the authority to impose conditions, including time limitations.

## 5.2 Powers of Discretion Related to Zoning Matters

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

- (a) alterations or additions to an existing building that lacks minimum yards required by the applicable district schedule, except that the Director of Planning may only vary yard requirements, and must consider the impact on neighbouring properties;
- (b) placement of more than 1 principal building on 1 site, or structural alterations or additions to 2 or more principal buildings existing on the same site, located in a C, M, I or CD district;
- (c) placement of more than 1 principal building on 1 site, or structural alterations or additions to 2 or more principal buildings existing on the same site, if such principal buildings consist of multiple dwellings located in any R district, except that the arrangement of such principal buildings must be satisfactory to the Director of Planning;
- (d) retention of more than 1 principal building on 1 site where an application for a development permit has been made but the permit cannot be issued due to a requirement to consolidate or subdivide the site;
- (e) placement of 1 or more portable classrooms on an elementary or secondary school site, if the existing or proposed development exceeds the permitted floor space ratio or site coverage, or lacks minimum yards or setbacks, as specified in the applicable district schedule or [Section 11](#) of this by-law;
- (f) construction of a new elementary or secondary school building, or alterations or additions to an existing elementary or secondary school building, if the existing or proposed development exceeds the permitted floor space ratio, site coverage, or building depth, or lacks minimum yards or setbacks, as specified in the applicable district schedule or [Section 11](#) of this by-law;
- (g) low operational cost housing containing 6 or more dwelling units that is not located in a CD district, except that the Director of Planning may not increase the permitted floor area or density of units above the maximum permitted in the applicable district schedule, and may only be granted after the Director of Planning has considered all applicable Council policies and guidelines, and this section [5.2.1\(g\)](#) does not apply to applications made after December 31, 2025;



- (h) required setbacks to off-street parking areas where, in the opinion of the Director of Planning, the landscaping provided or to be provided is adequate to warrant such decrease, except that in the C-1 district or an R district, no decrease may be granted that has the effect of decreasing the front yard to less than the required depth of an adjoining front yard; and
- (i) the maximum projection of balconies into required yards, horizontal daylight control angles, and limitations on building depth.

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

- (a) the construction or alteration of, or addition to, a building is to include enhanced accessibility to and from the building by way of ramps, lifts, or other like means for persons facing barriers to access because they have a loss or reduction of functional ability or activity; and
- (b) the Director of Planning considers all applicable Council guidelines and policies,

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

5.2.3 The Director of Planning may vary the provisions of this by-law regulating building placement if the placement of a building will accommodate the retention of an existing tree that, in the opinion of the Director of Planning, warrants retention, and the placement will not, in the opinion of the Director of Planning, result in unduly adverse impacts on adjacent properties.

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

- (a) the soil or hydrological conditions are documented to the satisfaction of the Director of Planning; and
- (b) the area of all floors at or above finished grade does not exceed a floor space ratio of 0.60.

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

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

- 5.2.7 The Director of Planning is authorized to determine whether or not a building is a character house and, in making that determination, may consider the age and architectural form and style of the building, in accordance with all applicable Council policies and guidelines.
- 5.2.8 Before exercising any power of discretion under this section [5.2](#), the Director of Planning must be satisfied that any property owner likely to be adversely affected is notified, and such notification must be in a form appropriate in the circumstances.

## SCHEDULE E

# Section 9

## Zoning Districts

### 9.1 Districts

- 9.1.1 For the purposes of this by-law, the territorial area of the City of Vancouver is hereby classified or divided into districts, and such districts are hereby designated and described by the following classifications:

Limited Agriculture		
RA-1		
Residential		
FM-1	RM-8N	RS-7
RM-1	RM-8AN	RT-1
RM-1N	RM-9	RT-2
RM-2	RM-9A	RT-3
RM-3	RM-9AN	RT-4
RM-3A	RM-10	RT-4A
RM-4	RM-10N	RT-4AN
RM-4N	RM-11	RT-4N
RM-5	RM-11N	RT-5
RM-5A	RM-12N	RT-5N
RM-5B	RS-1	RT-6
RM-5C	RS-1A	RT-7
RM-5D	RS-1B	RT-8
RM-6	RS-2	RT-9
RM-7	RS-3	RT-10
RM-7N	RS-3A	RT-10N

RM-7AN	RS-5	RT-11
RM-8	RS-6	RT-11N
Residential Rental		
RR-1	RR-2B	RR-3A
RR-2A	RR-2C	RR-3B
Commercial		
C-1	C-3A	C-8
C-2	C-5	FC-1
C-2B	C-5A	FC-2
C-2C	C-6	
C-2C1	C-7	
Industrial		
I-1	I-4	M-1B
I-1A	IC-1	M-2
I-1B	IC-2	MC-1
I-1C	IC-3	MC-2
I-2	M-1	
I-3	M-1A	
Historic Area		
HA-1 (Chinatown)	HA-2 (Gastown)	HA-3 (Yaletown)
HA-1A (Chinatown)		
Comprehensive Development		
BCPED	DD	FSD
CD-1	DEOD	
CWD	FCCDD	

## 9.2 Districts and Schedules

- 9.2.1 The district schedules and other schedules that contain the uses and regulations pertaining to the districts referred to above are annexed hereto and form an integral part of this by-law.

### 9.3 Plans

- 9.3.1 The boundaries of the districts referred to above, together with any explanatory legends, notations and references in respect thereof, are shown and described in Schedule D: Zoning District Plan and form an integral part of this by-law.

### 9.4 References

- 9.4.1 Wherever in this by-law letters and numbers are used in reference to any zoning district such reference means the following:
- (a) RA includes any and all districts designated in section 9.1 commencing with the letters “RA” and followed by other letters or numbers or combination thereof;
  - (b) RR includes any and all districts designated in section 9.1 commencing with the letters “RR” and followed by other letters or numbers or combination thereof;
  - (c) RS includes any and all districts designated in section 9.1 commencing with the letters “RS” and followed by other letters or numbers or combination thereof;
  - (d) RT includes any and all districts designated in section 9.1 commencing with the letters “RT” and followed by other letters or numbers or combination thereof;
  - (e) RM includes any and all districts designated in section 9.1 commencing with the letters “RM” or “FM” and followed by other letters or numbers or combination thereof and RR-1, RR-2A, RR-2B and RR-2C;
  - (f) R includes any and all districts commencing with the letters “RA”, “RS”, “RT”, “RM”, or “FM” and followed by other letters or numbers or combination thereof, and RR-1, RR-2A, RR-2B and RR-2C;
  - (g) C includes any and all districts designated in section 9.1 commencing with the letters “C” or “FC” and followed by other letters or numbers or combination thereof, and RR-3A and RR-3B, but does not include any Comprehensive Development District;
  - (h) M includes any and all districts designated in section 9.1 commencing with the letter “M” and followed by other letters or numbers or combination thereof;
  - (i) HA includes any and all districts designated in section 9.1 commencing with the letters “HA” and followed by other letters or numbers or combination thereof; and
  - (j) I includes any and all districts designated in section 9.1 commencing with the letter “I” and followed by other letters or numbers or combination thereof.

### 9.5 General Prohibition

- 9.5.1 No development may be carried out in any of the districts referred to above except in accordance with the regulations set out in the applicable district schedule.

## SCHEDULE F

# Section 10

## General Regulations

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

The index below is provided for convenience only and does not form part of this by-law.

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## 10.1 Building Height

- 10.1.1 The Director of Planning may permit the following items to exceed the maximum building height otherwise permitted in this by-law if, except for the items set out in section 10.1.1(d), they do not in total cover more than 10% of the roof area on which they are located as viewed from directly above, and if the Director of Planning considers the impact on building placement, massing, views, overlook, shadowing and noise:
- (a) architectural features, if no additional floor area is created;
  - (b) mechanical equipment, including elevator machine rooms, and any related 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, if the Director of Planning considers the guard materials to be appropriate to reduce visual impacts; and
  - (i) items similar to any of the above.
- 10.1.2 For any building that exceeds 30.5 m in height, the Development Permit Board may permit a decorative roof to exceed the maximum building height otherwise permitted in this by-law, if:
- (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 considers all applicable Council policies and guidelines.
- 10.1.3 For residential buildings of 3 storeys or less, an additional 0.15 m in height is permitted if the roof contains at least 0.35 m of insulation.

## 10.2 Acoustics

- 10.2.1 In a district with an N suffix, or in the C-1, C-2, C-5, C-5A, C-6, C-7, C-8, FC-2, IC-3, MC-1, MC-2, RM-5A, RM-5B, RM-5C, RM-5D, RM-6, RR-2A, RR-2B, RR-2C, RR-3A, RR-3B or RS-1B districts or a CD-1 district, unless otherwise specified in the district schedule, a development permit application for any dwelling use must include 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, and for the purposes of this section [10.2](#), 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
Bedrooms	35 decibels
Living, dining, recreation rooms	40 decibels
Kitchen, bathrooms, hallways	45 decibels

### 10.3 Site Coverage for Buildings

- 10.3.1 Site coverage for buildings is measured using the projected area of the outside of the outermost walls of all buildings and includes carports, but excludes steps, eaves, balconies and decks.

### 10.4 Corner Site in Certain Districts

- 10.4.1 Development on a corner site in an RA, RS or RT district, the C-1 district, or as required in other districts, that has a site at its rear that fronts on the flanking street, with or without the intervention of a lane, must provide:
- (a) for the principal building, a setback from the flanking street of a distance at least half of the depth of the required front yard of the site at its rear, but that setback 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 site to less than 7.9 m provided that the minimum side yards of the applicable district schedule are provided; and
  - (b) for any accessory building, a setback of 7.3 m from the flanking street or as otherwise approved by the Director of Planning.

### 10.5 Shallow Site in an RS or RT District, or the C-1 District

- 10.5.1 For development on a site that is less than 36.6 m deep in an RS or RT district, or the C-1 district:
- (a) the front yard depth may be reduced by up to 20% of the average depth of the site, except that the front yard depth must not be less than 5.5 m; and
  - (b) the rear yard depth may be reduced by up to 30% of the average depth of the site, except that the rear yard depth must not be less than 8.2 m or, where the rear of a site abuts a lane, 8.2 m less the distance between the rear property line and the ultimate centre line of the lane.

### 10.6 Double Fronting Site

- 10.6.1 The building placement and design of all buildings on a double fronting site located in any district, other than an M or I district, requires the approval of the Director of Planning.



## 10.7 Landscape Setbacks in an M, I or CD-1 District

10.7.1 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, is subject to the following:

- (a) a setback must be provided and maintained at a depth as set forth in [Schedule C](#);
- (b) no building or structure of any kind, or area for manoeuvring aisles, parking, loading or any other like purpose, is permitted within the setback area;
- (c) except as provided for elsewhere in this section [10.7](#), the setback area must be fully graded and landscaped with trees, shrubs and lawn to the satisfaction of the Director of Planning; and
- (d) the following may be permitted within the landscaped setback area by the Director of Planning:
  - (i) statuary, fountains and other objects of art,
  - (ii) open ornamental fences if necessary for the protection and preservation of landscaping or permitted objects of art, and
  - (iii) walks or driveways that, in the opinion of the Director of Planning, may be required to provide direct access to any building or use on the site.

## 10.8 Projections into Yards

10.8.1 The following features are permitted in any required yard:

- (a) steps, except that no steps are permitted in any side yard except an exterior side yard;
- (b) eaves, gutters, sills and chimneys or other similar features as determined by the Director of Planning, if they do not project more than 1.0 m into a required yard, measured horizontally, except that they must not be less than 0.7 m from a side property line;
- (c) balconies on multiple dwellings, if:
  - (i) they do not project more than 1.8 m into a required yard and are no less than 2.1 m from an interior side property line, and
  - (ii) the safety railing does not extend more than 1.07 m 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 less 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 0.54 m into a required yard,
  - (ii) the bottom outside edge of the bay is at least 0.3 m above the floor level, and
  - (iii) the area contained within the bay window projection is not used for any purpose other than to provide light and ventilation;
- (f) building projections, including shading devices, eaves, and overhangs, if:
  - (i) they are, in the opinion of the Director of Planning, suitably designed and located in a position that provides solar rejection,
  - (ii) they are cantilevered, and
  - (iii) they do not project more than 1.5 m measured at right angles to the face of the building;
- (g) demountable green walls, if:
  - (i) they do not project more than 254 mm into a required yard,
  - (ii) they comply with Building By-law requirements, and
  - (iii) they are, in the opinion of the Director of Planning, suitably designed and located to contribute to sustainable design performance; and
- (h) any other features that, in the opinion of the Director of Planning, are similar to any of the features listed above.

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

- (a) open fire escapes; and
- (b) any other features that, in the opinion of the Director of Planning, are similar to any of the features listed above.

10.8.3 Entries, porches and verandahs complying with the regulations in the applicable district schedule may project up to 1.8 m into a required front yard, except that in RS districts, the projection must not exceed 30% of the width of the building.

## 10.9 Floor Area Exclusions

10.9.1 Floor area excluded from a computation of floor space ratio pursuant to this by-law must not be put to any use other than that which justified the exclusion.

## 10.10 Fence

10.10.1 For the purposes of this section **10.10**, the term “fence” includes arbors, archways, boundary fences, gates, pergolas, screens, trellises, walls and similar structures.

- 10.10.2 Height must be measured from any point on the ground level of the site at the structure or fence line.
- 10.10.3 A fence or similar structure is permitted in a required yard or on the boundaries of a required yard if it does not exceed 1.9 m in height.
- 10.10.4 Despite section [10.10.3](#), a fence or similar structure is 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 if it does not exceed 1.2 m in height.
- 10.10.5 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 permitted height will be reduced by half of the height of the retaining wall.
- 10.10.6 The Director of Planning may permit a fence or similar structure that does not comply with sections [10.10.3](#), [10.10.4](#), and [10.10.5](#), however, in the case of a variation of the height limitations of this section [10.10](#), the Director of Planning must first notify such property owners as the Director of Planning deems necessary.

## 10.11 Character House

- 10.11.1 Where a character house is retained, the Director of Planning may vary the regulations in the applicable district schedule, other than uses or floor space ratio, if the Director of Planning considers the intent of the applicable district schedule and all applicable Council policies and guidelines.
- 10.11.2 Computation of floor area for a character house may exclude:
- (a) existing covered porches that:
    - (i) in the opinion of the Director of Planning, are original to the character house,
    - (ii) face a street, and
    - (iii) are open or protected by guards that do not exceed the required minimum height;
  - (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 section [10.11.2\(a\)](#);
  - (c) floor areas under sloping roofs with a pitch of at least 7:12 if:
    - (i) the vertical distance from the floor to any part of the ceiling is 2.3 m or less, and
    - (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope; and
  - (d) floors used for off-street parking, not exceeding 6.7 m in length, located in an infill building in combination with a retained character house, to a maximum of 42 m<sup>2</sup>.

## 10.12 Daylight Access and Angle Controls Exclusions

- 10.12.1 The following features are excluded from daylight access and angle controls regulations:

- (a) steps;
- (b) eaves, gutters, sills and chimneys;
- (c) open balconies, if:
  - (i) they do not project more than 1.8 m into the area controlled by daylight angles,
  - (ii) the safety railing does not extend more than 1.07 m above the floor of the balcony, and
  - (iii) any privacy screens consist of clear or partially obscure glazing that allows for the passage of daylight;
- (d) canopies over entrances to buildings, subject to the same conditions as set out in section [10.8.1\(d\)](#);
- (e) safety railings that do not exceed 1.07 m in height;
- (f) bay windows, if:
  - (i) they do not project more than 0.54 m into the area controlled by daylight angle, and
  - (ii) the bottom outside edge of the bay is at least 0.3 m above the floor level; and
- (g) any other features, including vent shafts or mechanical equipment that, in the opinion of the Director of Planning, are similar to any of the features listed above

### 10.13 Development in Yards

- 10.13.1 No building or development is permitted in any required yard, except as otherwise provided for by this by-law or the Parking By-law.
- 10.13.2 No portion of required yard or required open space for any development may be provided from any yard or open space already required for any other development.
- 10.13.3 No development is permitted beneath the normal finished grades of a required yard without the prior approval of the Director of Planning who must consider:
  - (a) the impact on the amenity in the neighbourhood;
  - (b) the adjoining topography; and
  - (c) the design treatment of the open portions of the site,

and must be satisfied that the proposed development is unlikely to adversely affect the possible widening or future development of streets and lanes.
- 10.13.4 No accessory building may be located less than 6.0 m from the ultimate rear property line of any site that 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 if, in the Director of Planning's opinion, no unduly adverse impact on adjoining sites is likely to be created.

## 10.14 Demolition of a Building

- 10.14.1 Except as exempted by the provisions of [Section 4](#) of this by-law, no person may carry out any construction, engineering or other operation in, on, over or under any land that will result in the demolition of a building without first obtaining a development permit for the demolition from the Director of Planning.
- 10.14.2 Except as set out in section [10.14.3](#), where development necessitates the demolition of existing residential rental accommodation, no development permit will be issued for the demolition unless and until a development permit for the new development has been issued, and the development permit for the new development will not be issued unless and until all building permits for the new development and a building permit for the demolition are issuable.
- 10.14.3 The following cases of residential rental accommodation are exempted from the provisions of section [10.14.2](#):
- (a) where located in the RA-1 district, or any M or I district;
  - (b) where located in a building damaged or destroyed by fire to the extent of 60% or more of its value above the foundations, as determined by the City Building Inspector;
  - (c) where located above a commercial use and where the residential rental accommodation does not predominate in terms of floor space;
  - (d) where located in a building deemed by the City Building Inspector to be beyond re-use or rehabilitation for residential purposes;
  - (e) where located in a building deemed by the City Building Inspector to be appropriate for demolition because of hazard to public health or safety;
  - (f) where located in a multiple dwelling in which units are individually owned in accordance with the Strata Property Act (British Columbia) and no fewer than 75% of them are owner-occupied;
  - (g) where located in a multiple dwelling consisting of a co-operative tenure established prior to legislation permitting condominium ownership; and
  - (h) where located in a building deemed by Council to be appropriate for demolition because the premises are a nuisance.
- 10.14.4 Except as set out in sections [10.14.6](#), [10.14.7](#) and [10.14.8](#), 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 will be issued for the demolition unless the Director of Planning is satisfied that all applicable Council policies and guidelines have been met, and until a development permit for the new

development has been issued, and the development permit for the new development will not be issued unless and until all building permits for the new development and a building permit for the demolition are issuable.

- 10.14.5 Except as provided in sections [10.14.6](#) and [10.14.7](#), 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, RM-5D, RM-6 or Downtown districts, a development permit will not be issued for the new development unless the applicant has complied with the provisions of section [10.14.4](#), except that the Director of Planning may also require that the applicant submit a calculation of density bonus to the City, to the satisfaction of the Director of Planning, before a development permit may be issued.
- 10.14.6 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 [10.14.4](#) and [10.14.5](#).
- 10.14.7 A building deemed by Council to be appropriate for demolition because the premises are a nuisance is exempt from the provisions of sections [10.14.4](#) and [10.14.5](#).
- 10.14.8 A building that is a single detached house, single detached house with secondary suite, or duplex located in the RS-1, RS-3, 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 exempt from the provisions of section [10.14.4](#).

## 10.15 Floor Area Exclusions for Exterior Wall Thickness

- 10.15.1 For residential buildings not exceeding 7 storeys in building height, computation of floor area must exclude 2% of the total area in buildings of 3 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 4 to 6 storeys where the majority of exterior wall space contain at least 100 mm of thermal insulation in total thickness.
- 10.15.2 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 6 storeys or less, and a maximum exclusion of 179 mm of thickness for all other buildings.
- 10.15.3 Computation of floor area must 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 does not apply to laneway houses or to single detached houses or duplexes of 3 storeys or less with or without a secondary suite.

## 10.16 Floor Area Exclusions for Kitchen Exhaust Shafts

- 10.16.1 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.

## 10.17 Floor Area Exclusions for Sites in a Designated Flood Plain in an R District

- 10.17.1 The Director of Planning may exclude floors located at or below finished grade with a ceiling height that does not exceed 1.5 m from the computation of floor area, in order to achieve flood construction levels on sites located in a designated flood plain in an R district.

## 10.18 Floor Area Exclusions for Zero Emissions Mechanical Equipment in Residential Buildings of 3 Storeys or Less

- 10.18.1 For residential buildings of 3 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.

## 10.19 Floor Area Increase for Low Operational Cost Housing

- 10.19.1 Despite 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, if the Director of Planning considers all applicable Council policies and guidelines, except that this section [10.19](#) does not apply to applications made after December 31, 2025.

## 10.20 Living Accommodation Below Finished Grade

- 10.20.1 In the case of multiple dwellings:

- (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 Council policies and guidelines; and
- (b) where existing utility, recreational or storage areas are located below finished grade, a minimum of 20% of the floor area below finished grade must be retained for such uses, except that the Director of Planning may allow a lesser amount if the Director of Planning is satisfied that adequate utility, recreational and storage space is provided elsewhere in the building.

- 10.20.2 Storage rooms are excluded from the provisions of section [10.20.1](#).

- 10.20.3 In the case of a single detached house, single detached house with secondary suite, duplex, duplex with secondary suite, or duplex with lock-off unit:

- (a) a secondary suite, lock-off unit or bedroom may be located in a basement; and
- (b) no portion of a living room, kitchen, dining room or bedroom may be located 1.5 m or more below the finished grade of the adjoining ground.

10.20.4 In the case of a single detached house or a single detached house with secondary suite existing prior to June 23, 2020, a secondary suite, lock-off unit or bedroom may be located in a cellar, if the cellar is no more than 1.83 m below the average finished grade.

## 10.21 Principal Pedestrian Access

10.21.1 Except in the case of an approval pursuant to section 10.25, the principal pedestrian access to every principal building and separate use must be directly from a street.

## 10.22 Mass Timber Building

10.22.1 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 considers the intent of the applicable district schedule and all applicable Council policies and guidelines:

- (a) 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
- (b) yards, setbacks, site coverage, building depth and external design.

## 10.23 Relocation of a Building

10.23.1 Where an existing building is:

- (a) relocated onto a different site; or
- (b) located elsewhere within the same site,

it must conform with all the regulations of the district in which it is located.

## 10.24 Site with Building Lines

10.24.1 Where a building line has been established pursuant to section 8.1 of this by-law, the following measurements and calculations will be made using the building line instead of the site boundaries:

- (a) width or depth of a required yard;
- (b) depth of required setbacks for pump islands and canopies in gasoline station – full serve and gasoline station – split island; and
- (c) depth of a site for the purpose of yard reductions pursuant to section 10.5.

## 10.25 Land not Abutting a Street

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



## 10.26 Site Frontage Determination

10.26.1 The frontage of any site having more than 1 boundary on a street is:

- (a) where street boundary lengths are equal, as determined by the Director of Planning;
- (b) in the case of a corner site, the shortest boundary abutting on a street, or as otherwise determined by the Director of Planning; and
- (c) where a site is composed of more than 1 lot, the shortest boundary abutting on a street, or as otherwise determined by the Director of Planning.

## 10.27 Vehicles on a Site

10.27.1 Where a provision of the Parking By-law prescribes a maximum number of off-street parking spaces for a site, no person may 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 10.27 does not apply to businesses licensed for the sale or rental of motor vehicles.

## 10.28 Boats, Vehicles, Equipment or Materials in Residential and Commercial Districts

10.28.1 No boat, boat trailer, truck, bus or similar vehicle may be placed or parked on any site in an R district except for the following:

- (a) 1 truck with a registered gross vehicle weight not exceeding 4,550 kg;
- (b) 1 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, if the Director of Planning is satisfied that they will not have an unduly detrimental impact on the site or adjacent properties.

10.28.2 No equipment or materials may be stored in an R or C district unless:

- (a) otherwise permitted by section 11.8.5 of this by-law 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, if the Director of Planning is satisfied that they will not have an unduly detrimental impact on the site or adjacent properties.

## 10.29 Animals and Birds

10.29.1 Buildings or runs for the shelter or accommodation of animals or birds in any district except RA-1 must be at least 9.1 m from any dwelling and 18.3 m from the front line of the site and, as accessory buildings, must conform with all other applicable provisions of this by-law.

10.29.2 Despite section 10.29.1, a building or other enclosure for keeping 1 or more hens:

- (a) must not exceed 9.2 m<sup>2</sup> in floor area;
- (b) must not exceed 2.0 m in building height;
- (c) must be at least 3.0 m from any door or window of any dwelling;
- (d) must be located 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 at least 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 at least 1.0 m from any property line; and
- (i) may be located only in the RA, RS, RT, RM, FM, and First Shaughnessy districts.

## 10.30 Mural

10.30.1 The Director of Planning may permit a mural in any district, if the Director of Planning considers all applicable Council policies and guidelines and the submission of any advisory group, property owner or tenant.

## 10.31 Antennae

10.31.1 Except as exempted by the provisions of section 4.8.1(o) of this by-law, no person may erect an antenna, including a satellite dish, without first obtaining a development permit from the Director of Planning.

10.31.2 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 if:

- (a) the Director of Planning is satisfied the antennae will not have an unduly detrimental impact on the site or adjacent properties, having particular regard to visual impact; and
- (b) before granting approval the Director of Planning notifies such adjacent property owners or persons the Director of Planning deems necessary.

## 10.32 Nuclear Weapons Prohibition

- 10.32.1 No person may use or occupy land and no development permit will be issued for the manufacture, distribution or storage of a nuclear weapon or any component thereof.

## 10.33 Passive House

- 10.33.1 For a single detached house, a single detached house with secondary suite, an infill single detached house, a duplex, a duplex with secondary suite, a multiple conversion dwelling with 2 units or an infill duplex 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 considers the intent of the applicable district schedule and all applicable Council policies and guidelines:
- (a) height, including secondary envelopes, by a maximum of 1.0 m;
  - (b) the floor area of a partial storey;
  - (c) front yards expressed as a dimension, by a maximum of 0.5 m;
  - (d) rear yards expressed as a dimension, by a maximum of 1.25 m;
  - (e) building depth, and front and rear yards expressed as a percentage, by a maximum of 5%;
  - (f) the computation of floor space ratio where the distance from a floor to the floor above, or where there is no floor, to the top of the roof joists, exceeds 3.7 m, by excluding the area of the floor below the excess height, up to maximum of 10% of the permitted floor area;
  - (g) external design regulations; and
  - (h) the dimensions of below grade features including window wells and entrances designed to increase solar gain to a basement.
- 10.33.2 For any district or use not included in section [10.33.1](#), 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 considers the intent of the applicable district schedule and all applicable Council policies and guidelines.
- 10.33.3 The Director of Planning may exclude from the computation of floor area any floor area occupied by heat recovery ventilators and connected shafts in a Passive House that exceeds the floor area required in order for these features to meet the requirements of the Building By-law, to a maximum exclusion of 2% of permitted floor area.
- 10.33.4 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 must exclude 16% of the floor area in a single detached house, a single detached house with secondary suite, or an infill single detached house, and 18% of the floor area in a duplex, a duplex with secondary suite, a multiple conversion dwelling with 2 units or an infill duplex, unless exclusions are sought under sections [10.15](#), [10.33.1\(f\)](#), [10.33.3](#), or section 4 of an applicable district schedule for bay windows, except that this section [10.33.4](#) does not apply to applications made after December 31, 2025.

10.33.5 The Director of Planning may exercise the discretion in this section [10.33](#) to accommodate a building designed for certification under the Passive House Institute's EnerPHit standard, the International Living Future Institute's Zero Energy standard, or an equivalent standard acceptable to the Director of Planning.

#### 10.34 Number of Buildings on Site

10.34.1 No more than 1 principal building may be placed on any 1 site unless otherwise permitted in this by-law.

#### 10.35 Temporary Patio

10.35.1 For the purposes of this section [10.35](#), "temporary patio" means a patio permitted on a temporary basis only, for a period up to and including March 31, 2023.

10.35.2 Despite 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.

10.35.3 The Director of Planning may vary any regulation in a district schedule in order to enable the enclosure of a temporary patio.

## SCHEDULE G

# Section 11

## Use-Specific Regulations

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

The index below is provided for convenience only and does not form part of this by-law.

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## 11.1 Agricultural Uses

### 11.1.1 Urban Farm – Class A

- 11.1.1.1 The planting area must not exceed 325 m<sup>2</sup> on any single parcel unless the primary use of the parcel is park or playground, or institutional, in which case the Director of Planning may permit an increase in planting area to a maximum of 7,000 m<sup>2</sup>.
- 11.1.1.2 If 2 or more parcels are operated jointly as an urban farm – class A, the combined planting area for all parcels must not exceed 7,000 m<sup>2</sup>.
- 11.1.1.3 No on-site processing of fruits and vegetables or manufacturing of food products is permitted.
- 11.1.1.4 No mechanical equipment may be used other than that designed for household use, including lawnmowers, rototillers, garden hoses and pruners.
- 11.1.1.5 Herbicides and pesticides may not be used on the site.
- 11.1.1.6 No on-site sales are permitted, unless the primary use of the parcel is institutional.
- 11.1.1.7 No urban farm – class A operated on a single parcel may generate revenue exceeding \$9,999 in any calendar year, unless the primary use of the parcel is park or playground, or institutional.
- 11.1.1.8 If an urban farm – class A is operated, in whole or in part, by a person other than an owner or full-time resident of the parcel, the planting area must be subject to a lease authorizing the operation of the farm.
- 11.1.1.9 No offensive noise, odour, light, smoke, or vibration or other objectionable impact may be produced.
- 11.1.1.10 No mechanical equipment may be stored outside.
- 11.1.1.11 Any development permit or waiver of a development permit for an urban farm – class A is time limited to 1 year.

### 11.1.2 Urban Farm – Class B

- 11.1.2.1 The planting area for a single parcel or the combined planting area for all parcels operated jointly as an urban farm – class B, may not exceed 7,000 m<sup>2</sup>, unless relaxed by the Director of Planning due to unnecessary hardship associated with the location, shape or size of the parcel or parcels.
- 11.1.2.2 If located within 30.0 m of a dwelling use, no mechanical equipment may be used other than that designed for household use including lawnmowers, rototillers, garden hoses and pruners.
- 11.1.2.3 Herbicides and pesticides may not be used on the site.
- 11.1.2.4 No offensive noise, odour, light, smoke, or vibration or other objectionable impact may be produced.

- 11.1.2.5 If an urban farm – class B is operated, in whole or in part, by a person other than an owner or full-time resident of the parcel during the farm operation, the planting area must be subject to a lease authorizing the operation of the farm.
- 11.1.2.6 Any development permit for an urban farm – class B is time limited to 1 year.

## 11.2 Cultural and Recreational Uses

- 11.2.1 Riding Ring
- 11.2.1.1 No riding ring may be used for the sale of horses or other animals, whether by auction or otherwise.
- 11.2.1.2 Before granting a development permit, the Director of Planning must have regard to the size, siting and location of the proposed development, the type and hours of operation, whether operated privately or open to the public with or without payment, generation of traffic, parking facilities and any impact upon adjacent property and the amenity of the neighbourhood, and must notify such owners of adjoining property as the Director of Planning deems necessary.
- 11.2.2 Arts and Culture Indoor Event
- 11.2.2.1 An arts and culture indoor event is not permitted in a dwelling unit.
- 11.2.3 Casino and Bingo Halls
- 11.2.3.1 Wherever the words “commercial”, “commercial uses”, “social, recreational and cultural” and “cultural and recreational uses” appear in this by-law or any other by-law passed pursuant to this by-law, such permitted uses must not include a casino – class 1 or a bingo hall unless otherwise specifically permitted by this by-law or any other by-law passed pursuant to this by-law.
- 11.2.3.2 No person may use or occupy land for the purpose of, and no development permit will be issued for, a casino – class 2 except as expressly permitted under this by-law.

## 11.3 Dwelling Uses

- 11.3.1 Dwelling Unit
- 11.3.1.1 Except when used for short term rental accommodation, no dwelling unit may be used or occupied by more than 1 family, but it may be used to keep a maximum of 2 boarders or lodgers, or a maximum of 5 foster or 8 daycare children.
- 11.3.1.2 Subject to the provisions of section [11.3.1.7](#), the floor area of each:
- (a) dwelling unit, except for a lock-off unit, must be at least 37 m<sup>2</sup>; and
  - (b) lock-off unit must be at least 26 m<sup>2</sup>,

measured from the inside of all outer walls, except that if the Director of Planning is satisfied that the design and location of the unit provides satisfactory living accommodation with regard to the type of occupancy proposed, the Director of Planning may reduce the required floor area to a minimum of 29.7 m<sup>2</sup> for dwelling units except lock-off units and 19 m<sup>2</sup> for lock-off units.

- 11.3.1.3 The maximum floor area of a lock-off unit is 29.7 m<sup>2</sup>.
- 11.3.1.4 There must be at least 1 complete bathroom unit, comprising 1 water closet, 1 hand wash basin and 1 bathtub or shower, contained within each dwelling unit.
- 11.3.1.5 There must not be more than 1 kitchen contained within a dwelling unit.
- 11.3.1.6 All rooms of a dwelling unit must remain accessible from within that dwelling unit.
- 11.3.1.7 No person may use or permit to be used any dwelling unit for a period of less than 30 days unless such unit forms part of a hotel, or is used for bed and breakfast accommodation or short term rental accommodation.
- 11.3.1.8 The minimum requirements regarding floor area in section 11.3.1.2 do not apply to the conversion or demolition of a room designated under the Single Room Accommodation By-law, if the conversion or demolition adds bathroom and cooking facilities to the designated room.
- 11.3.1.9 The minimum requirements regarding floor area in section 11.3.1.2 do not apply to a dwelling unit contained in temporary modular housing.
- 11.3.2 Micro Dwelling
  - 11.3.2.1 A micro dwelling must be part of a development that has a covenant or housing agreement registered against title restricting its use to secured market rental housing or social housing for the longer of 60 years or the life of the building.
  - 11.3.2.2 The floor area of a micro dwelling must be at least 29.7 m<sup>2</sup>, except that the Director of Planning or the Development Permit Board may decrease the permitted floor area of a micro dwelling to a minimum of 23.2 m<sup>2</sup> if:
    - (a) the Director of Planning or the Development Permit Board considers all applicable Council policies and guidelines; and
    - (b) the micro dwelling is part of a development that has a covenant or housing agreement registered against title restricting its use to secured market rental housing or social housing for the longer of 60 years or the life of the building.
  - 11.3.2.3 A micro dwelling is only permitted in:
    - (a) the area of the FC-1 district north of National Avenue;



- (b) the area of the RT-3 and RM-3A districts located north of Venables Street, Malkin Avenue and Prior Street, south of Hastings Street, east of Gore Avenue and west of Clark Drive;
- (c) the HA-1 and HA-1A districts;
- (d) the HA-2 district;
- (e) the Downtown Eastside Oppenheimer district;
- (f) the area of the Downtown district denoted as C-2 on Map 1: Sub-Area 1 Main/Hastings of the [Downtown Official Development Plan](#);
- (g) the FC-2 district; and
- (h) the area of the IC-3 district north of East 2nd Avenue.

11.3.2.4 No more than 1 person may occupy a micro dwelling.

#### 11.3.3 Lock-Off Unit and Secondary Suite

11.3.3.1 Lock-off units and secondary suites must include at least 1 complete bathroom unit, comprising 1 water closet, 1 hand wash basin, and 1 bathtub or shower.

11.3.3.2 Lock-off units and secondary suites may not include more than 1 kitchen.

#### 11.3.4 Temporary Modular Housing

11.3.4.1 Temporary modular housing must be used as social housing.

11.3.4.2 Before granting a development permit for temporary modular housing, the Director of Planning must:

- (a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development;
- (b) consider the impact on the liveability of neighbouring residents;
- (c) notify adjacent property owners and any others that Director of Planning deems necessary; and
- (d) consider all applicable Council policies and guidelines.

11.3.4.3 A development permit for temporary modular housing must be limited in time to a maximum of 5 years, unless otherwise extended in writing for up to an additional 5 years by the Director of Planning.

#### 11.3.5 Residential Unit associated with and forming an integral part of an Artist Studio

11.3.5.1 Where an artist studio is combined with a residential unit, the studio may only be used by the individuals residing in the residential unit associated with and forming an integral part of the artist studio.

- 11.3.5.2 The total minimum and maximum size of an artist studio when combined with a residential unit associated with and forming an integral part of an artist studio is 47 m<sup>2</sup> and 500 m<sup>2</sup>, respectively.
- 11.3.6 Seniors Supportive or Assisted Housing
- 11.3.6.1 Before granting a development permit, the Director of Planning must:
- (a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development;
  - (b) be satisfied the site is suitable for the proposed facility, and must consider:
    - (i) the overall character of the development within the neighbourhood context,
    - (ii) the impact of the provision and location of off-street parking and loading on the amenity of the neighbourhood, and
    - (iii) the nature of the proposed facility in terms of service provided and the number of residents;
  - (c) notify adjacent property owners and any others that the Director of Planning deems necessary; and
  - (d) consider all applicable Council policies and guidelines.
- 11.3.6.2 In addition to the requirements of section [11.3.6.1](#), before granting a development permit for the conversion of an existing building to seniors supportive or assisted housing, the Director of Planning must also be satisfied that the building is suitable for the conversion, and must consider:
- (a) the size of the site and the building; and
  - (b) the proximity of adjacent buildings.
- 11.3.6.3 The Director of Planning may vary any of the requirements of the applicable district schedule, other than permitted floor space ratio, in order to facilitate a seniors supportive or assisted housing development, if the Director of Planning has regard to the considerations in sections [11.3.6.1](#) and [11.3.6.2](#).
- 11.3.6.4 All residential units must contain a 3-piece bathroom.
- 11.3.6.5 All seniors supportive or assisted housing must provide meal service and 24-hour on-site emergency response assistance.
- 11.3.6.6 For the purposes of calculating floor space ratio, common areas, such as the communal dining room and lounges, are included in floor area, except that any floor area for common space that exceeds 4 m<sup>2</sup> per unit, may be excluded to a maximum of 10% of permitted floor area.
- 11.3.7 Freehold Rowhouse
- 11.3.7.1 Computation of floor area, floor space ratio, yards, site coverage, impermeability, number of buildings on site and dwelling unit density must be based on the site width and area at the time of development, prior to any subdivision into individual freehold rowhouse parcels.

- 11.3.7.2 For the purpose of fee simple subdivision, the minimum site width and frontage for each freehold rowhouse parcel is 5.0 m.
- 11.3.8 Laneway House
- 11.3.8.1 In this section **11.3.8**, “footprint” means the projected area of the extreme outer limits of a laneway house including carports, entries and porches, and enclosed or covered accessory building areas but excluding steps, eaves, and other projections permitted by section **10.8** of this by-law.
- 11.3.8.2 In this section **11.3.8**, height is measured from the horizontal datum plane, which is the plane created by the average of the existing site elevations as measured at the intersections of the required setback lines from the ultimate rear property line, with the side property lines.
- 11.3.8.3 A laneway house is not permitted except in combination with a single detached house or single detached house with secondary suite on:
- (a) a site served by an open lane;
  - (b) a site located on a corner served by an open or dedicated lane; or
  - (c) a double-fronting site served by a street at both the front and rear of the site.
- 11.3.8.4 The width of a site on which a laneway house is situated must be at least 9.8 m, except that the Director of Planning may approve a laneway house on a site that is less than 9.8 m in width, if:
- (a) the site is at least 7.3 m in width; or
  - (b) the Director of Planning considers massing, overlook and impact on neighbourhood privacy and all applicable Council policies and guidelines.
- 11.3.8.5 A laneway house may have a basement.
- 11.3.8.6 For sites in the RS-3, RS-3A and RS-6 districts, and for sites 16.8 m or wider in the RS-5 district, the width of a laneway house, or a laneway house and an accessory building, must not exceed the permitted width for an accessory building under the applicable district schedule.
- 11.3.8.7 On east-west oriented sites, a laneway house must be located toward the south side of the site to reduce shadowing on the site to the north.
- 11.3.8.8 A laneway house may be 1 storey or 1 storey with a partial second storey.
- 11.3.8.9 Balconies, decks, and roof decks are not permitted:
- (a) on a 1 storey laneway house; or
  - (b) above the partial second storey of a laneway house with a partial second storey.

- 11.3.8.10 The height of a 1 storey laneway house must not exceed 4.3 m measured to the highest point of the roof if a flat roof, or to the mean height level between the eaves and the ridge of a gable or hip roof, except that no portion of a 1 storey laneway house may exceed 5.2 m.
- 11.3.8.11 The location of a 1 storey laneway house must be:
- (a) within 10.7 m of the ultimate rear property line;
  - (b) at least 4.9 m, measured across the width of the site, from the single detached house or single detached house with secondary suite on the site;
  - (c) at least 0.9 m from the ultimate rear property line, except that the Director of Planning may decrease the location to 0.6 m from the ultimate rear property line on sites less than 30.5 m in depth; and
  - (d) a distance from each side property line equal to at least 10% of the lot width, except that the Director of Planning may decrease the location to:
    - (i) 0.6 m from 1 side property line for interior lots, and
    - (ii) 0.6 m from the inside side property line for corner lots.
- 11.3.8.12 Despite section [11.3.8.11\(a\)](#), where a site is 39.6 m or more in depth, the Director of Planning may permit a 1 storey laneway house to extend into a site to a maximum of 26% of the lot depth measured from the ultimate rear property line.
- 11.3.8.13 Site coverage must not exceed the permitted site coverage under the applicable district schedule, except that for a 1 storey laneway house, the Director of Planning may permit an increase in the permitted site coverage by up to 7% to a maximum of 47% of the site area.
- 11.3.8.14 The building height of a laneway house with a partial second storey must not exceed:
- (a) 6.7 m to the ridge of a gable or hip roof, with a minimum pitch of 7:12; or
  - (b) 5.8 m to the highest point of a roof with a pitch less than 7:12.
- 11.3.8.15 On a laneway house with a partial second storey and a roof pitch of:
- (a) at least 7:12, the height of the intersection of the exterior surface of the roof and the exterior wall surface of the building must not exceed 4.0 m from the horizontal datum plane; or
  - (b) less than 7:12, the walls of the partial second storey must be set back at least 0.6 m from the exterior walls of the floor below, except that there may be a single projection into the setback to a maximum of 35% of the width of the floor below.
- 11.3.8.16 The partial second storey of a laneway house must not exceed:
- (a) 60% of the footprint of the laneway house, if the roof has a minimum pitch of 3:12; or

- (b) 50% of the footprint of the laneway house, if the roof has a pitch of less than 3:12, except that the calculation may exclude any floor area of the partial second storey that is not included in the calculation of floor area according to sections [11.3.8.24](#) and [11.3.8.25](#).

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

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

- (a) within 7.9 m of the ultimate rear property line;
- (b) at least 4.9 m, measured across the width of the site, from the single detached house or single detached house with secondary suite on the site;
- (c) at least 0.9 m from the ultimate rear property line, except that the Director of Planning may vary the location to 0.6 m from the ultimate rear property line:
  - (i) on sites less than 30.5 m in depth, or
  - (ii) for the width of an existing enclosed or covered parking area that forms part of the laneway house; and
- (d) a distance from each side property line that is at least equal to the required side yards for the site in the applicable district schedule.

11.3.8.19 Despite section [11.3.8.18\(a\)](#), where a site is 39.6 m or more in depth, the Director of Planning may permit a laneway house with a partial second storey to extend into a site to a maximum of 21% of the lot depth measured from the ultimate rear property line.

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

- (a) 0.16 multiplied by the site area; and
- (b) 83.6 m<sup>2</sup>.

11.3.8.21 Despite section [11.3.1](#) of this by-law, the floor area of a laneway house, excluding any floor area used for enclosed parking, must be at least 26 m<sup>2</sup>, except that the Director of Planning may allow a decrease to not less than 19 m<sup>2</sup> if the Director of Planning considers the design of the laneway house and all applicable Council policies and guidelines.

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

- (a) 1 main habitable room that is not a bedroom, with a minimum size of 16.7 m<sup>2</sup> and a minimum dimension of 2.1 m measured between finished wall surfaces; and
- (b) at least 1 bedroom with a minimum size of 8.4 m<sup>2</sup> and a minimum dimension of 2.1 m measured between finished wall surfaces.

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

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
- (c) the floor area of a basement;
- (d) floor area used for enclosed or covered parking; and
- (e) if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 3.7 m, an additional amount equal to the area of the floor area below the excess.

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

- (a) areas of floors located:
  - (i) above the highest storey or partial storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;
- (b) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (c) entries and porches if:
  - (i) their location is at the level of the basement or first storey,
  - (ii) they are open on at least 1 side or protected by guard rails, the height of which must not exceed the minimum specified in the Building By-law,
  - (iii) the total excluded floor area does not exceed 3 m<sup>2</sup>, and
  - (iv) the ceiling height of the total excluded area does not exceed 2.75 m measured from the entry or porch floor; and
- (d) 3% of the total area where the exterior walls include a minimum of 175 mm of thermal insulation in total, except that where floor area is excluded under this section [11.3.8.24\(d\)](#), the Director of Planning may not vary the regulations in sections [11.3.8.11\(a\)](#) and [11.3.8.18\(a\)](#) by more than 30 cm.

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

- (a) balconies, decks, roof decks, or any other appurtenances that, in the opinion of the Director of Planning, are similar to the foregoing, if the balconies, decks, or roof decks face the lane or, in the case of a corner site, the lane and flanking street or either of them;
- (b) patios and green roofs if the Director of Planning considers the impact on privacy and overlook;

- (c) despite section **11.3.8.23(e)**, open to below spaces or double height volumes under sloping roofs with a pitch of at least 3:12 if:
  - (i) the vertical distance from the floor level to the ceiling does not exceed 4.5 m,
  - (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope,
  - (iii) the excluded area does not exceed 25% of the maximum floor space under section **11.3.8.20**, and
  - (iv) the excluded area, combined with the excluded area under section **11.3.8.25(d)**, does not exceed 25% of the maximum allowable floor area;
- (d) despite section **11.3.8.23(e)**, floor areas under sloping roofs with a pitch of at least 3:12 if:
  - (i) the vertical distance from the floor to any part of the ceiling is between 1.2 m and 2.1 m,
  - (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope,
  - (iii) the excluded floor area does not exceed 10% of the maximum floor area allowed under section **11.3.8.20**, and
  - (iv) the excluded area, combined with the excluded area under section **11.3.8.25(c)**, does not exceed 25% of the maximum allowable floor area;
- (e) for units that have a partial second floor, an area not exceeding 2.75 m<sup>2</sup> for stairs, if the excluded area, combined with the excluded areas under sections **11.3.8.25(c)** and **11.3.8.25(d)**, does not exceed 25% of the maximum allowable floor area; and
- (f) an area not exceeding 3.7 m<sup>2</sup> for residential storage space, clothes closets and linen closets.

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

- (a) balcony, deck, or roof deck; or
- (b) a patio located at grade with a minimum size of 3.7 m<sup>2</sup> and a minimum dimension of 1.5 m.

11.3.8.27 The setback provided in accordance with sections **11.3.8.11(c)** and **11.3.8.18(c)** must be permeable and landscaped where not required for vehicle or fire access.

11.3.8.28 A laneway house must include:

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

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

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

- 11.3.8.31 At least 10% of the building elevation facing the lane must contain windows no smaller than 1.1 m<sup>2</sup>.
- 11.3.8.32 Unless located at least 1.5 m above the floor of the partial upper storey, or facing the lane or a flanking street, windows with transparent glazing on a partial second storey must not exceed 1.1 m<sup>2</sup>.
- 11.3.8.33 Wall cladding materials on a building elevation facing a lane or street must be continued in equal proportions, no less than 2.0 m along adjacent side walls or 1.2 m where the discontinuation of a material occurs at a change in the building wall plane, such as at a bay or chimney projection.
- 11.3.8.34 The Director of Planning may vary the design provisions in sections [11.3.8.15](#), [11.3.8.17](#), [11.3.8.28](#), [11.3.8.29](#), [11.3.8.30](#), [11.3.8.31](#), [11.3.8.32](#) and [11.3.8.33](#) if, in the opinion of the Director of Planning, the design of a laneway house meets the intent of this section [11.3.8](#) for quality and durability of design and architectural expression and the design is not compatible with 1 or more of the requirements in those sections.
- 11.3.8.35 If the Director of Planning considers the impact on neighbouring properties with regard to overlook, massing and neighbourhood privacy, and the intent of this section [11.3.8](#) and all applicable Council policies and guidelines, the Director of Planning may vary the provisions of sections [11.3.8.6](#), [11.3.8.7](#), [11.3.8.10](#), [11.3.8.11\(a\)](#), [11.3.8.11\(c\)](#), [11.3.8.11\(d\)](#), [11.3.8.14](#), [11.3.8.18\(a\)](#), [11.3.8.18\(c\)](#), [11.3.8.18\(d\)](#), [11.3.8.22](#) and [11.3.8.26](#) if:
- (a) due to topography or other conditions peculiar to the site, literal enforcement would result in unnecessary hardship;
  - (b) the variation is necessary to retain a tree; or
  - (c) the variation is necessary to allow a green roof that does not have railings or stair access.

## 11.4 Institutional Uses

### 11.4.1 Community Care Facility – Class B or Group Residence

#### 11.4.1.1 Before granting a development permit, the Director of Planning must:

- (a) be satisfied that the landscaping and open space to be provided is appropriate for the size and nature of the development;
- (b) be satisfied that the site is suitable for the proposed community care facility – class B or group residence, and must consider:
  - (i) the overall character of the development within the neighbourhood context,
  - (ii) the impact of the provision and location of off-street parking and loading on the amenity of the neighbourhood, and
  - (iii) the nature of the proposed community care facility – class B or group residence in terms of the service provided and the number of residents;
- (c) notify adjacent property owners and any others that the Director of Planning deems necessary; and



(d) consider all applicable Council policies and guidelines.

11.4.1.2 In addition to the requirements of section 11.4.1.1, before granting a development permit for the conversion of an existing building to a community care facility – class B or group residence, the Director of Planning must also be satisfied that the building is suitable for the conversion, and must consider:

- (a) the size of the site and building; and
- (b) the proximity of adjacent buildings.

#### 11.4.2 Hospital

11.4.2.1 Before granting a development permit, the Director of Planning must:

- (a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development;
- (b) have due regard to the design of all buildings, to the location and provision of off-street parking and loading, and to their impact on the amenity of the neighbourhood; and
- (c) notify adjacent property owners and any others that the Director of Planning deems necessary.

11.4.2.2 In the case of a specifically designed facility not being a conversion:

- (a) the site area must be at least 3,700 m<sup>2</sup> except as provided in section 11.4.2.2(b);
- (b) the Director of Planning may increase the building height permitted by the applicable district schedule if the Director of Planning considers the impact of the additional height on the amenity of the neighbourhood, and if an increase in height is permitted, the Director of Planning may require a site area of larger than 3,700 m<sup>2</sup>; and
- (c) the floor space ratio must not exceed the maximum permitted for any residential use in the applicable district schedule.

11.4.2.3 In the case of a hospital resulting from the conversion of an existing building, before granting a development permit the Director of Planning must be satisfied that the building is suitable for the conversion, having regard to the size of the site and building, open space on the site and the proximity of adjacent buildings.

#### 11.4.3 School – Elementary or Secondary

11.4.3.1 The site must have a minimum frontage of 20.1 m.

11.4.3.2 The Director of Planning may permit a greater height than permitted by the applicable district schedule, if the Director of Planning considers the impact of the additional height on the amenity of the neighbourhood.

- 11.4.3.3 Yards must be provided in accordance with the applicable district schedule except that side yards must have a minimum width of 6.0 m plus an additional 0.3 m for every 0.6 m by which the height of the building exceeds 10.7 m.
- 11.4.4 Church
- 11.4.4.1 The site must have a minimum frontage of 20.1 m.
- 11.4.4.2 The Director of Planning may increase the building height permitted by the applicable district schedule for a church, if the Director of Planning considers the impact of the additional height on the amenity of the neighbourhood.
- 11.4.4.3 Yards must be provided in accordance with the applicable district schedule, except that interior side yards must have a minimum width of 4.5 m plus an additional 0.3 m for every 0.6 m by which the height of the building exceeds 10.7 m.

## 11.5 Manufacturing Uses

- 11.5.1 [reserved]

## 11.6 Office Uses

### 11.6.1 Temporary Sales Office

- 11.6.1.1 The site area must be at least 2,000 m<sup>2</sup>, except that the Director of Planning may permit a smaller site if all parking required by the Parking By-law is provided on site.
- 11.6.1.2 The site must be within 100.0 m of the development project to which the temporary sales office relates.
- 11.6.1.3 The site must be located on an arterial or major street, which generally have 2 or more lanes of travel in each direction and are usually designated as truck and bus routes.
- 11.6.1.4 The site must be more than 800.0 m from a commercial district, except that the Director of Planning may permit a temporary sales office closer to a commercial district if the applicant can demonstrate that suitable commercial vacancy opportunities are not available.
- 11.6.1.5 Before permitting a temporary sales office, the Director of Planning must consider the submission of any advisory group, property owner or tenant and all applicable Council policies and guidelines.
- 11.6.1.6 The site must be fully restored to its original condition immediately following the expiration of the development permit.

## 11.7 Parking Uses

11.7.1 [reserved]

## 11.8 Retail Uses

11.8.1 Farmers' Market

11.8.1.1 A farmers' market must be in:

- (a) open air stalls or booths;
- (b) stalls or booths partially or totally covered by tents or similar temporary structures; or
- (c) stalls or booths in a building approved for use as a farmers' market.

11.8.1.2 A farmers' market must have at least 11 stalls or booths, except that the Director of Planning may permit a lesser number of stalls or booths, if the Director of Planning considers all applicable Council policies and guidelines.

11.8.1.3 The site area of a farmers' market must not exceed 2,323 m<sup>2</sup>, except that the Director of Planning may permit an increase in site area, if the Director of Planning considers all applicable Council policies and guidelines.

11.8.1.4 A vendor at a farmers' market must only sell: local fresh, dried or frozen fruit and vegetables; local dried or frozen meat and seafood; local eggs; local dairy products; local plants; local prepared foods; local ready-to-eat foods; local artisan crafts; or local wine, cider, beer or spirits.

11.8.1.5 No more than 40% of the total number of stalls or booths in a farmers' market may be used for the sale of local ready-to-eat foods and local artisan crafts.

11.8.1.6 There must be no more than 3 vendors selling or providing samples of local wine, cider, beer or spirits at a farmers' market.

11.8.2 Neighbourhood Grocery Store

11.8.2.1 Neighbourhood grocery stores are permitted in any R district except the FM-1 and RA-1 districts.

11.8.2.2 The maximum permitted frontage for a site is 15.3 m.

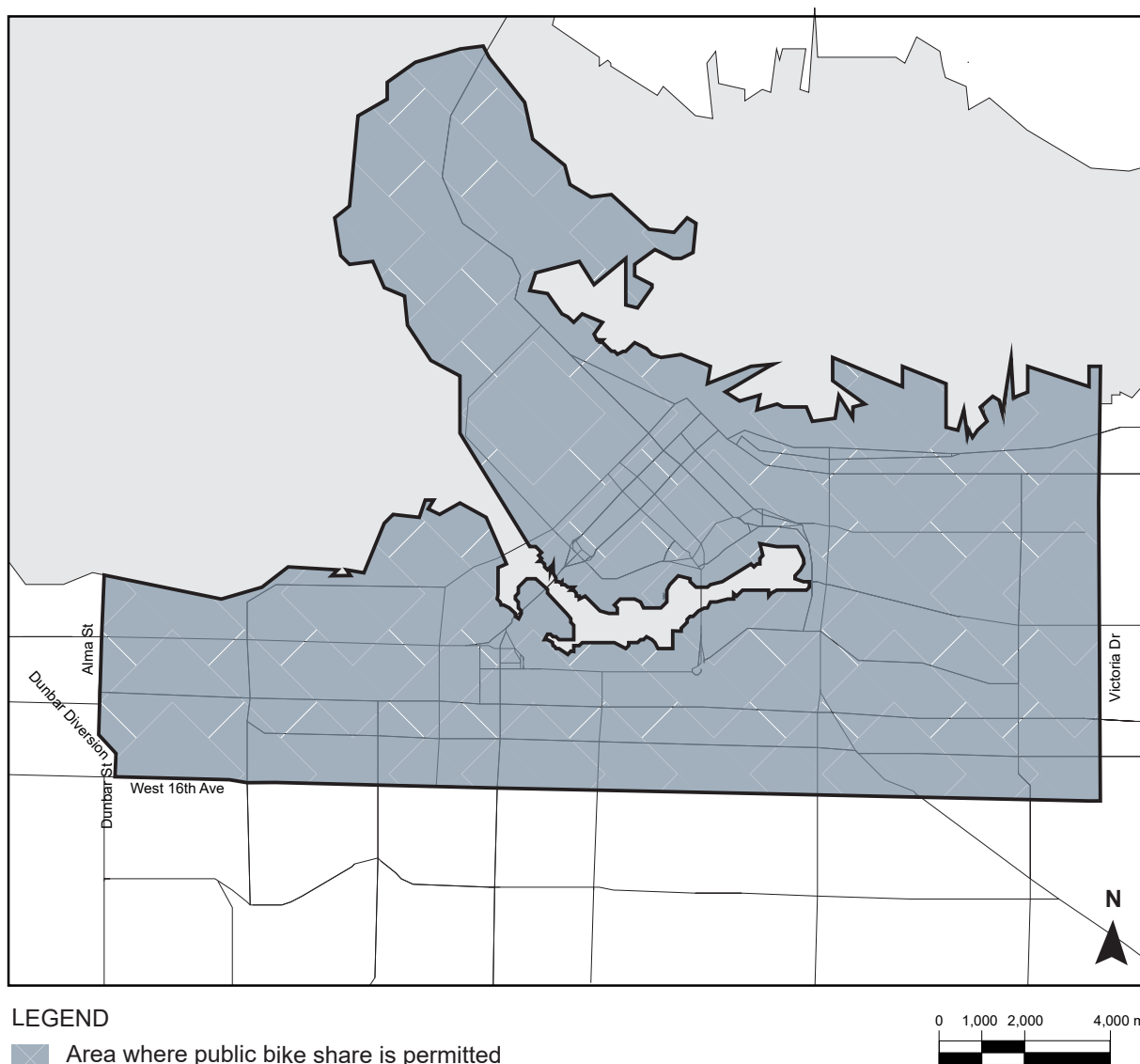
11.8.2.3 The maximum permitted floor area for all retail and storage space is 110 m<sup>2</sup>.

11.8.2.4 The maximum permitted number of indoor and outdoor seats is 16.

11.8.2.5 Live entertainment is not permitted.

- 11.8.2.6 Before granting a development permit, the Director of Planning must:
- (a) notify surrounding property owners and residents; and
  - (b) consider:
    - (i) the design of any proposed building addition,
    - (ii) the proposed solid waste program for collecting, storing and disposal of garbage and recycling,
    - (iii) the proposed delivery, loading and goods movement program, and
    - (iv) the impact on adjacent property owners and residents of a proposed building addition or solid waste program.
- 11.8.2.7 The Director of Planning may vary the provisions of this section [11.8.2](#) with regards to maximum frontage and the applicable district schedules with regard to setbacks, floor space ratio or site coverage in order to facilitate the rehabilitation of an existing neighbourhood grocery store.
- 11.8.3 Small-Scale Pharmacy
- 11.8.3.1 A small-scale pharmacy must include at least 25 m<sup>2</sup> of publicly accessible space except that if the Director of Planning considers all applicable Council policies and guidelines and potential impacts on the site and the surrounding properties, the Director of Planning may decrease the amount of space required.
- 11.8.3.2 Any development permit for a small-scale pharmacy must be limited in time to 2 years.
- 11.8.4 Public Bike Share
- 11.8.4.1 Despite anything to the contrary in this by-law, public bike share is only a permitted use on lands that fall within the area identified in [Map 1: Area Where Public Bike Share is Permitted](#) below.
- 11.8.4.2 The Director of Planning may approve a public bike share use, if the Director of Planning considers:
- (a) all applicable Council policies and guidelines; and
  - (b) the submission of any advisory group, property owner or tenant,
- but no development permit approving the use will be required if the use complies with section [4.8.1\(s\)](#) of this by-law.
- 11.8.4.3 Floor area necessary for public bike share or a public bike share station must be excluded from the calculation of floor space ratio on any site.

**Map 1: Area Where Public Bike Share is Permitted**



#### 11.8.5 Gasoline Station – Full Serve and Gasoline Station – Split Island

11.8.5.1 Despite section [10.4](#) of this by-law and the front, side and rear yard regulations as set out in the [C-1 District Schedule](#), in the case of a gasoline station – full serve or gasoline station – split island located in the C-1 district:

- (a) the minimum width of the side yard on a street that flanks a corner site is 4.5 m;
- (b) a rear yard with a minimum depth of 4.5 m must be provided, except that where the rear property line of the site adjoins a dedicated lane, the minimum depth of the rear yard may be decreased by the width of that portion of the lane equal to the distance from the ultimate centre line of the lane to the rear line of the site;

- (c) pump islands are permitted in the front yard if they are set back a minimum of 4.5 m from the front property line; and
- (d) canopies over the pump islands may be located to the satisfaction of the Director of Planning in the front and side yards as long as all such canopies are set back at least 1.5 m from the front or side property line of the site, as the case may be, and no canopy is longer than 33% of the length of the street boundary of the yard in which it is located, to a maximum of 12.2 m.

11.8.5.2 Despite any other provisions of this by-law, no merchandise may be displayed outdoors on any gasoline station – full serve or gasoline station – split island site except for the following:

- (a) if located at a pump island, a small sample display of new tires, lubricating oils and automotive accessories;
- (b) if located adjacent to the principal building, tires and vending machines; and
- (c) if located within an accessory building approved by the Director of Planning, merchandise including fireplace logs, garden equipment, garden furniture and similar items.

11.8.5.3 No truck, bus, utility or camper trailer, camper or similar vehicle may be stored or parked at any time, other than the necessary waiting period for service, on a gasoline station – full serve or gasoline station – split island site in a C district except for the following:

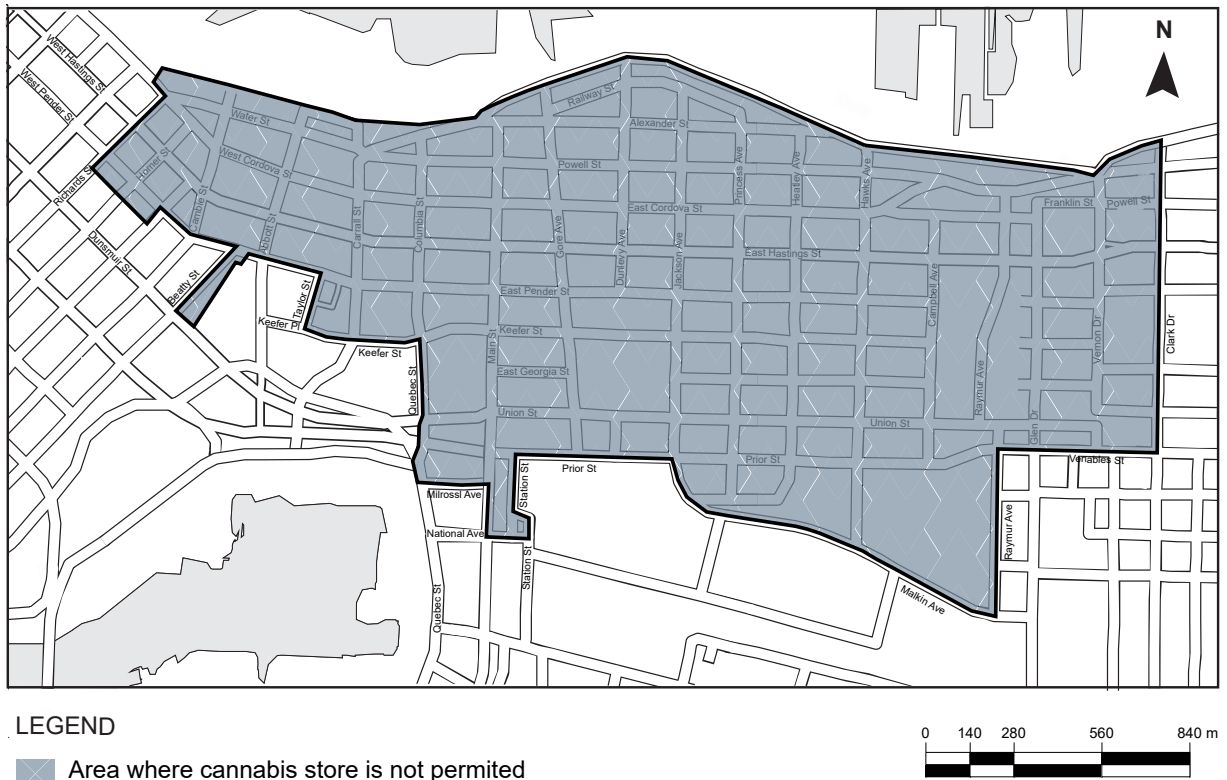
- (a) in the C-1 district, trucks with a registered gross vehicle weight not exceeding 4,550 kg;
- (b) in all other C districts, trucks and small buses with a registered gross vehicle weight not exceeding 6,825 kg;
- (c) 5 utility trailers, if they do not exceed 1.5 m in width and 3.1 m in length and are located in the rear or side yards;
- (d) 1 service truck operated by the gasoline station – full serve or gasoline station – split island; and
- (e) trucks or equipment temporarily required for the construction, repair, servicing or maintenance of the premises.

11.8.5.4 Gasoline station – full serve or gasoline station – split island in all districts are subject to the following:

- (a) except for points of access to and from the perimeter, every gasoline station – full serve or gasoline station – split island site must be screened to the satisfaction of the Director of Planning along those boundaries that adjoin or are across the lane from any R district or any dwelling use in a C, M or I district; and
- (b) the site of every gasoline station – full serve or gasoline station – split island must be properly landscaped and maintained with lawns, shrubs, trees or other suitable landscaping of a type and location to the satisfaction of the Director of Planning, such landscaping to constitute a minimum of 5% of the site subject to such minor variations as the Director of Planning may approve.

- 11.8.5.5 The total width of vehicular access to a gasoline station – full serve or gasoline station – split island from a lane in a C, M or I district must not exceed an amount equal to 15% of the total length of the lane abutting the site, except that the total width of vehicular access need not be less than 3.7 m.
- 11.8.6 Cannabis Store
- 11.8.6.1 Before granting a development permit for a cannabis store, the Director of Planning must:
- (a) notify surrounding property owners and residents and consider their opinions;
  - (b) consider the liveability of neighbouring residents; and
  - (c) consider all applicable Council policies and guidelines.
- 11.8.6.2 A cannabis store is not permitted:
- (a) within 300.0 m of the nearest property line of a site on which another cannabis store is located;
  - (b) within 300.0 m of the nearest property line of a site containing a school – elementary or secondary, or community centre or neighbourhood house;
  - (c) within the area identified in **Map 2: Area Where Cannabis Store is Not Permitted** below, except for sites with a property line on Hastings Street or Main Street;
  - (d) on any site with a property line on Granville Street between Robson Street and Pacific Boulevard;
  - (e) on any site other than a site located on a block where all or part of the street in that block has a painted centre line;
  - (f) in combination with any other use; or
  - (g) in combination with an automated banking machine.

**Map 2: Area Where Cannabis Store is Not Permitted**



#### 11.8.7 Liquor Store

- 11.8.7.1 Wherever the words “retail store”, “retail or business establishment”, “retailing”, “convenience commercial”, or similar use descriptions that imply the sale of merchandise as a permitted use appear in this by-law or in any by-law passed pursuant to this by-law, such permitted use must not include a liquor store without the approval of the Director of Planning or the Development Permit Board, as the case may be.
- 11.8.7.2 Wherever “commercial”, “commercial uses”, “retail”, “retail uses”, or “drive-through service” appear in this by-law or in any by-law passed pursuant to this by-law, such permitted use must not include a liquor store unless otherwise specifically provided by this by-law.

#### 11.8.8 Pawnshop and Secondhand Store

- 11.8.8.1 Any development permit issued for a pawnshop or secondhand store will be limited in time to 1 year.

#### 11.8.9 Retailing Used Merchandise

- 11.8.9.1 Any retail store is be permitted to use up to a maximum of 2.5 m<sup>2</sup> of floor area of premises for the retailing of:



- (a) used electronic equipment, including, but not limited to, audio or video equipment or accessories, computers or printers; or
- (b) 2 or more of the following types of used merchandise: bicycles, sports equipment, luggage, jewellery, cameras, musical equipment or tools,

if this floor area is clearly demarcated and readily visible and accessible to the public.

#### 11.8.10 Adult Retail Store

- 11.8.10.1 Premises used as an adult retail store will not be issued a permit for an arcade and premises used as an arcade will not be issued a permit for an adult retail store.
- 11.8.10.2 Adult retail stores must not exceed a maximum floor area of 278 m<sup>2</sup> and a maximum premise frontage of 7.6 m.
- 11.8.10.3 Any development permit issued for an adult retail store will be limited in time to 3 years.

### 11.9 Service Uses

#### 11.9.1 Short Term Rental Accommodation

##### 11.9.1.1 In this section **11.9.1**:

- (a) “principal residence unit” means the dwelling where an individual lives, makes their home and conducts their daily affairs, including, without limitation, paying bills and receiving mail, and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver’s licenses, personal identification, vehicle registration and utility bills; and
- (b) “booking” means a confirmed reservation of the dwelling unit, or of 1 or more bedrooms, as short term rental accommodation.

- 11.9.1.2 Short term rental accommodation is only permitted in a lawful dwelling unit, secondary suite, laneway house, or lock-off unit that is a principal residence unit.
- 11.9.1.3 Short term rental accommodation is not permitted in an accessory building or vehicle.
- 11.9.1.4 Short term rental accommodation is not permitted in a dwelling unit in combination with bed and breakfast accommodation.
- 11.9.1.5 No more than 2 adults may occupy each bedroom used as short term rental accommodation.
- 11.9.1.6 Short term rental accommodation is only permitted in dwelling units that comply with all applicable occupancy limits as set out in the Fire By-law.

- 11.9.1.7 No more than 1 booking may be permitted as short term rental accommodation in each dwelling unit at 1 time.
- 11.9.1.8 Short term rental accommodation is permitted in all CD-1 districts where dwelling uses are permitted.
- 11.9.1.9 Any development permit or exemption from a development permit for a short term rental accommodation must be limited in time to 2 years.
- 11.9.2 Bed and Breakfast Accommodation
  - 11.9.2.1 A maximum of 2 bedrooms accommodating a maximum of 4 bed and breakfast guests may be permitted in a dwelling unit.
  - 11.9.2.2 The provision of bed and breakfast accommodation must not be permitted coincidentally with the keeping of boarders and lodgers.
  - 11.9.2.3 The operator of the bed and breakfast accommodation must reside in the dwelling unit.
- 11.9.3 Body-Rub Parlour
  - 11.9.3.1 Wherever “commercial”, “commercial uses”, or “service uses” appear in this by-law or in any by-law passed pursuant to this by-law, such permitted use must not include a body-rub parlour unless otherwise specifically permitted by this by-law.
- 11.9.4 Wedding Chapel
  - 11.9.4.1 The floor area of a wedding chapel must not exceed 140 m<sup>2</sup>, except that the Director of Planning may increase the floor area if the Director of Planning considers the siting and location of the proposed development, the type and hours of operation, generation of traffic, parking facilities, and any impact on adjacent property and the amenity of the neighbourhood, and will notify such owners of adjoining property as the Director of Planning deems necessary.

## 11.10 Transportation and Storage Uses

- 11.10.1 Marine Terminal or Berth
  - 11.10.1.1 A marine terminal or berth must not be used for the bulk storage and handling and trans-shipment of coal.
- 11.10.2 Mini-Storage Warehouse
  - 11.10.2.1 Mini-storage warehouse is not permitted:
    - (a) on the first storey, or on any storey with its floor level within 2.0 m above finished grade, in any I or M districts, except for entrances;

- (b) in the following areas of the I-2 district:
  - (i) east of Ash Street, north of West Kent Avenue North, west of Manitoba Street, and south of Southwest Marine Drive,
  - (ii) east of Slocan Street, north of Grandview Highway, west of Boundary Road, and south of East Broadway and Lougheed Highway, and
  - (iii) east of Clark Drive, north of East 7th Avenue, west of McLean Drive, and south of East 6th Avenue;
- (c) in the area of the I-1 district west of Columbia Street, south of West 5th Avenue, and south of East 5th Avenue; or
- (d) in the area of the IC-2 district south of East 5th Avenue.

## 11.11 Utility and Communication Uses

11.11.1 [reserved]

## 11.12 Wholesale Uses

11.12.1 [reserved]

## 11.13 Uncategorized

11.13.1 Homecraft

11.13.1.1 No person other than 1 resident member of the family occupying the dwelling may be engaged in the homecraft on the premises.

11.13.1.2 Where located in an R district, there must be nothing to indicate from the exterior of the dwelling unit or building that it is being used for any purpose other than its principal or approved use.

11.13.1.3 No products or material may be sold from or within the dwelling unit.

11.13.1.4 No products or materials may be stored outside of the dwelling unit, building or accessory building.

11.13.1.5 No offensive noise, odour, vibration, smoke, heat or other objectionable impact may be produced.

11.13.2 Housekeeping Unit

11.13.2.1 No housekeeping unit may be used or occupied by more than 1 family.

11.13.2.2 Every housekeeping unit must have a floor area of at least 13.4 m<sup>2</sup>, or a floor area of at least 11.1 m<sup>2</sup> if the unit is occupied by only 1 person and adequate lounge facilities are provided on the premises.

11.13.2.3 There must be a separate and properly ventilated kitchen or kitchenette equipped with a sink and cooking facilities provided within the housekeeping unit.

11.13.2.4 There must be at least 1 complete bathroom unit for every 3 housekeeping units, except that where the housekeeping units have single occupancy the provisions of section 11.13.3.3 of this by-law apply.

11.13.2.5 No person may use or permit to be used any housekeeping unit for a period of less than 1 month unless such unit forms part of a hotel.

#### 11.13.3 Sleeping Unit

11.13.3.1 No sleeping unit may contain a sink or cooking facilities.

11.13.3.2 Every sleeping unit must include a main habitable room with a floor area of not less than 9.7 m<sup>2</sup>.

11.13.3.3 There must not be:

- (a) less than 1 hand basin provided for every 3 sleeping units, and such basins may not be located in public hallways;
- (b) at least 1 water closet for every 10 sleeping units; and
- (c) at least 1 bathing unit for every 12 sleeping units.

11.13.3.4 No person may use or permit to be used any sleeping unit for a period of less than 1 month unless such unit forms part of a hotel.

#### 11.13.4 Live-Work Use

11.13.4.1 The floor area of a live-work unit must be at least 47 m<sup>2</sup>.

#### 11.13.5 Lounge

11.13.5.1 Wherever “restaurant” appears in this by-law or in any by-law passed pursuant to this by-law, such permitted use must not include a lounge as defined in the Liquor Control and Licensing Regulation under the Liquor Control and Licensing Act (British Columbia) unless otherwise specifically provided by this by-law.

## SCHEDULE H

# RA-1

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to maintain and encourage the semi-rural, equestrian and limited agricultural nature of the area, and to permit single detached houses and, in specific circumstances, infill single detached houses.

Without limitation, applicable Council policies and guidelines for consideration include the [Southlands RA-1 Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RA-1 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
9,100 m <sup>2</sup>	All uses in section 2.1 of this schedule	3.1

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section 2.2.

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Greenhouse	Conditional	
Nursery, Field Crop or Fruit Farm	Outright	
Stable	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
<b>Cultural and Recreational Uses</b>		
Golf Course or Driving Range	Conditional	
Marina	Conditional	
Park or Playground	Conditional	
Riding Ring	Conditional	<a href="#">2.2.3</a>
<b>Dwelling Uses</b>		
Dwelling Unit, in combination with a Single Detached House	Conditional	<a href="#">2.2.4</a>
Infill Single Detached House	Conditional	<a href="#">2.2.5</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	<a href="#">2.2.6</a>
Single Detached House, not permitted as an outright approval use	Conditional	<a href="#">2.2.7</a>
<b>Institutional Uses</b>		
Community Care Facility – Class A	Outright	<a href="#">2.2.8</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Public Authority Use, essential in this district	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.9</a>
Public Bike Share	Conditional	
Retail Store, in combination with Greenhouse, Nursery, Field Crop or Fruit Farm, or Stable	Conditional	<a href="#">2.2.10</a> , <a href="#">2.2.11</a>
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	

Use	Approval	Use-Specific Regulations
Short Term Rental Accommodation	Conditional	
Utility and Communication Uses		
Public Utility	Conditional	
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section 2.1	Outright	2.2.12
Accessory Buildings, customarily ancillary to any use listed in this section 2.1 and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section 2.1	Conditional	
Deposition or extraction of material which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 An additional principal building may be permitted in combination with stable.
- 2.2.2 The stabling of horses is limited to a maximum of 1 horse for every 232 m<sup>2</sup> of site area, excluding the site area of dwelling uses and yard areas within 6.4 m of dwelling uses, community care facilities or group residences, open swimming pools and tennis courts, parking spaces, manoeuvring aisles and driveways accessory to dwelling uses.
- 2.2.3 In addition to riding ring, the Director of Planning may permit any use similar to riding ring.
- 2.2.4 A dwelling unit in combination with a single detached house may be permitted if:
- it is for the person whose occupation is a full-time caretaker on the subject site;
  - the site area is at least 2,020 m<sup>2</sup>;
  - the size of the single detached house or site, or the nature of uses on the site, warrants the need for a caretaker's unit;
  - there is only 1 caretaker's dwelling unit on a site;
  - on sites with a site area:
    - at least 2,020 m<sup>2</sup> but does not exceed 4,045 m<sup>2</sup>, the floor area of the caretaker's dwelling unit does not exceed 70 m<sup>2</sup>, and

- (ii) that exceeds 4,045 m<sup>2</sup>, the floor area of the caretaker's dwelling unit does not exceed 140 m<sup>2</sup>; and
- (f) a covenant is registered ensuring that the dwelling unit will be occupied and maintained as a caretaker's quarters for a person whose occupation is a full-time caretaker on the subject site.

2.2.5 An infill single detached house may be permitted:

- (a) if it is for a person whose occupation is a full-time caretaker on the subject site, and:
  - (i) the site area is at least 2,020 m<sup>2</sup>,
  - (ii) the size of the single detached house or site, or the nature of uses on the site, warrants the need for a caretaker's unit,
  - (iii) there is only 1 caretaker's dwelling unit on the site,
  - (iv) on sites with a site area:
    - (A) at least 2,020 m<sup>2</sup> but not exceeding 4,045 m<sup>2</sup>, the floor area of the caretaker's dwelling unit does not exceed 70 m<sup>2</sup>, or
    - (B) that exceeds 4,045 m<sup>2</sup>, the floor area of the caretaker's dwelling unit does not exceed 140 m<sup>2</sup>,
  - (v) a covenant is registered ensuring that the dwelling unit will be occupied and maintained as a caretaker's quarters for a person whose occupation is a full-time caretaker on the subject site, and
  - (vi) on sites less than 9,100 m<sup>2</sup>, the caretaker's unit is within 6.1 m of the single detached house; or
- (b) if:
  - (i) the site area is at least 9,100 m<sup>2</sup>,
  - (ii) the maximum number of dwelling units on a site, including a dwelling unit for a caretaker, does not exceed 2,
  - (iii) the floor area of the infill single detached house does not exceed 186 m<sup>2</sup>, and
  - (iv) boarding facilities for at least 10 horses are maintained on the site and those facilities include the provision of 1 stall for each horse and storage areas for feed, tack, bedding and manure.

2.2.6 Single detached house, not permitted as an outright approval use, may be permitted as an outright approval use if the floor area does not exceed 280 m<sup>2</sup>.

2.2.7 Single detached house may be permitted as a conditional approval use if the floor area exceeds 280 m<sup>2</sup>.

2.2.8 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.



- 2.2.9 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.10 Retail store in combination with greenhouse or nursery, field crop or fruit farm may be permitted if:
- (a) it is limited to the display and sale of plants, fertilizers, insecticides, herbicides, seeds, soils and small garden tools; and
  - (b) the floor area, including covered outdoor storage areas and ancillary office areas, does not exceed 186 m<sup>2</sup>.
- 2.2.11 Retail store in combination with stable may be permitted if:
- (a) it is limited to a tack shop serving the day-to-day equestrian needs of the local community;
  - (b) the retail floor area does not exceed 93 m<sup>2</sup>;
  - (c) there are no outdoor displays or display windows; and
  - (d) it does not include the sale of feed or bedding products.
- 2.2.12 Accessory buildings customarily ancillary to any use listed in section [2.1](#) of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height; and
  - (b) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio and floor area is:

- (a) the greater of 0.10 or 334 m<sup>2</sup>, but in no case to exceed 836 m<sup>2</sup>, for dwelling uses, community care facility or group residence; and
- (b) 0.12 for all other uses.

##### 3.1.2 Building Form and Placement

Regulations	RA-1
3.1.2.1 Minimum site area	9,100 m <sup>2</sup>
3.1.2.2 Maximum building height	9.2 m and 3 storeys
3.1.2.3 Minimum front yard depth	7.3 m
3.1.2.4 Minimum side yard width	4.5 m
3.1.2.5 Minimum rear yard depth	4.5 m
3.1.2.6 Maximum site coverage for all buildings for:	
(a) dwelling uses, community care facility or group residence	the greater of 8% of the site area or 242 m <sup>2</sup>
(b) all other uses	12% of the site area
3.1.2.7 Maximum building depth for all buildings used for dwelling uses, community care facility or group residence	the lesser of 36.6 m or 65% of the site depth
3.1.2.8 Maximum building width for all buildings used for dwelling uses, community care facility or group residence	the lesser of 30.5 m or 75% of the site width

#### Site Area

- 3.1.2.9 The Director of Planning may decrease the minimum site area if the lot was on record in the Land Title Office prior to October 4, 1955.

## Building Height

3.1.2.10 Despite the maximum building height in section 3.1.2.2 above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.

3.1.2.11 Despite the maximum building height in section 3.1.2.2 above, no portion of the building may extend above an envelope formed by a vertical line measuring 6.4 m in height at the required side yard and then extending inward and upward at an angle of 135 degrees from the vertical to the line where the planes intersect.

3.1.2.12 The Director of Planning may increase the permitted building height to a maximum of 10.7 m if the Director of Planning considers:

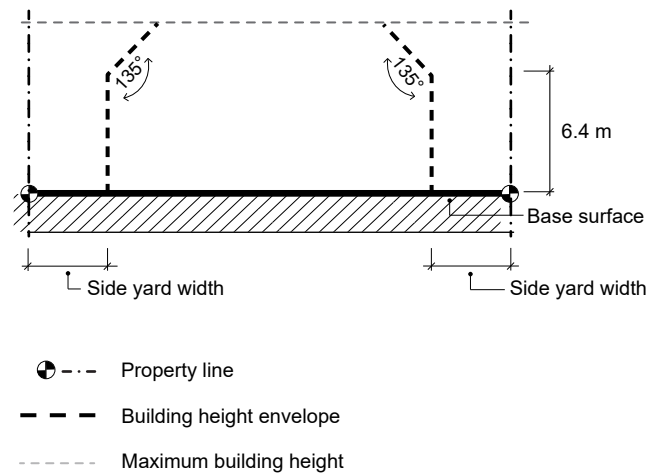
- (a) the intent of this schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.

## Site Coverage

3.1.2.13 Despite the maximum site coverage in section 3.1.2.6(a) above, the maximum aggregate site coverage for all dwelling uses and yard areas within 6.4 m of dwelling uses, community care facilities or group residences, open swimming pools and tennis courts, parking spaces, manoeuvring aisles and driveways accessory to dwelling uses, must not exceed:

- (a) 30% of the site area for sites with a site area at least 9,070 m<sup>2</sup>;
- (b) 40% of the site area for sites with a site area at least 4,045 m<sup>2</sup> but not exceeding 9,070 m<sup>2</sup>; and
- (c) 50% of the site area for sites with a site area not exceeding 4,045 m<sup>2</sup>.

Diagram: Maximum building height envelope



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings, which, for dwelling uses, community care facility and group residence, includes garages, covered swimming pools and covered tennis courts; and
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;
- (d) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (e) entries, porches and verandahs, and covered porches above the first storey, if:
  - (i) they face a street or a rear property line and entries, porches and verandahs are located at the basement or first storey,
  - (ii) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,
  - (iii) the total area of these exclusions, when combined with the balcony and deck exclusions under section [4.1.2\(a\)](#) above, does not exceed 13% of the permitted floor area, and
  - (iv) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor; and
- (f) 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 section [4.1.2\(e\)](#) above, to which there is no access from the interior of the building.

## 4.2 Site Coverage: Measurement

- 4.2.1 Site coverage for dwelling uses, community care facility, or group residence includes accessory buildings customarily ancillary to these uses, including but not limited to garages, covered swimming pools and covered tennis courts.

## 4.3 Building Depth and Width: Measurement

- 4.3.1 Building depth and width for dwelling uses, community care facility or group residence includes accessory buildings customarily ancillary to these uses, including but not limited to garages, covered swimming pools and covered tennis courts.
- 4.3.2 The maximum building depth is measured as viewed from and projected upon the side property lines.
- 4.3.3 The maximum building width is measured as viewed from and projected upon the front property line.

# 5 RELAXATIONS

- 5.1 The Director of Planning may relax the front yard, side yard and rear yard regulations prescribed in this schedule, where, due to conditions peculiar either to the site or to the proposed development, literal enforcement would result in unnecessary hardship, provided that the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines and the submission of any advisory group, property owner or tenant.

## SCHEDULE I

# C-1

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to provide for small-scale convenience commercial establishments, catering typically to the needs of a local neighbourhood and consisting primarily of retail sales and limited service functions, and to provide for dwelling uses designed to be compatible with commercial uses.

Without limitation, applicable Council policies and guidelines for consideration include the [C-1 Residential Guidelines](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the C-1 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	
<b>Cultural and Recreational Uses</b>		
Artist Studio	Conditional	2.2.1
Billiard Hall	Conditional	2.2.1
Bowling Alley	Conditional	2.2.1
Club	Conditional	2.2.1
Community Centre or Neighbourhood House	Conditional	2.2.1
Fitness Centre	Conditional	2.2.1
Library	Conditional	2.2.1
Park or Playground	Conditional	
Rink	Conditional	2.2.1
Swimming Pool	Conditional	2.2.1
<b>Dwelling Uses</b>		
Mixed-Use Residential Building	Conditional	2.2.2, 2.2.3, 2.2.4
Multiple Conversion Dwelling, resulting from the conversion of a building existing prior to June 18, 1956	Conditional	2.2.5
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	
Seniors Supportive or Assisted Housing	Conditional	
<b>Institutional Uses</b>		
Child Day Care Facility	Conditional	2.2.1
Church	Conditional	2.2.1
Community Care Facility – Class B	Conditional	2.2.1
Group Residence	Conditional	2.2.1
Hospital	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
Public Authority Use	Conditional	2.2.1
School – Elementary or Secondary	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
<b>Office Uses</b>		
Financial Institution	Conditional	2.2.1
General Office	Outright	2.2.1, 2.2.6
Health Care Office	Conditional	2.2.1
Health Enhancement Centre	Conditional	2.2.1
<b>Parking Uses</b>		
Parking Uses	Conditional	
<b>Retail Uses</b>		
Cannabis Store	Conditional	2.2.1
Farmers' Market	Conditional	2.2.7
Gasoline Station – Full Serve	Conditional	
Gasoline Station – Split Island	Conditional	
Grocery or Drug Store, except for Small-Scale Pharmacy	Outright	2.2.1, 2.2.6
Grocery Store with Liquor Store	Conditional	2.2.1
Liquor Store	Conditional	2.2.1
Pawnshop	Conditional	2.2.1
Public Bike Share	Conditional	
Retail Store	Outright	2.2.1, 2.2.6
Secondhand Store	Conditional	2.2.1
Small-Scale Pharmacy	Conditional	2.2.1
<b>Service Uses</b>		
Barber Shop or Beauty Salon	Outright	2.2.1, 2.2.6
Beauty and Wellness Centre	Outright	2.2.1, 2.2.6
Bed and Breakfast Accommodation	Conditional	2.2.1
Laundromat or Dry Cleaning Establishment	Outright	2.2.1, 2.2.6
Neighbourhood Public House	Conditional	
Photofinishing or Photography Studio	Outright	2.2.1, 2.2.6
Print Shop	Conditional	2.2.1
Repair Shop – Class B	Outright	2.2.1, 2.2.6
Restaurant – Class 1	Outright	2.2.6
Short Term Rental Accommodation	Conditional	2.2.1



Use	Approval	Use-Specific Regulations
Utility and Communication Uses		
Public Utility	Conditional	2.2.1
Radiocommunication Station	Conditional	2.2.1
Recycling Depot	Conditional	2.2.1
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section 2.1	Outright	2.2.1, 2.2.8
Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1	Outright	2.2.1, 2.2.9
Accessory Uses, customarily ancillary to any use listed in this section 2.1	Conditional	2.2.1, 2.2.10
Any other use that is not specifically listed and defined as a use in Section 2 of this by-law	Conditional	2.2.1, 2.2.11
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 All commercial uses listed in section 2.1 of this schedule must be carried on wholly within a completely enclosed building, other than the following:

- (a) display of flowers, plants, fruits and vegetables;
- (b) farmers' market;
- (c) gasoline station – full serve;
- (d) gasoline station – split island;
- (e) neighbourhood public house;
- (f) parking and loading facilities;
- (g) public bike share;
- (h) restaurant – class 1; and
- (i) urban farm – class B,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods or an outdoor eating area in combination with a restaurant – class 1, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display or eating area with respect to adjoining sites, the hours of operation and the intent of this schedule.

- 2.2.2 Any of the non-dwelling uses listed in section 2.1 of this schedule are permitted in a mixed-use residential building.
- 2.2.3 Mixed-use residential building may be permitted if the Director of Planning considers the design and liveability of the dwelling units.
- 2.2.4 No portion of the first storey of a mixed-use residential building, to a depth of 10.7 m from the front wall of the building and extending across its full width, may be used for residential purposes except for entrances to the residential portion.
- 2.2.5 Multiple conversion dwelling, resulting from the conversion of a building existing prior to June 18, 1956, may be permitted if:
- (a) the Director of Planning considers:
    - (i) the quality and liveability of the resulting units,
    - (ii) the suitability of the building for conversion in terms of age and size, and
    - (iii) the impact of the conversion on adjacent properties and the character of the area;
  - (b) there are no additions to the building; and
  - (c) no housekeeping or sleeping units are created.
- 2.2.6 All outright approval office, retail and service uses must cater to the day-to-day needs of residents of the local neighbourhood.
- 2.2.7 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:
    - (i) in the rear yard, and
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and

- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 15% of the total site area,

except that the Director of Planning may vary the maximum height, the location regulations, and the floor area regulations to a maximum total floor area not exceeding 33.3% of the gross floor area of the principal use.

- 2.2.9 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule are permitted provided that the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal use, unless permitted as an outright approval use pursuant to section 2.1 of this schedule, except that the Director of Planning may vary the floor area regulations to a total floor area not exceeding 33.3% of the gross floor area of the principal use.
- 2.2.10 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.9 above.
- 2.2.11 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 1.20, except that the floor space ratio for dwelling uses must not exceed 0.75.

3.1.1.2 For the purposes of section 3.1.1.1 above, where there is a residential unit associated with and forming an integral part of an artist studio, the artist studio is also considered a dwelling use.

##### 3.1.2 Building Form and Placement

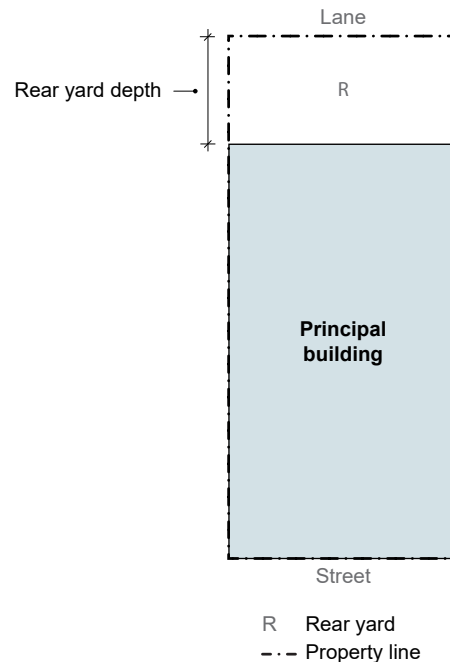
Regulations		C-1
3.1.2.1	Maximum building height	9.2 m
3.1.2.2	Minimum front yard depth for a front yard that:	
	(a) adjoins the front yard of a site located in an R district, without the intervention of a lane	3.7 m
	(b) does not adjoin the front yard of a site located in an R district	not required
3.1.2.3	Minimum side yard depth for a side yard that:	
	(a) adjoins the side yard of a site located in an R district, without the intervention of a lane, and where the site width:	
	(i) does not exceed 9.0 m	0.9 m
	(ii) exceeds 9.0 m but does not exceed 15.0 m	10% of the site width
	(iii) exceeds 15.0 m	1.5 m
	(b) does not adjoin the side yard of a site located in an R district	not required
3.1.2.4	Minimum rear yard depth	10.7 m

## Building Height

3.1.2.5 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 10.7 m, if the Director of Planning or Development Permit Board considers:

- (a) the height, bulk and location of the building and its impact on the site, surrounding buildings and streets, and existing views;
- (b) the extent to which the increase in maximum building height allows for roof forms and building design that is sympathetic to buildings in the surrounding neighbourhood;
- (c) the relationship of the development with nearby residential areas; and
- (d) the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

**Diagram: Building placement for principal building**



## Front Yard

3.1.2.6 No parking or loading of vehicles is permitted in a front yard or front setback.

3.1.2.7 The Director of Planning may decrease the minimum front yard depth to permit the outdoor display of retail goods or an outdoor eating area in combination with a restaurant – class 1, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display or eating area with respect to adjoining sites, the hours of operation and the intent of this schedule.

## Side Yard

3.1.2.8 Despite the minimum side yard width in section 3.1.2.3(b) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

3.1.2.9 For any parking area on a corner site, a setback of 1.2 m from the side property line abutting the flanking street is required.

## **Rear Yard**

- 3.1.2.10 Despite the minimum rear yard depth in section [3.1.2.4](#) above, where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings, including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for parking space does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreational facilities and meeting rooms accessory to a dwelling use, to a maximum floor area of 10% of the total permitted floor area, if in the case of child day care facilities the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood; and
- (e) 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 area above base surface for that unit.

4.1.3 The Director of Planning may permit enclosed residential balconies to be excluded in the computation of floor area, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or deck exclusions may not exceed 8% of the permitted residential floor area; and
- (b) no more than 50% of the excluded balcony floor area may be enclosed.

## 4.2 Horizontal Angle of Daylight

- 4.2.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.2.2 For the purposes of section 4.2.1 above, habitable room means any room except a bathroom or kitchen.
- 4.2.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.2.4 The plane or planes referred to in section 4.2.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.2.5 An obstruction referred to in section 4.2.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.2.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
  - (a) the Director of Planning considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 3.7 m.



## SCHEDULE J

# C-2

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to provide for a wide range of commercial uses serving both local and city-wide needs, as well as dwelling uses along arterial streets. This schedule emphasizes building design that promotes compatibility among uses, ensures liveability, limits impact on adjacent residential sites, and contributes to pedestrian interest and amenity. In addition, this schedule encourages mixed-use residential buildings that contain secure rental housing by including provisions for residential rental tenure buildings. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units.

Without limitation, applicable Council policies and guidelines for consideration include the [C-2 Guidelines](#), [Fraser Street C-2 Guidelines](#) and [C-2, C-2B, C-2C, and C-2C1 Guidelines for Residential Rental Tenure Buildings](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the C-2 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	Mixed-Use Residential Building that is a residential rental tenure building	<a href="#">3.1</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.2</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	
<b>Cultural and Recreational Uses</b>		
Arcade	Conditional	2.2.1
Artist Studio	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.1
Billiard Hall	Conditional	2.2.1
Bowling Alley	Outright	2.2.1
Club	Conditional	2.2.1
Community Centre or Neighbourhood House	Conditional	2.2.1
Fitness Centre	Outright	2.2.1
Hall	Conditional	2.2.1
Library	Outright	2.2.1
Museum or Archives	Outright	2.2.1
Park or Playground	Conditional	
Rink	Outright	2.2.1
Swimming Pool	Outright	2.2.1
Theatre	Conditional	2.2.1
Zoo or Botanical Garden	Conditional	2.2.1
<b>Dwelling Uses</b>		
Mixed-Use Residential Building	Conditional	2.2.2, 2.2.3, 2.2.4
Multiple Conversion Dwelling, resulting from the conversion of a building existing prior to June 18, 1956	Conditional	2.2.4, 2.2.5

Use	Approval	Use-Specific Regulations
Multiple Dwelling	Conditional	<a href="#">2.2.4</a> , <a href="#">2.2.6</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.7</a>
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	
Seniors Supportive or Assisted Housing	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a>
Child Day Care Facility	Conditional	<a href="#">2.2.1</a>
Church	Conditional	<a href="#">2.2.1</a>
Community Care Facility – Class B	Conditional	<a href="#">2.2.1</a>
Detoxification Centre	Conditional	<a href="#">2.2.1</a>
Group Residence	Conditional	<a href="#">2.2.1</a>
Hospital	Conditional	<a href="#">2.2.1</a>
Public Authority Use	Conditional	<a href="#">2.2.1</a>
School – Elementary or Secondary	Conditional	<a href="#">2.2.1</a>
School – University or College	Conditional	<a href="#">2.2.1</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a>
<b>Manufacturing Uses</b>		
Jewellery Manufacturing	Conditional	<a href="#">2.2.1</a>
Printing and Publishing	Conditional	<a href="#">2.2.1</a>
<b>Office Uses</b>		
Financial Institution	Outright	<a href="#">2.2.1</a>
General Office	Outright	<a href="#">2.2.1</a>
Health Care Office	Outright	<a href="#">2.2.1</a>
Health Enhancement Centre	Conditional	<a href="#">2.2.1</a>
<b>Parking Uses</b>		
Parking Uses	Conditional	
<b>Retail Uses</b>		
Adult Retail Store	Conditional	<a href="#">2.2.1</a>
Cannabis Store	Conditional	<a href="#">2.2.1</a>
Farmers' Market	Conditional	<a href="#">2.2.8</a>
Furniture or Appliance Store	Conditional	<a href="#">2.2.1</a>
Gasoline Station – Full Serve	Conditional	
Gasoline Station – Split Island	Conditional	

Use	Approval	Use-Specific Regulations
Grocery or Drug Store, except for Small-Scale Pharmacy	Outright	2.2.1
Grocery Store with Liquor Store	Conditional	2.2.1
Liquor Store	Conditional	2.2.1
Pawnshop	Conditional	2.2.1
Public Bike Share	Conditional	
Retail Store	Outright	2.2.1
Secondhand Store	Conditional	2.2.1
Small-Scale Pharmacy	Conditional	2.2.1
Vehicle Dealer	Conditional	
<b>Service Uses</b>		
Animal Clinic	Conditional	2.2.1
Auction Hall	Outright	2.2.1
Barber Shop or Beauty Salon	Outright	2.2.1
Beauty and Wellness Centre	Outright	2.2.1
Bed and Breakfast Accommodation	Conditional	2.2.1
Cabaret	Conditional	2.2.1
Catering Establishment	Outright	2.2.1
Drive-Through Service	Conditional	
Funeral Home	Conditional	2.2.1
Hotel	Conditional	2.2.1
Laundromat or Dry Cleaning Establishment	Outright	2.2.1
Motor Vehicle Repair Shop	Conditional	2.2.1
Motor Vehicle Wash	Conditional	2.2.1
Neighbourhood Public House	Conditional	
Photofinishing or Photography Laboratory	Conditional	2.2.1
Photofinishing or Photography Studio	Outright	2.2.1
Print Shop	Outright	2.2.1
Repair Shop – Class A	Conditional	2.2.1
Repair Shop – Class B	Outright	2.2.1
Restaurant – Class 1	Outright	
Restaurant – Class 2	Conditional	2.2.1
Restaurant – Drive-In	Conditional	
School – Arts or Self-Improvement	Conditional	2.2.1
School – Business	Outright	2.2.1

Use	Approval	Use-Specific Regulations
School – Vocational or Trade	Conditional	<a href="#">2.2.1</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.1</a>
Sign Painting Shop	Conditional	<a href="#">2.2.1</a>
Wedding Chapel	Conditional	<a href="#">2.2.1</a>
<b>Transportation and Storage Uses</b>		
Taxicab or Limousine Station	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Conditional	<a href="#">2.2.1</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>Wholesale Uses</b>		
Lumber and Building Materials Establishment	Conditional	
Wholesaling – Class A	Conditional	<a href="#">2.2.1</a>
Wholesaling – Class B	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.9</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 All commercial uses listed in section [2.1](#) of this schedule must be carried on wholly within a completely enclosed building, other than the following:
- (a) display of flowers, plants, fruits and vegetables;
  - (b) drive-through service;
  - (c) farmers' market;
  - (d) gasoline station – full serve;

- (e) gasoline station – split island;
- (f) lumber and buildings material establishment;
- (g) neighbourhood public house;
- (h) parking and loading facilities;
- (i) public bike share;
- (j) restaurant – class 1;
- (k) restaurant – drive-in;
- (l) taxicab or limousine station;
- (m) urban farm – class B; and
- (n) vehicle dealer,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this schedule.

2.2.2 Any of the non-dwelling uses listed in section 2.1 of this schedule are permitted in a mixed-use residential building.

2.2.3 No portion of the first storey of a mixed-use residential building, to a depth of 10.7 m from the front wall of the building and extending across its full width, may be used for residential purposes except for entrances to the residential portion.

2.2.4 Development on any site consisting of 3 or more dwelling units that:

- (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
- (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,

is subject to the [Rental Housing Stock Official Development Plan](#).

2.2.5 Multiple conversion dwelling, resulting from the conversion of a building existing prior to June 18, 1956, may be permitted if:

- (a) the Director of Planning considers:
  - (i) the quality and liveability of the resulting units,
  - (ii) the suitability of the building for conversion in terms of age and size, and
  - (iii) the impact of the conversion on adjacent properties and the character of the area; and

(b) there are no additions to the building.

- 2.2.6 Multiple dwelling may be permitted if the Director of Planning considers the site suitable for dwelling use.
- 2.2.7 Principal dwelling unit with lock-off unit is permitted only in a multiple dwelling or mixed-use residential building.
- 2.2.8 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:
    - (i) in the rear yard, and
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 15% of the total site area,
- except that the Director of Planning may vary the maximum height, the location regulations, and the floor area regulations to a maximum total floor area not exceeding 33.3% of the gross floor area of the principal use.
- 2.2.10 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule are permitted provided that the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal use, unless permitted as an outright approval use pursuant to section 2.1 of this schedule, except that the Director of Planning may vary the floor area regulations to a total floor area not exceeding 33.3% of the gross floor area of the principal use.
- 2.2.11 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.10 above.
- 2.2.12 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Mixed-Use Residential Building that is a Residential Rental Tenure Building

Mixed-use residential building that is a residential rental tenure building is subject to the following regulations. For the purposes of this schedule, “residential rental tenure building” means a building:

- (a) that is located outside of sub-area A, which is illustrated in [Map 1: Sub-Area A](#) at the end of this schedule;
- (b) that is a mixed-use residential building and contains at least 3 dwelling units;
- (c) where all of the dwelling units are non-stratified and secured as residential rental tenure;
- (d) where at least 35% of the total dwelling units have 2 or more bedrooms;
- (e) where the third storey and above, measured from the front property line, is limited to dwelling use only; and
- (f) that is designed to achieve either of the following energy efficiency requirements:
  - (i) certification under the Passive House standard set by Passive House International or the Zero Energy standard set by the International Living Future Institute, or
  - (ii) energy and emissions intensity limits in accordance with the following table for all dwelling uses:

Low Carbon Energy System (LCES) connection, as per the LCES Policy	Total Energy Use Intensity	Thermal Energy Demand Intensity	Greenhouse Gas Intensity
No	100 kWh/m <sup>2</sup>	15 kWh/m <sup>2</sup>	3 kgCO <sub>2</sub> e/m <sup>2</sup>
Yes	110 kWh/m <sup>2</sup>	25 kWh/m <sup>2</sup>	3 kgCO <sub>2</sub> e/m <sup>2</sup>

except that the Director of Planning may vary the requirements under this section [3.1\(f\)\(ii\)](#) provided the Director of Planning is satisfied that sustainability objectives have been achieved on the development site.

##### 3.1.1 Density and Floor Area

- 3.1.1.1 The maximum floor space ratio is 3.50 for all uses combined, provided that the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35.



3.1.1.2 Despite section [3.1.1.1](#) above, for a corner site, the maximum floor space ratio is 3.70 for all uses combined, provided that:

- (a) the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35;
- (b) the length of the front property line facing the street is at least 45.7 m; and
- (c) the site has a minimum site area of 1,672 m<sup>2</sup>.

3.1.1.3 Despite sections [3.1.1.1](#) and [3.1.1.2](#) above, the Director of Planning may increase the permitted floor space ratio by up to 0.05 for exterior circulation located above the first storey.

### 3.1.2 Building Form and Placement

Regulations	C-2
3.1.2.1 Maximum building height:	
(a) where the floor-to-floor height for non-dwelling uses located on the first storey, facing the street is:	
(i) 5.2 m or greater	22.0 m and 6 storeys
(ii) less than 5.2 m	19.8 m and 6 storeys
(b) for portions of a building located within 4.6 m of the ultimate rear property line	6.1 m
3.1.2.2 Minimum front yard depth for:	
(a) buildings located in sub-area B on <a href="#">Map 3: Sub-Area B</a> at the end of this schedule	4.6 m
(b) all other buildings	2.5 m
3.1.2.3 Minimum side yard width or setback for a side yard that:	
(a) adjoins a site located in any R district, without the intervention of a lane, for portions of a building below the fourth storey	3.7 m
(b) adjoins a site located in any R district, without the intervention of a lane, for portions of a building at or above the fourth storey	10.7 m
(c) does not adjoin a site located in an R district	not required

Regulations	C-2
3.1.2.4 Minimum rear yard depth and rear setback for portions of a building:	
(a) containing non-dwelling uses only, and less than 6.1 m in height	1.5 m
(b) containing non-dwelling uses only, and 6.1 m or more in height	4.6 m
(c) containing dwelling uses	4.6 m

### Building Height

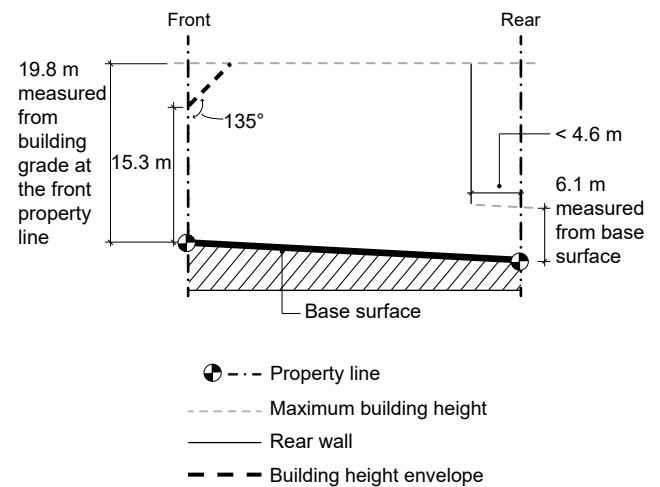
3.1.2.5 Building height in section 3.1.2.1(a) above is measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line.

3.1.2.6 The maximum building height in section 3.1.2.1(b) above does not apply to portions of buildings where the rear yard has been decreased under section 3.1.2.13 below.

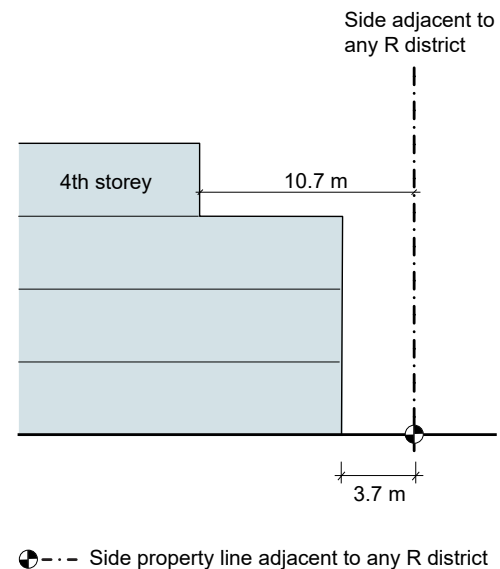
3.1.2.7 Despite the maximum building height in sections 3.1.2.1 and 3.1.2.6 above, no portion of the building may extend above an envelope formed by a vertical line measuring 15.3 m in height at the front property line and a plane formed by an angle of 135 degrees measured from the vertical, except where:

- (a) the site frontage faces a street:
  - (i) with a total width measuring 24.4 m or greater, measured from property line to property line or, where any building lines exist, measured from the building line or lines, and
  - (ii) generally running north-south; or
- (b) the site frontage faces a street with a total width measuring more than 27.5 m, measured from property line to property line or, where any building lines exist, measured from the building line or lines.

**Diagram: Maximum building height for residential rental tenure building**



**Diagram: Side yard and side setback for residential rental tenure buildings**

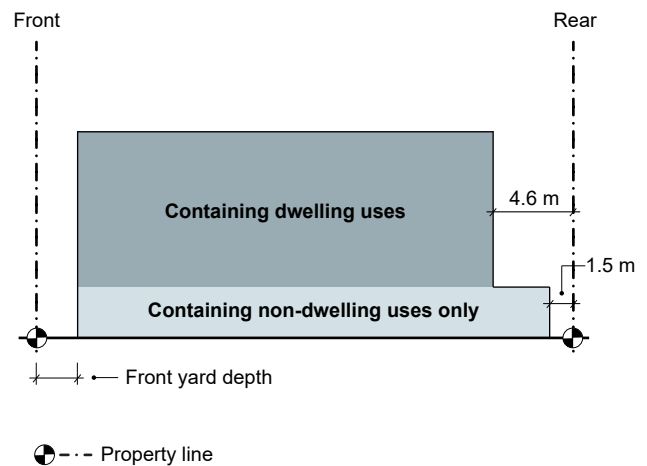


- 3.1.2.8 The Director of Planning or Development Permit Board may increase the maximum building height if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

### Front Yard

- 3.1.2.9 The Director of Planning may decrease the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Front yard, rear yard and rear setback for a building where the first floor contains non-dwelling uses only**



### Side Yard and Side Setback

- 3.1.2.10 Despite the minimum side yard width in section 3.1.2.3(c) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.
- 3.1.2.11 Despite the minimum yard width in sections 3.1.2.3 and 3.1.2.10 above, in the case of a corner site, the exterior side yard requirements are the same as the front yard requirements in section 3.1.2.2 above.
- 3.1.2.12 The Director of Planning may decrease the side yard width or side setback in sections 3.1.2.3(a) and 3.1.2.1(b) above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Rear Yard and Rear Setback

- 3.1.2.13 Despite the minimum rear yard depth and rear setback in section 3.1.2.4(a) above, if the rear of the site adjoins the side yard of a site located in an R district, without the intervention of a lane, the minimum rear yard depth and rear setback is 3.1 m.
- 3.1.2.14 Despite the minimum rear yard depth and rear setback in sections 3.1.2.4(b) and 3.1.2.4(c) above, in the case of a corner site, the rear yard depth and rear setback may be decreased to a minimum of 1.5 m if the portion of the building for which the rear yard is decreased:
- (a) is located at least 22.8 m from an adjoining site; and
  - (b) does not exceed 25.3 m in width, measured from the ultimate exterior side property line,
- except that if the rear of the site adjoins the side yard of a site located in an R district, without the intervention of a lane, the minimum rear yard depth and rear setback may not be decreased.
- 3.1.2.15 Despite the minimum rear yard depth and rear setback in section 3.1.2.4(c) above, roof decks and balconies may project into the setback.

- 3.1.2.16 The Director of Planning may decrease the minimum rear yard depth or rear setback if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 3.2 Other Uses

Uses not regulated by section 3.1 of this schedule are subject to the following regulations.

### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.75, except that if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may increase the permitted floor space ratio to a maximum of:

- (a) 2.15 for multiple dwelling; and
- (b) 2.50 for all uses combined, provided that the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35.

3.2.1.2 For the purposes of section 3.2.1.1 above, where there is a residential unit associated with and forming an integral part of an artist studio, the artist studio is also considered a dwelling use.

### 3.2.2 Building Form and Placement

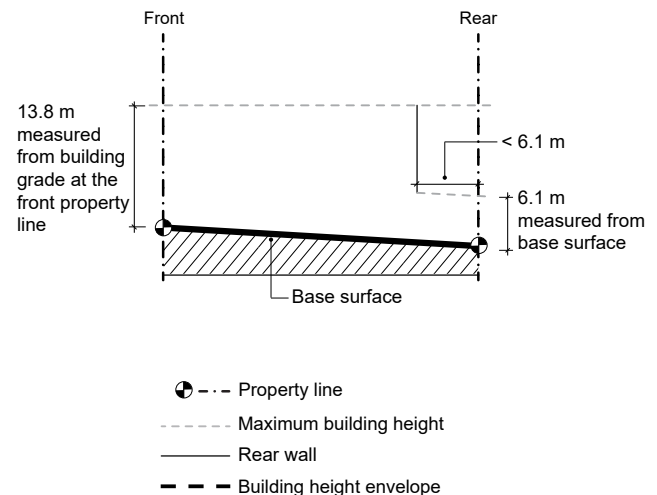
Regulations	C-2
3.2.2.1 Maximum unit frontage for any commercial use in buildings located in the area shown on <a href="#">Map 2: Nanaimo Street C-2 Areas with Maximum Commercial Frontages and Land Dedications</a> at the end of this schedule	15.3 m
3.2.2.2 Maximum building height:	
(a) where the floor-to-floor height for non-dwelling uses located at the first storey facing the street is:	
(i) 5.2 m or greater	15.3 m
(ii) less than 5.2 m	13.8 m
(b) for portions of a building located within 6.1 m of the ultimate rear property line	6.1 m
3.2.2.3 Minimum front yard depth for:	
(a) buildings located in sub-area B on <a href="#">Map 3: Sub-Area B</a> at the end of this schedule	4.6 m
(b) all other buildings	2.5 m
3.2.2.4 Minimum side yard width or setback for a side yard that:	
(a) adjoins a site located in an R district, without the intervention of a lane, for portions of a building below the fourth storey	3.7 m

Regulations	C-2
(b) adjoins a site located in an R district, without the intervention of a lane, for portions of a building at or above the fourth storey	10.7 m
(c) does not adjoin a site located in an R district	not required
3.2.2.5 Minimum rear yard depth and rear setback for portions of a building:	
(a) containing non-dwelling uses only	1.5 m
(b) containing dwelling uses	6.1 m

### Building Height

- 3.2.2.6 Building height in section 3.2.2.2(a) above is measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line.
- 3.2.2.7 The Director of Planning or Development Permit Board may increase the maximum building height if the Director of Planning or Development Permit Board considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

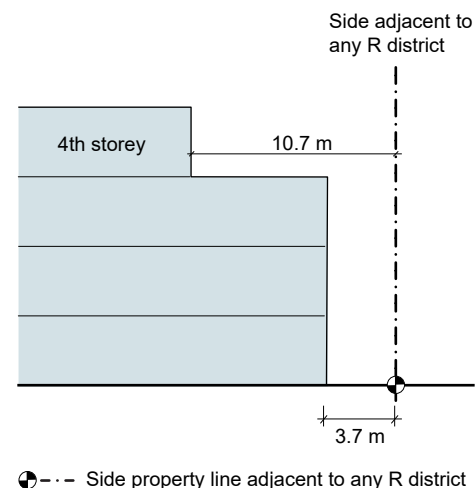
Diagram: Building height



### Side Yard and Side Setback

- 3.2.2.8 Despite the minimum side yard width in section 3.2.2.4(c) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.
- 3.2.2.9 Despite the minimum yard width in sections 3.2.2.4 and 3.2.2.8 above, in the case of a corner site, the exterior side yard requirements are the same as the front yard requirements in section 3.2.2.3 above.
- 3.2.2.10 The Director of Planning may decrease the side yard width or side setback in 3.2.2.4(a) and 3.2.2.4(b) above if the Director of

Diagram: Side yard and side setback



Planning considers the intent of this schedule and all applicable Council policies and guidelines.

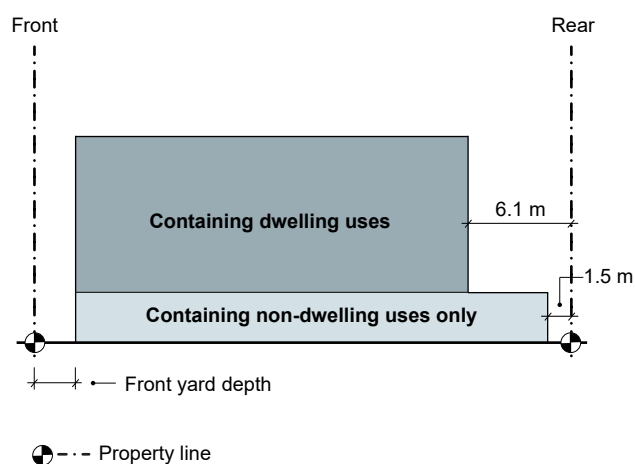
### Rear Yard and Rear Setback

- 3.2.2.11 Despite the minimum rear yard depth and rear setback in section 3.2.2.5(a), without the intervention of a lane, the minimum depth of the rear yard or rear setback is 3.1 m.
- 3.2.2.12 Despite the minimum rear yard depth and rear setback in section 3.2.2.5(b) above, roof decks and balconies may project into the setback.
- 3.2.2.13 The Director of Planning may decrease the minimum rear yard depth or rear setback if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Discretion to Vary Other Regulations

- 3.2.2.14 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the maximum unit frontage; and
  - (b) the minimum front yard depth.

**Diagram: Front yard, rear yard and rear setback for a building where the first floor contains non-dwelling uses only**



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings, including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for parking space does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreational facilities and meeting rooms accessory to a dwelling use, to a maximum floor area of 10% of the total permitted floor area if, in the case of child day care facilities, the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood; and
- (e) 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 area above base surface for that unit.

4.1.3 For buildings other than residential rental tenure buildings, the Director of Planning may permit enclosed residential balconies to be excluded in the computation of floor area, if the Director of Planning considers all applicable Council policies and guidelines and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or deck exclusions may not exceed 8% of the permitted residential floor area; and
- (b) no more than 50% of the excluded balcony floor area may be enclosed.



## 4.2 Horizontal Angle of Daylight

- 4.2.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.2.2 For the purposes of section 4.2.1 above, habitable room means any room except a bathroom or kitchen.
- 4.2.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.2.4 The plane or planes referred to in section 4.2.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.2.5 An obstruction referred to in section 4.2.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.2.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
  - (a) the Director of Planning considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 3.7 m.

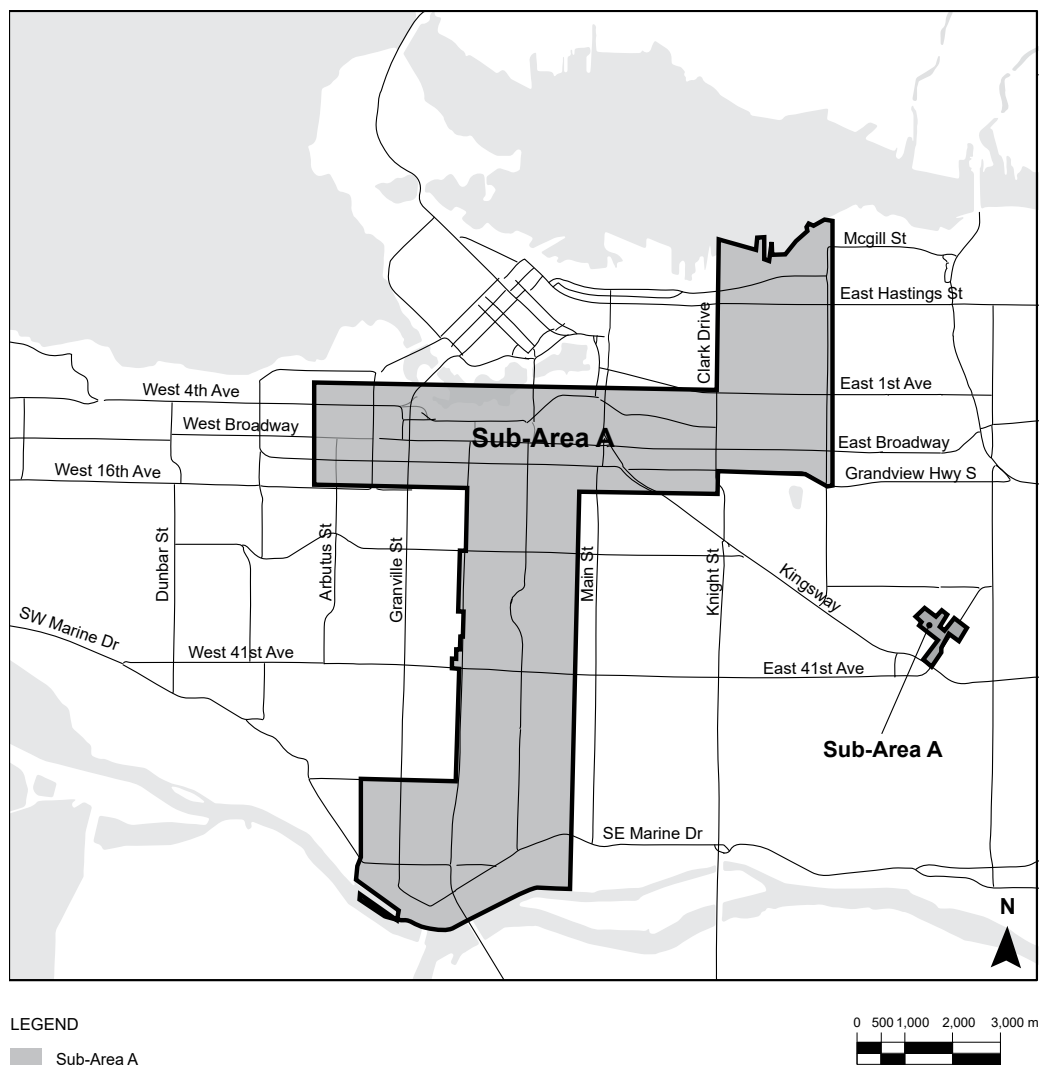
## 4.3 Dedication of Land

- 4.3.1 Dedication for Lane Purposes
  - 4.3.1.1 For development sites located in sub-area A shown on [Map 1: Sub-Area A](#) at the end of this schedule, where a site does not abut a lane, or abuts a lane that 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.
  - 4.3.1.2 Where a dedication is made, it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.
- 4.3.2 Dedication of Land and Statutory Right of Way for Sidewalk and Boulevard Purposes
  - 4.3.2.1 For development sites located in sub-area A shown on [Map 1: Sub-Area A](#) that adjoin the streets identified below, a portion of the site must be dedicated for sidewalk and boulevard improvements to achieve a distance from the centre line of the street to the property line of the development site, measured at right angles of:
    - (a) 15.1 m on Nanaimo Street, from William Street to Graveley Street; or
    - (b) 16.1 m on Nanaimo Street, from East 6th Avenue to East 11th Avenue.

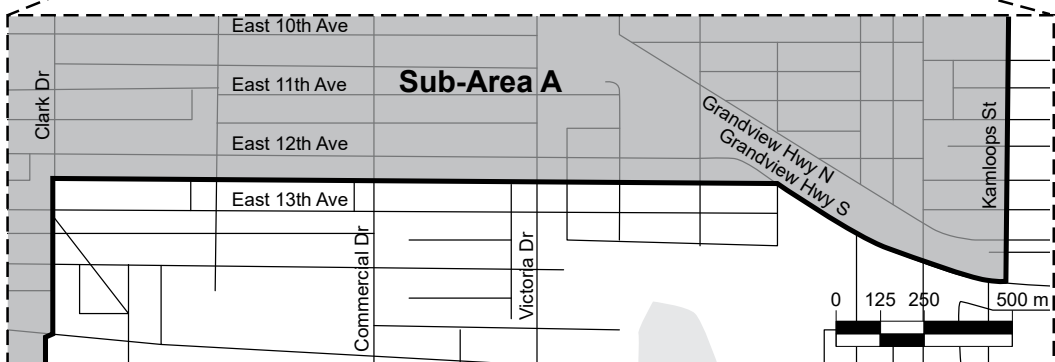
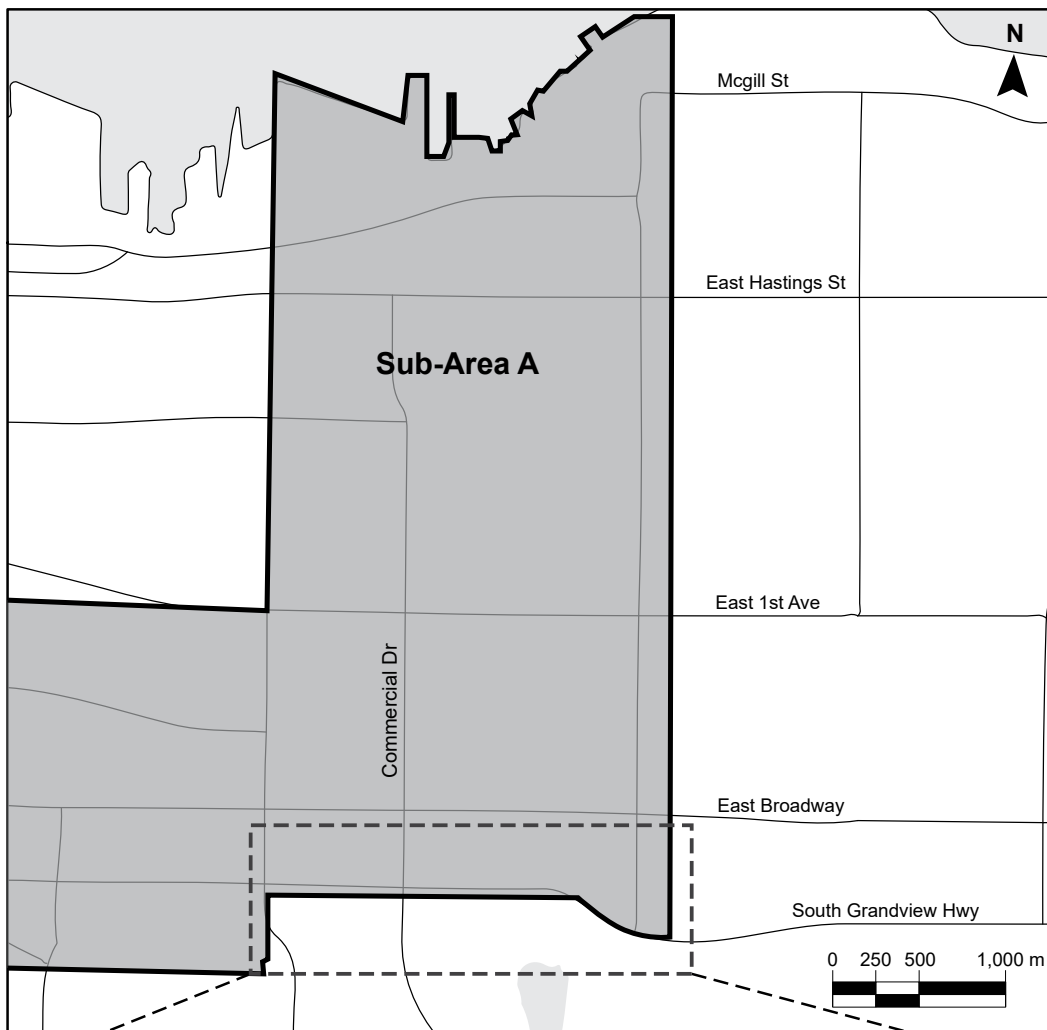
- 4.3.2.2 Where a dedication is made, it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.
- 4.3.2.3 For all new buildings, a surface statutory right of way on a portion of the site must be provided to the City for sidewalk and boulevard improvements to achieve a distance of 2.5 m from the front property line.
- 4.3.2.4 Despite section 4.3.2.3 above, the Director of Planning or Development Permit Board may permit a reduced surface statutory right of way if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

### Map 1: Sub-Area A

Sub-area A, as shown in Map 1 below, is further illustrated by Maps 1A, 1B, 1C, 1D and 1E.



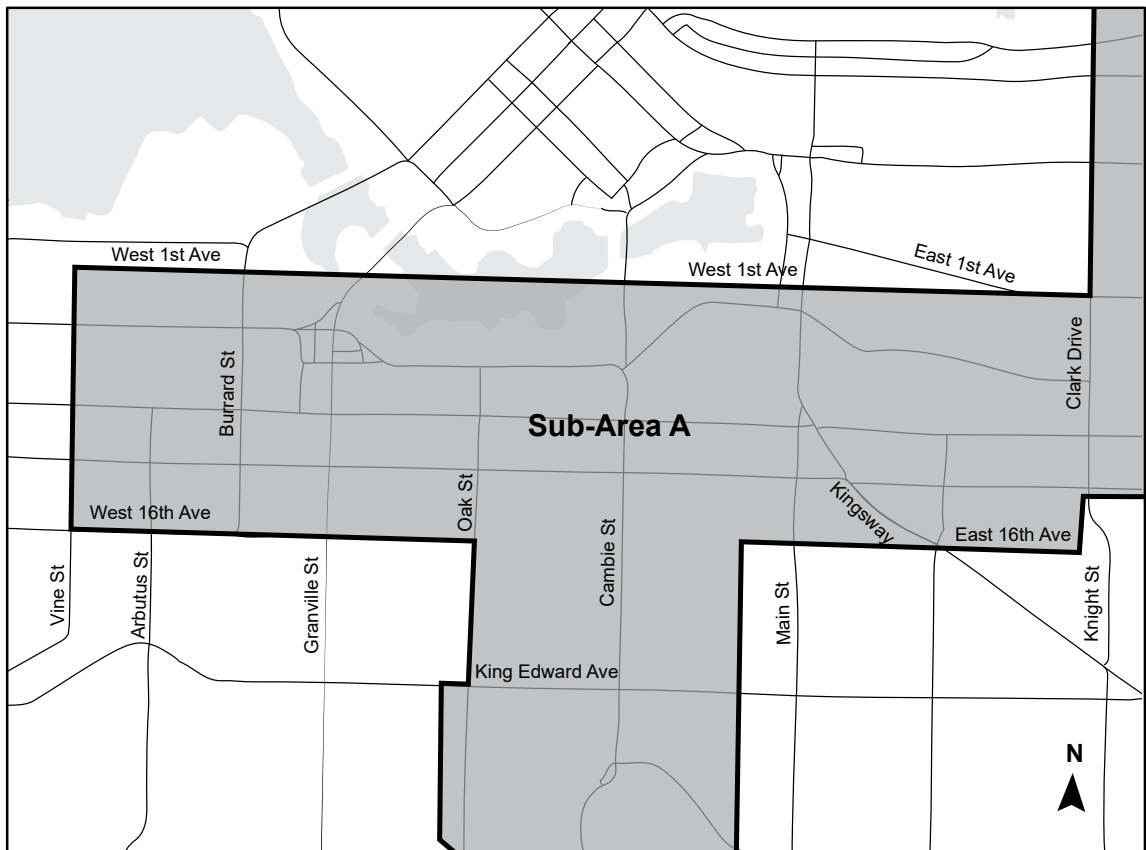
**Map 1A: Sub-Area A**



**LEGEND**

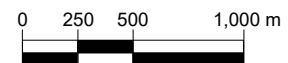
Sub-Area A

**Map 1B: Sub-Area A**



**LEGEND**

■ Sub-Area A



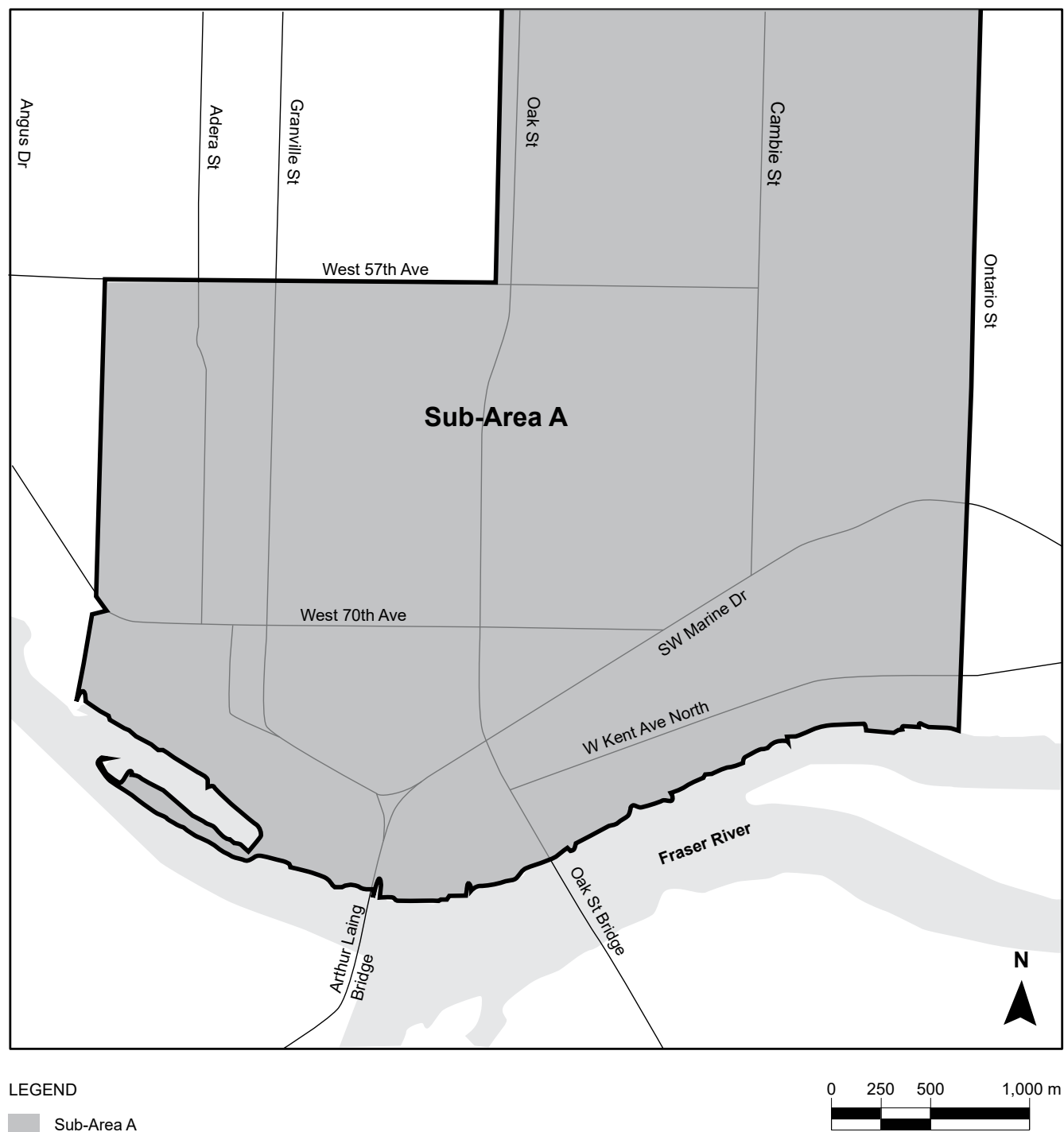
**Map 1C: Sub-Area A**



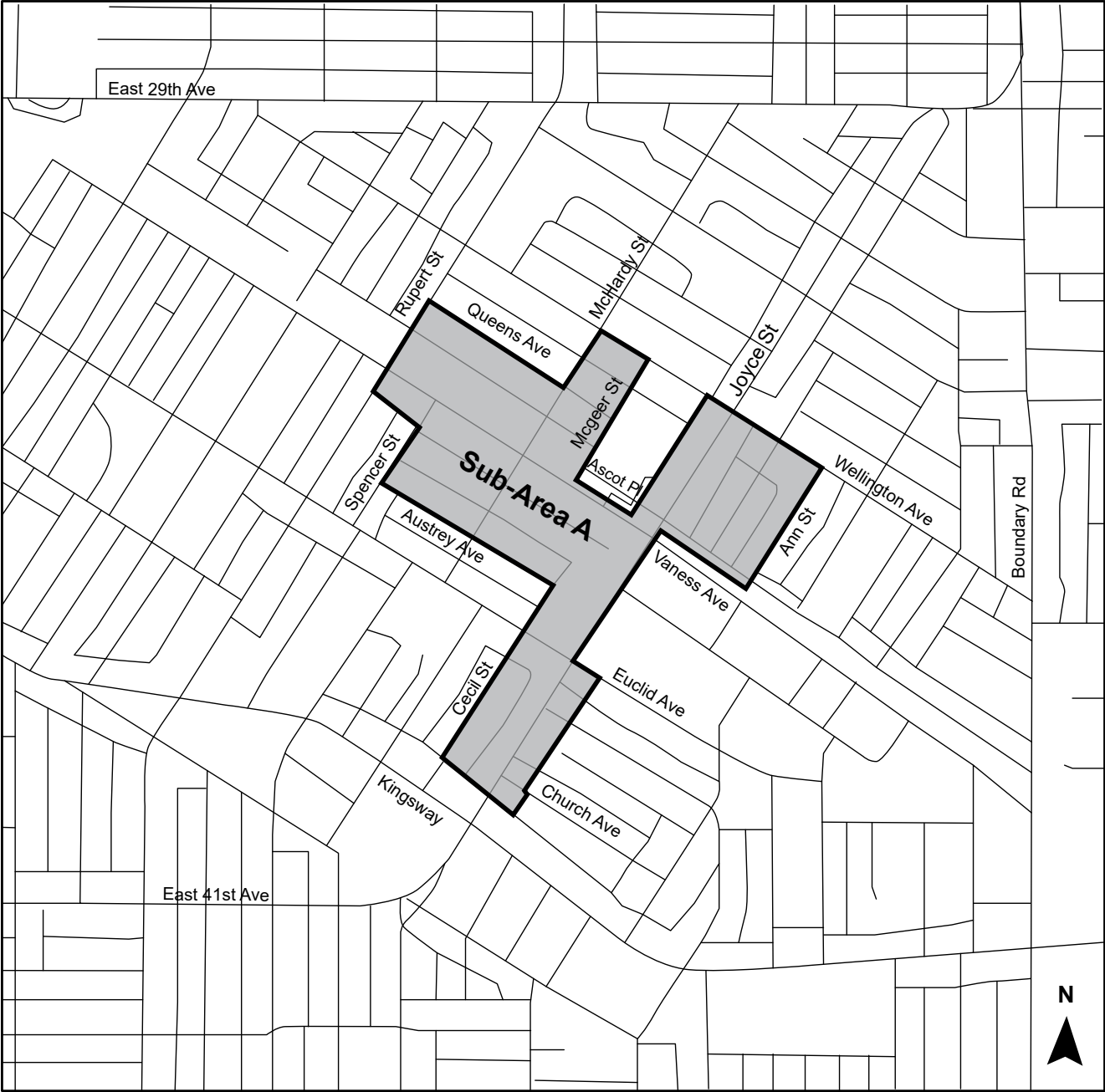
**LEGEND**

■ Sub-Area A

Map 1D: Sub-Area A

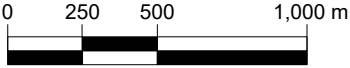


Map 1E: Sub-Area A

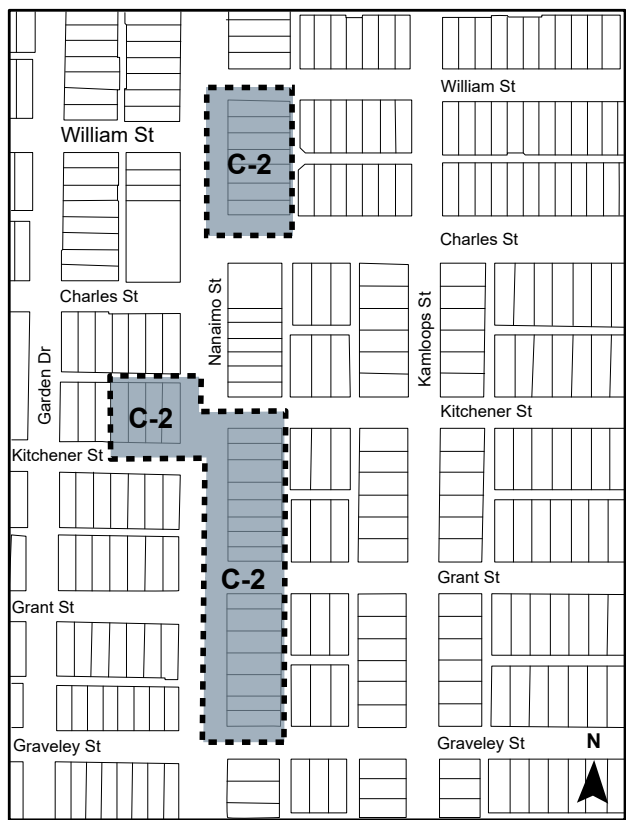


LEGEND

Sub-Area A



**Map 2: Nanaimo Street C-2 Areas with Maximum Commercial Frontages and Land Dedications**



**LEGEND**

--- C-2 Boundary

Areas with maximum commercial frontages and land dedications



**LEGEND**

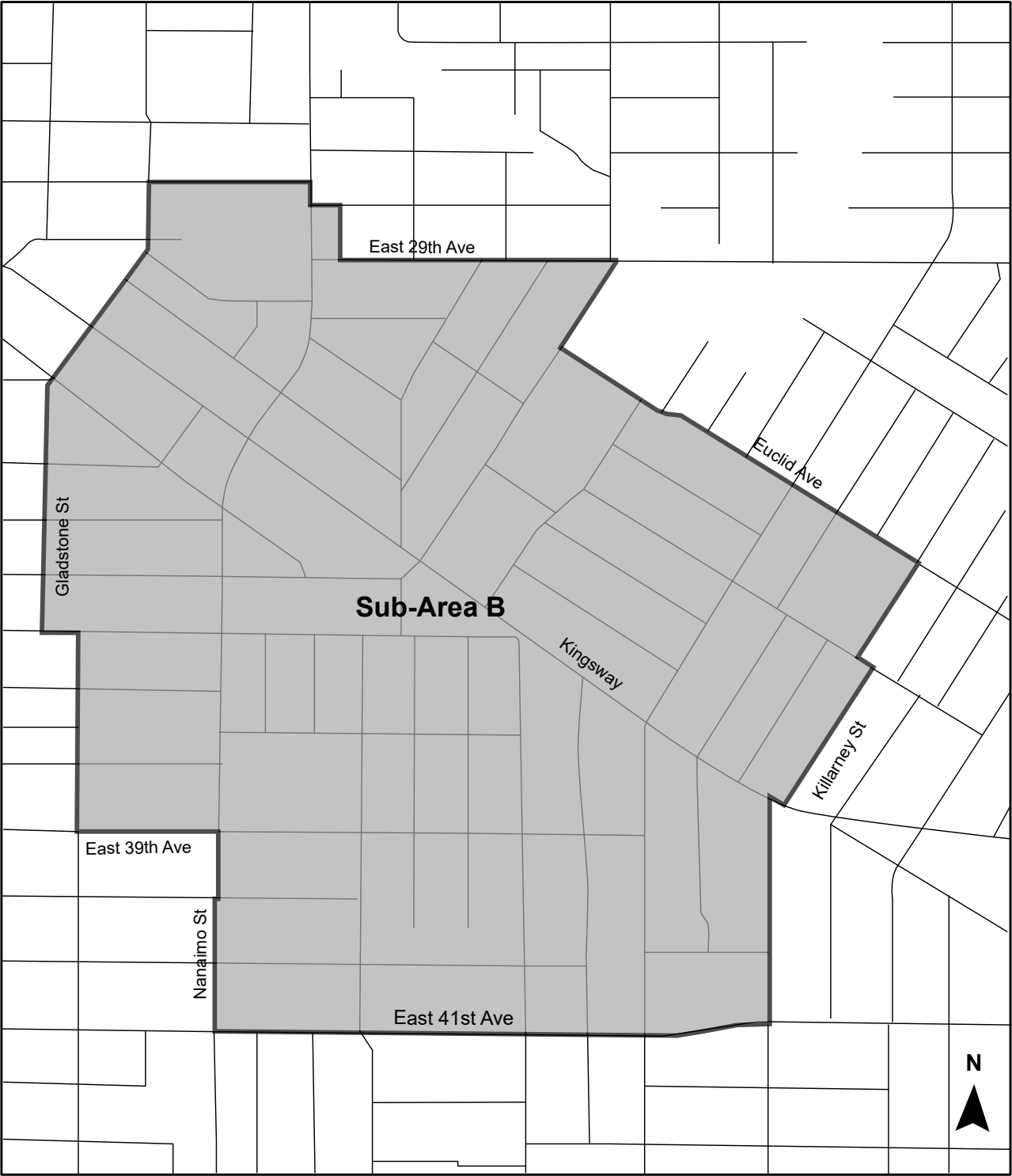
--- C-2 Boundary

Areas with maximum commercial frontages and land dedications



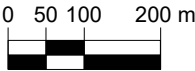


Map 3: Sub-Area B



LEGEND

Sub-Area B



## SCHEDULE K

# C-2B

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to provide for a wide range of goods and services, to maintain commercial activities that require central locations to serve larger neighbourhoods, districts or communities, and through discretionary approvals, to encourage proper utilization of the land. In addition, this schedule encourages mixed-use residential buildings that contain secure rental housing by including provisions for residential rental tenure buildings.

Without limitation, applicable Council policies and guidelines for consideration include the [C-2B, C-2C and C-2C1 Guidelines](#) and [C-2, C-2B, C-2C, and C-2C1 Guidelines for Residential Rental Tenure Buildings](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the C-2B district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	Mixed-Use Residential Building that is a residential rental tenure building	<a href="#">3.1</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.2</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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; and
- (c) the amount of open space, including plazas, and landscaping being provided and the impact of the development on the character of the community.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	
<b>Cultural and Recreational Uses</b>		
Artist Studio	Conditional	<a href="#">2.2.1</a>
Arts and Culture Indoor Event	Outright	<a href="#">2.2.1</a>
Billiard Hall	Conditional	<a href="#">2.2.1</a>
Bowling Alley	Conditional	<a href="#">2.2.1</a>
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	<a href="#">2.2.1</a>
Fitness Centre	Conditional	<a href="#">2.2.1</a>
Hall	Conditional	<a href="#">2.2.1</a>
Library	Conditional	<a href="#">2.2.1</a>
Museum or Archives	Conditional	<a href="#">2.2.1</a>
Park or Playground	Conditional	
Rink	Conditional	<a href="#">2.2.1</a>
Swimming Pool	Conditional	<a href="#">2.2.1</a>
Theatre	Conditional	<a href="#">2.2.1</a>
Zoo or Botanical Garden	Conditional	<a href="#">2.2.1</a>
<b>Dwelling Uses</b>		
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.3</a> , <a href="#">2.2.4</a>

Use	Approval	Use-Specific Regulations
Multiple Conversion Dwelling, resulting from the conversion of a building existing prior to June 18, 1956	Conditional	<a href="#">2.2.4</a> , <a href="#">2.2.5</a>
Multiple Dwelling	Conditional	<a href="#">2.2.4</a> , <a href="#">2.2.6</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.7</a>
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	<a href="#">2.2.1</a>
Seniors Supportive or Assisted Housing	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a>
Child Day Care Facility	Conditional	<a href="#">2.2.1</a>
Church	Conditional	<a href="#">2.2.1</a>
Community Care Facility – Class B	Conditional	<a href="#">2.2.1</a>
Detoxification Centre	Conditional	<a href="#">2.2.1</a>
Group Residence	Conditional	<a href="#">2.2.1</a>
Hospital	Conditional	<a href="#">2.2.1</a>
Public Authority Use	Conditional	<a href="#">2.2.1</a>
School – Elementary or Secondary	Conditional	<a href="#">2.2.1</a>
School – University or College	Conditional	<a href="#">2.2.1</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a>
<b>Manufacturing Uses</b>		
Clothing Manufacturing	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
Miscellaneous Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
Printing and Publishing	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
Textile or Knit Goods Manufacturing	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
<b>Office Uses</b>		
Office Uses	Conditional	<a href="#">2.2.1</a>
<b>Parking Uses</b>		
Parking Uses	Conditional	
<b>Retail Uses</b>		
Cannabis Store	Conditional	<a href="#">2.2.1</a>
Farmers' Market	Conditional	<a href="#">2.2.9</a>
Furniture or Appliance Store	Conditional	<a href="#">2.2.1</a>
Gasoline Station – Full Serve	Conditional	
Gasoline Station – Split Island	Conditional	

Use	Approval	Use-Specific Regulations
Grocery or Drug Store, except for Small-Scale Pharmacy	Outright	2.2.1
Grocery Store with Liquor Store	Conditional	2.2.1
Liquor Store	Conditional	2.2.1
Pawnshop	Conditional	2.2.1
Public Bike Share	Conditional	
Retail Store	Outright	2.2.1
Secondhand Store	Conditional	2.2.1
Small-Scale Pharmacy	Conditional	2.2.1
Vehicle Dealer	Conditional	
<b>Service Uses</b>		
Animal Clinic	Conditional	2.2.1
Auction Hall	Conditional	2.2.1
Barber Shop or Beauty Salon	Outright	2.2.1
Beauty and Wellness Centre	Outright	2.2.1
Bed and Breakfast Accommodation	Conditional	2.2.1
Catering Establishment	Conditional	2.2.1
Funeral Home	Conditional	2.2.1
Laundromat or Dry Cleaning Establishment	Outright	2.2.1
Motor Vehicle Repair Shop	Conditional	2.2.1
Motor Vehicle Wash	Conditional	2.2.1
Neighbourhood Public House	Conditional	
Photofinishing or Photography Studio	Outright	2.2.1
Print Shop	Conditional	2.2.1
Repair Shop – Class B	Outright	2.2.1
Restaurant – Class 1	Conditional	
School – Arts or Self-Improvement	Conditional	2.2.1
School – Business	Conditional	2.2.1
School – Vocational or Trade	Conditional	2.2.1
Short Term Rental Accommodation	Conditional	2.2.1
Sign Painting Shop	Conditional	2.2.1
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	2.2.1
Radiocommunication Station	Conditional	2.2.1
Recycling Depot	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
<b>Wholesale Uses</b>		
Wholesaling – Class A	Conditional	<a href="#">2.2.1</a>
Wholesaling – Class B	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 All commercial uses listed in section [2.1](#) of this schedule must be carried on wholly within a completely enclosed building, other than the following:

- (a) display of flowers, plants, fruits and vegetables;
- (b) farmers' market;
- (c) gasoline station – full serve;
- (d) gasoline station – split island;
- (e) neighbourhood public house;
- (f) parking and loading facilities;
- (g) public bike share;
- (h) restaurant – class 1;
- (i) urban farm – class B; and
- (j) vehicle dealer,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this schedule.

- 2.2.2 Any of the non-dwelling uses listed in section 2.1 of this schedule are permitted in a mixed-use residential building.
- 2.2.3 No portion of the first storey of a mixed-use residential building, to a depth of 10.7 m from the front wall of the building and extending across its full width, may be used for residential purposes except for entrances to the residential portion.
- 2.2.4 Development on any site consisting of 3 or more dwelling units that:
- (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
  - (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,
- is subject to the [Rental Housing Stock Official Development Plan](#).
- 2.2.5 Multiple conversion dwelling, resulting from the conversion of a building existing prior to June 18, 1956, may be permitted if:
- (a) the Director of Planning considers:
    - (i) the quality and liveability of the resulting units,
    - (ii) the suitability of the building for conversion in terms of age and size, and
    - (iii) the impact of the conversion on adjacent properties and the character of the area; and
  - (b) there are no additions to the building.
- 2.2.6 Multiple dwelling may be permitted if the Director of Planning considers the site suitable for dwelling use.
- 2.2.7 Principal dwelling unit with lock-off unit may be permitted only in a multiple dwelling or mixed-use residential building.
- 2.2.8 Manufacturing uses may be permitted only if:
- (a) the total floor area of manufacturing uses does not exceed 300 m<sup>2</sup>;
  - (b) the portion of the first storey of a building to a depth of 4.5 m from the front wall of the building and extending across its full width is used for ancillary retailing purposes, except for:
    - (i) entrances to the manufacturing portion of the building, and
    - (ii) display features that, in the opinion of the Director of Planning, benefit pedestrian character,unless the applicant can demonstrate, to the satisfaction of the Director of Planning, that the site is located in a block predominantly developed with auto-oriented retailing or general business commercial uses and that deletion of the required retailing would not adversely affect adjacent uses; and

- (c) the Director of Planning is satisfied that there will be no undue adverse impact on uses within the building or on an abutting site.

2.2.9 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.10 Accessory buildings customarily ancillary to any uses listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
  - (i) in the rear yard, and
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and
- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 15% of the total site area,

except that the Director of Planning may vary the maximum height, the location regulations, and the floor area regulations to a maximum total floor area not exceeding 33.3% of the gross floor area of the principal use.

2.2.11 Accessory uses customarily ancillary to any use listed in section 2.1 of this schedule are permitted provided that the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal use, unless permitted as an outright approval use pursuant to section 2.1 of this schedule, except that the Director of Planning may vary the floor area regulations to a maximum total floor area not exceeding 33.3% of the gross floor area of the principal use.

2.2.12 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.11 above.

2.2.13 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Mixed-Use Residential Building that is a Residential Rental Tenure Building

Mixed-use residential building that is a residential rental tenure building is subject to the following regulations. For the purposes of this schedule, “residential rental tenure building” means a building:

- (a) that is located outside of sub-area A, which is illustrated in [Map 1: Sub-Area A](#) at the end of this schedule;
- (b) that is a mixed-use residential building and contains at least 3 dwelling units;
- (c) where all of the dwelling units are non-stratified and secured as residential rental tenure;
- (d) where at least 35% of the total dwelling units have 2 or more bedrooms;
- (e) where the third storey and above, measured from the front property line, is limited to dwelling use only; and
- (f) that is designed to achieve either of the following energy efficiency requirements:
  - (i) certification under the Passive House standard set by Passive House International or the Zero Energy standard set by the International Living Future Institute, or
  - (ii) energy and emissions intensity limits in accordance with the following table for all dwelling uses:

Low Carbon Energy System (LCES) connection, as per the LCES Policy	Total Energy Use Intensity	Thermal Energy Demand Intensity	Greenhouse Gas Intensity
No	100 kWh/m <sup>2</sup>	15 kWh/m <sup>2</sup>	3 kgCO <sub>2</sub> e/m <sup>2</sup>
Yes	110 kWh/m <sup>2</sup>	25 kWh/m <sup>2</sup>	3 kgCO <sub>2</sub> e/m <sup>2</sup>

except that the Director of Planning may vary the requirements under this section [3.1\(f\)\(ii\)](#) provided the Director of Planning is satisfied that sustainability objectives have been achieved on the development site.

##### 3.1.1 Density and Floor Area

- 3.1.1.1 The maximum floor space ratio is 3.50 for all uses combined, provided that the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35.

3.1.1.2 Despite section 3.1.1.1 above, for a corner site, the maximum floor space ratio is 3.70 for all uses combined, provided that:

- (a) the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35;
- (b) the length of the front property line facing the street is at least 45.7 m; and
- (c) the site has a minimum site area of 1,672 m<sup>2</sup>.

3.1.1.3 Despite sections 3.1.1.1 and 3.1.1.2 above, the Director of Planning may increase the permitted floor space ratio by up to 0.05 for exterior circulation located above the first storey.

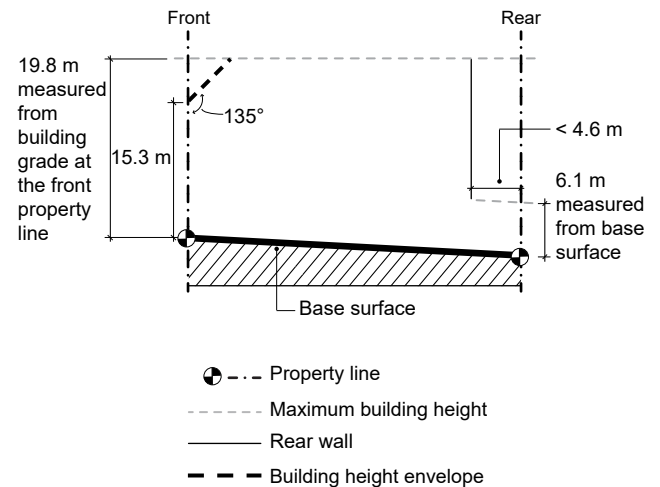
### 3.1.2 Building Form and Placement

Regulations	C-2B
3.1.2.1 Maximum unit frontage for any commercial use	15.3 m
3.1.2.2 Maximum building height:	
(a) where the floor-to-floor height for non-dwelling uses located on the first storey, facing the street is:	
(i) 5.2 m or greater	22.0 m and 6 storeys
(ii) less than 5.2 m	19.8 m and 6 storeys
(b) for portions of a building located within 4.6 m of the ultimate rear property line	6.1 m
3.1.2.3 Minimum front yard depth	2.5 m
3.1.2.4 Minimum side yard width for a side yard that:	
(a) adjoins a site located in any RM district, without the intervention of a lane	1.5 m
(b) adjoins a site located in any RA, RS or RT district, without the intervention of a lane	0.9 m
(c) does not adjoin a site located in an R district	not required
3.1.2.5 Minimum rear yard depth and rear setback for portions of a building:	
(a) containing non-dwelling uses only, and less than 6.1 m in height	1.5 m
(b) containing non-dwelling uses only, and 6.1 m or more in height	4.6 m
(c) containing dwelling uses	4.6 m

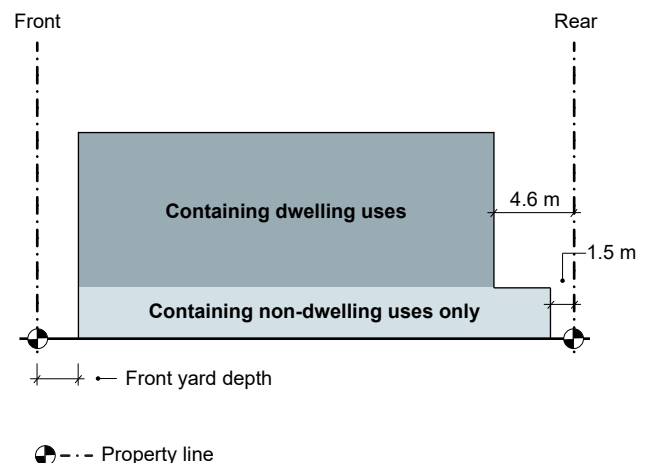
## Building Height

- 3.1.2.6 Building height in section 3.1.2.2(a) above is measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line.
- 3.1.2.7 The maximum building height in section 3.1.2.2(b) above does not apply to portions of buildings where the rear yard has been decreased under section 3.1.2.14 below.
- 3.1.2.8 Despite the maximum building height in sections 3.1.2.2 and 3.1.2.7 above, no portion of the building may extend above an envelope formed by a vertical line measuring 15.3 m in height at the front property line and a plane formed by an angle of 135 degrees measured from the vertical, except where:
- the site frontage faces a street:
    - with a total width measuring 24.4 m or greater, measured from property line to property line or, where any building lines exist, measured from the building line or lines, and
    - generally running north-south; or
  - the site frontage faces a street with a total width measuring more than 27.5 m, measured from property line to property line or, where any building lines exist, measured from the building line or lines.

**Diagram: Maximum building height for residential rental tenure building**



**Diagram: Front yard, rear yard and rear setback for a building where the first floor contains non-dwelling uses only**



## Front Yard

- 3.1.2.9 The Director of Planning may decrease the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Side Yard and Side Setback

- 3.1.2.10 Despite the minimum side yard width in section 3.1.2.4(c) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

- 3.1.2.11 Despite the minimum side yard width in sections 3.1.2.4 and 3.1.2.10 above, in the case of a corner site, the exterior side yard requirements are the same as the front yard requirements in sections 3.1.2.3 and 3.1.2.9 above.
- 3.1.2.12 For any parking area on a corner site, a setback of 1.2 m from the side property line abutting the flanking street is required.

### **Rear Yard and Rear Setback**

- 3.1.2.13 Despite the minimum rear yard depth and rear setback in section 3.1.2.5(a) above, if the rear of the site adjoins the side yard of a site located in an R district, without the intervention of a lane, the minimum rear yard depth and rear setback is 3.1 m.
- 3.1.2.14 Despite the minimum rear yard depth and rear setback in sections 3.1.2.5(b) and 3.1.2.5(c) above, in the case of a corner site, the rear yard depth and rear setback may be decreased to a minimum of 1.5 m if the portion of the building for which the rear yard is decreased:
- (a) is located at least 22.8 m from an adjoining site; and
  - (b) does not exceed 25.3 m in width, measured from the ultimate exterior side property line,
- except that if the rear of the site adjoins the side yard of a site located in an R district, without the intervention of a lane, the rear yard depth and rear setback may not be decreased.
- 3.1.2.15 Despite the minimum rear yard depth and rear setback in section 3.1.2.5(c) above, roof decks and balconies may project into the setback.

### **Discretion to Vary Other Regulations**

- 3.1.2.16 The Director of Planning may vary any regulation in this section 3.1 for mixed-use residential building, residential unit associated with and forming an integral part of an artist studio, and office uses if, in determining the amount of any variation that may be permitted, the Director of Planning where applicable, considers the amount and quality in the provision of:
- (a) landscaping;
  - (b) usable resident open space provided by balconies, decks, roof decks and courtyards;
  - (c) individual dwelling units and residential units associated with and forming an integral part of an artist studio; and
  - (d) light and air available to individual dwelling units and residential units associated with and forming an integral part of an artist studio.

## 3.2 Other Uses

Uses not regulated by section 3.1 of this schedule are subject to the following regulations.

### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 1.50 for dwelling uses other than mixed-use residential building and residential unit associated with and forming an integral part of an artist studio.

3.2.1.2 The maximum floor space ratio is 2.50 for all other uses combined, subject to the following allocations:

(a) the maximum floor space ratio for non-dwelling uses is:

- (i) 1.00 if they are located on the ground or first floor, and
- (ii) 0.50 if they are located on the second floor; and

(b) the maximum floor space ratio for dwelling uses if they are located on the second floor or higher is:

- (i) 1.00, if the second floor contains up to 0.50 floor space ratio of non-dwelling use in accordance with section [3.2.1.2\(a\)\(ii\)](#) above, or
- (ii) 1.50, if the second floor does not contain non-dwelling uses in accordance with section [3.2.1.2\(a\)\(ii\)](#) above.

3.2.1.3 For the purposes of section [3.2.1.2](#) above, where there is a residential unit associated with and forming an integral part of an artist studio, the artist studio is also considered a dwelling use.

### 3.2.2 Building Form and Placement

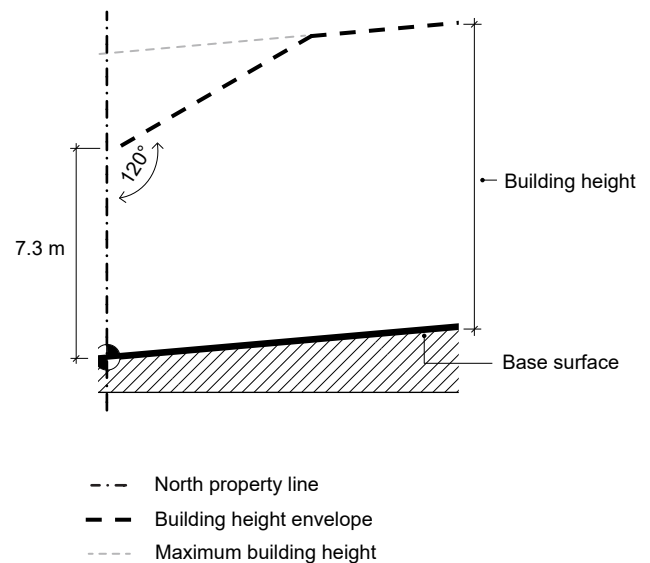
Regulations	C-2B
3.2.2.1 Maximum unit frontage for any commercial use	15.3 m
3.2.2.2 Maximum building height	12.2 m
3.2.2.3 Minimum front yard depth	2.5 m
3.2.2.4 Minimum side yard width for a side yard that:	
(a) adjoins a site located in any RM district, without the intervention of a lane	1.5 m
(b) adjoins a site located in any RA, RS or RT district, without the intervention of a lane	0.9 m
(c) does not adjoin a site located in an R district	not required

Regulations	C-2B
3.2.2.5 Minimum rear yard depth and rear setback for portions of a building:	
(a) containing non-dwelling uses only	1.5 m
(b) containing dwelling uses	4.6 m

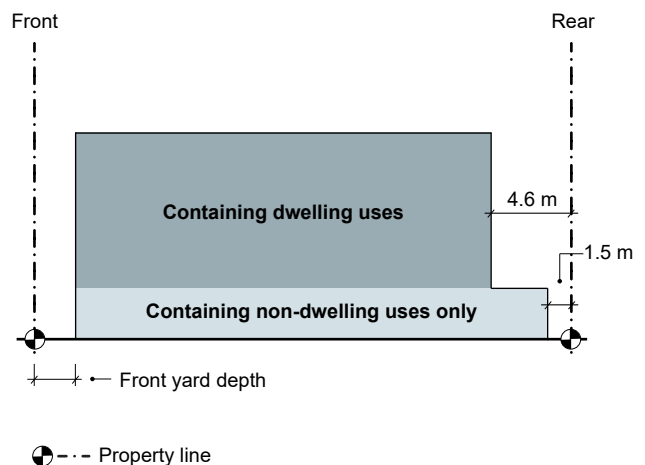
### Building Height

- 3.2.2.6 Despite the maximum building height in section 3.2.2.2 above, in the case of a site fronting on a street generally running east-west, no portion of a building may extend above the 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 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north property line.
- 3.2.2.7 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 15.3 m and may permit a building that exceeds the required envelope if the Director of Planning or Development Permit Board considers:
- the height, bulk and location of the building and its impact on the site, surrounding buildings and streets, and existing views;
  - the amount of open space, including plazas, and the impact of overall design on the general amenity of the area;
  - the relationship of the development with nearby residential areas; and
  - the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

**Diagram: Maximum building height for a site fronting on a street generally running east-west**



**Diagram: Front yard, rear yard and rear setback for a building where the first floor contains non-dwelling uses only**



### **Front Yard**

- 3.2.2.8 The Director of Planning may decrease the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

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

- 3.2.2.9 Despite the minimum side yard width in section 3.2.2.4(c) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.
- 3.2.2.10 Despite the minimum side yard width in sections 3.2.2.4 and 3.2.2.9 above, on a corner site, the exterior side yard requirements are the same as the front yard requirements in sections 3.2.2.3 and 3.2.2.8 above.
- 3.2.2.11 For any parking area on a corner site, a side setback of 1.2 m from the side property line abutting the flanking street is required.

### **Rear Yard and Rear Setback**

- 3.2.2.12 Despite the minimum rear yard depth and rear setback in section 3.2.2.5(b) above, roof decks and balconies may project into the setback.

### **Discretion to Vary Other Regulations**

- 3.2.2.13 The Director of Planning may vary any regulation in this section 3.2 for mixed-use residential building, residential units associated with and forming an integral part of an artist studio, and office uses if, in determining the amount of any variation that may be permitted, the Director of Planning where applicable, considers the amount and quality in the provision of:
- (a) landscaping;
  - (b) usable resident open space provided by balconies, decks, roof decks and courtyards;
  - (c) individual dwelling units and residential units associated with and forming an integral part of an artist studio; and
  - (d) light and air available to individual dwelling units and residential units associated with and forming an integral part of an artist studio.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings, including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) 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 does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a dwelling use, to a maximum floor area of 10% of the total permitted floor area if, in the case of child day care facilities, the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood; and
- (e) 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 area above base surface for that unit.

4.1.3 For a building other than a residential rental tenure buildings, the Director of Planning may permit enclosed residential balconies to be excluded in the computation of floor area if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or deck exclusions may not exceed 8% of the permitted residential floor area; and
- (b) no more than 50% of the excluded balcony floor area may be enclosed.



## 4.2 Horizontal Angle of Daylight

- 4.2.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.2.2 For the purposes of section 4.2.1 above, habitable room means any room except a bathroom or kitchen.
- 4.2.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.2.4 The plane or planes referred to in section 4.2.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.2.5 An obstruction referred to in section 4.2.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.2.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
  - (a) the Director of Planning considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 3.7 m.

## 4.3 Dedication of Land

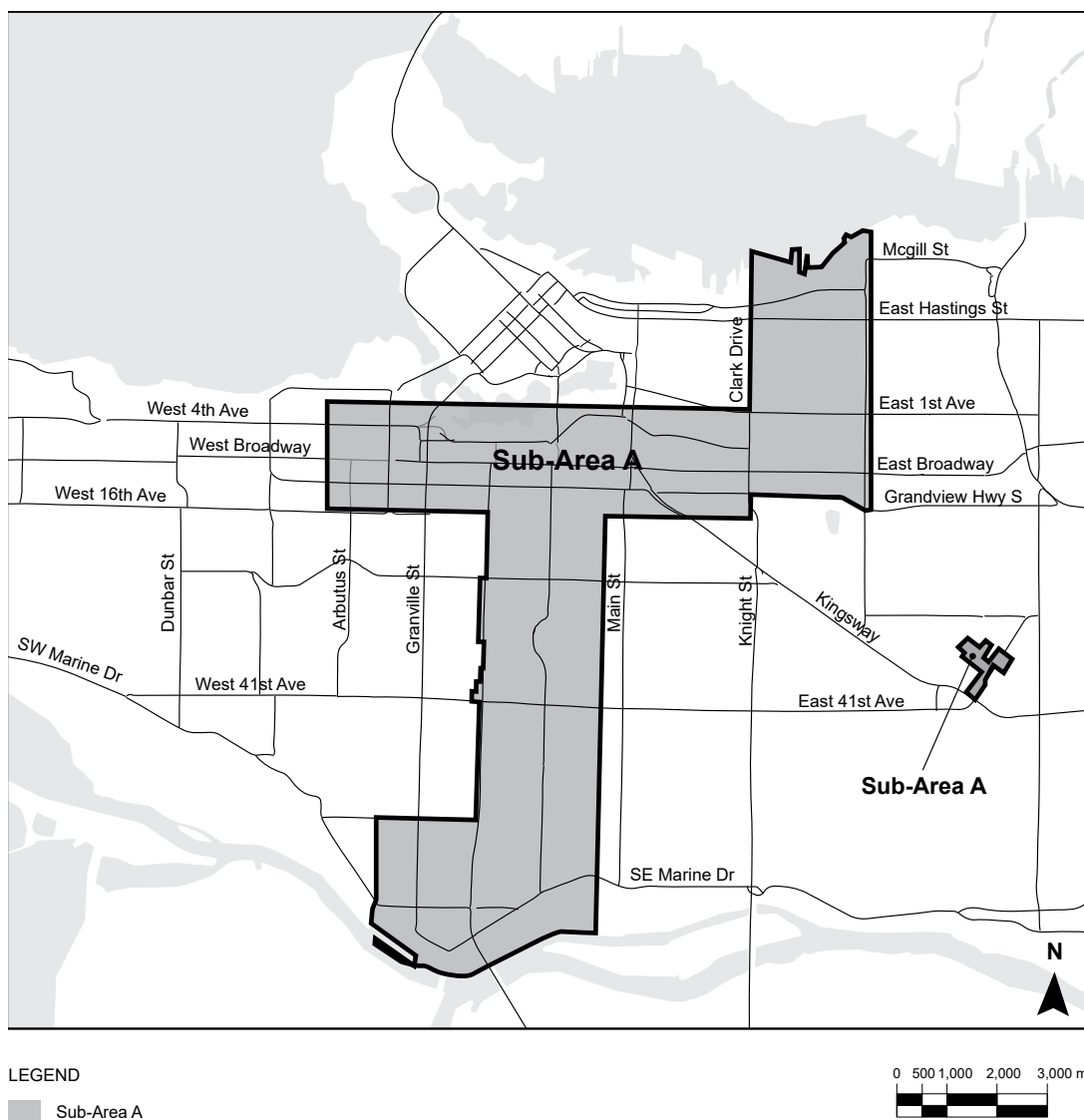
- 4.3.1 Statutory Right of Way for Sidewalk and Boulevard Purposes
  - 4.3.1.1 For all new buildings, a surface statutory right of way on a portion of the site must be provided to the City for sidewalk and boulevard improvements to achieve a distance of 2.5 m from the front property line.
  - 4.3.1.2 Despite section 4.3.1.1 above, the Director of Planning or Development Permit Board may permit a reduced surface statutory right of way if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

## 5 RELAXATIONS

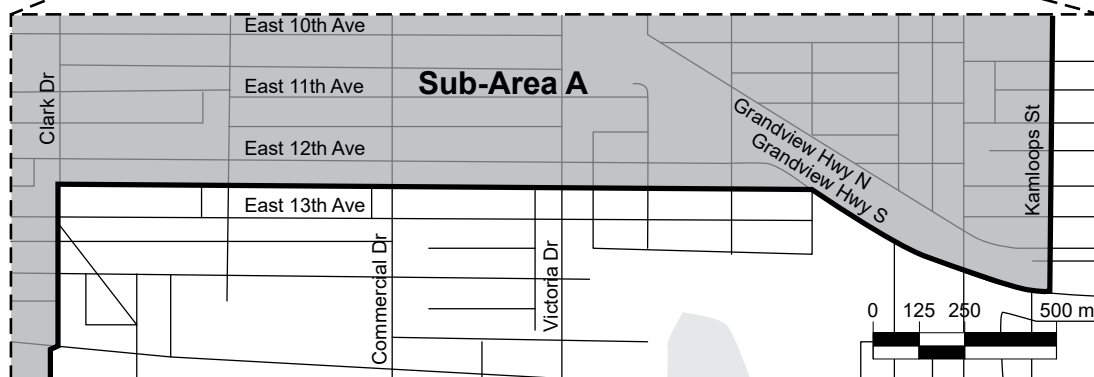
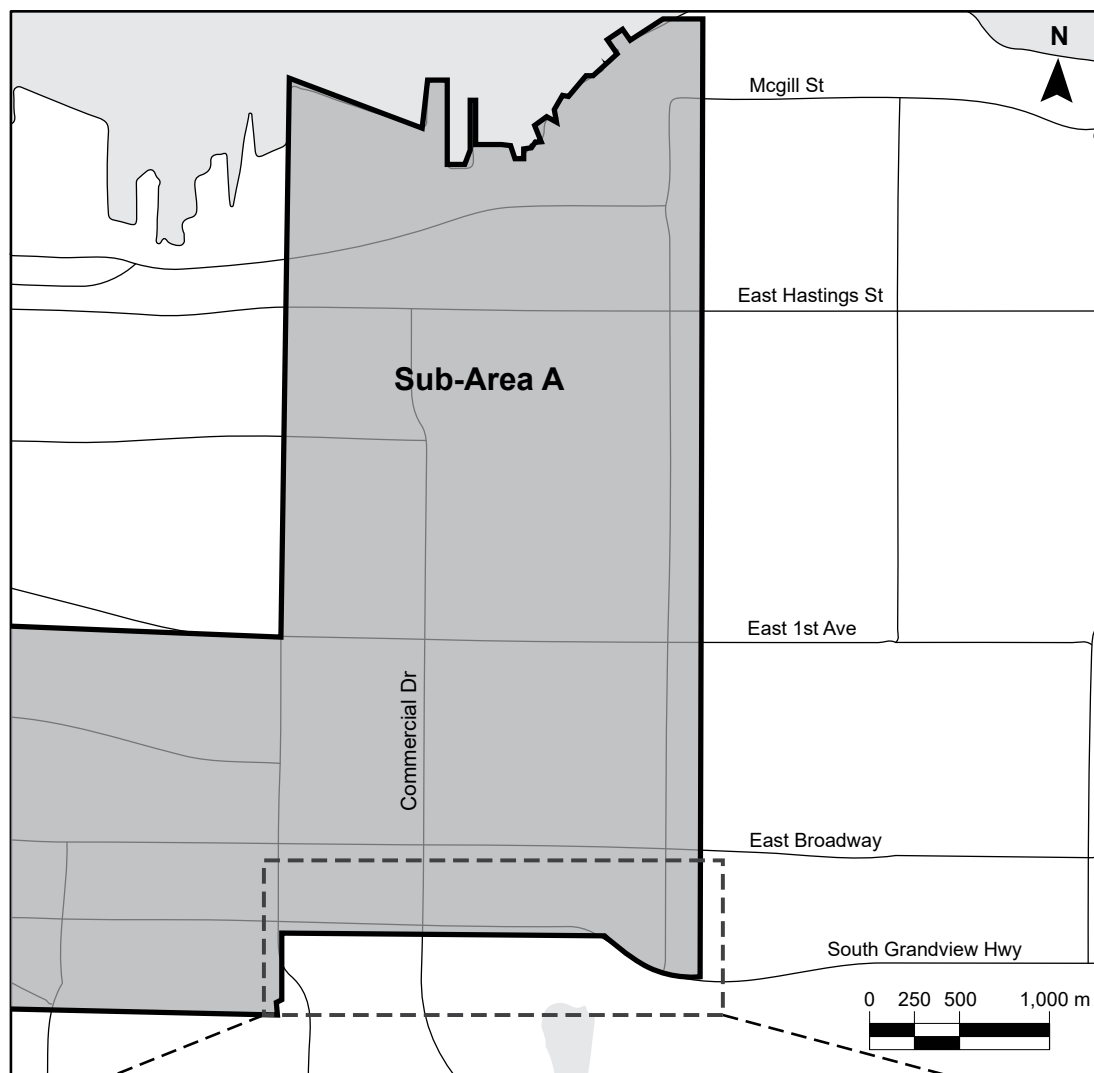
- 5.1 The Director of Planning may relax the maximum unit frontage regulation in sections 3.1.2.1 and 3.2.2.1 of this schedule if:
  - (a) a pedestrian amenity area such as a courtyard or resting area is provided, or pedestrian interest is otherwise maintained; and
  - (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Map 1: Sub-Area A

Sub-area A, as shown in Map 1 below, is further illustrated by Maps 1A, 1B, 1C, 1D and 1E.



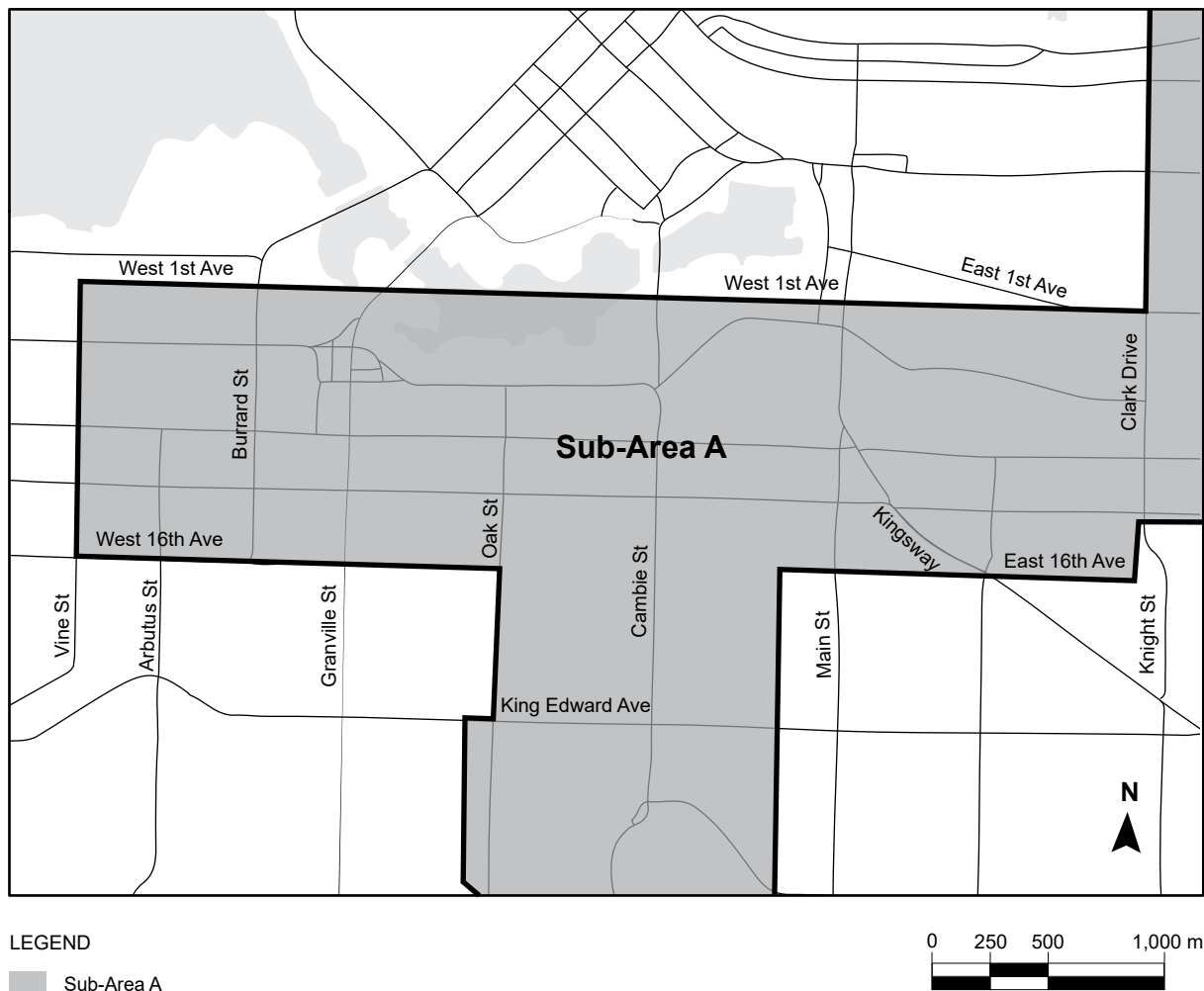
**Map 1A: Sub-Area A**



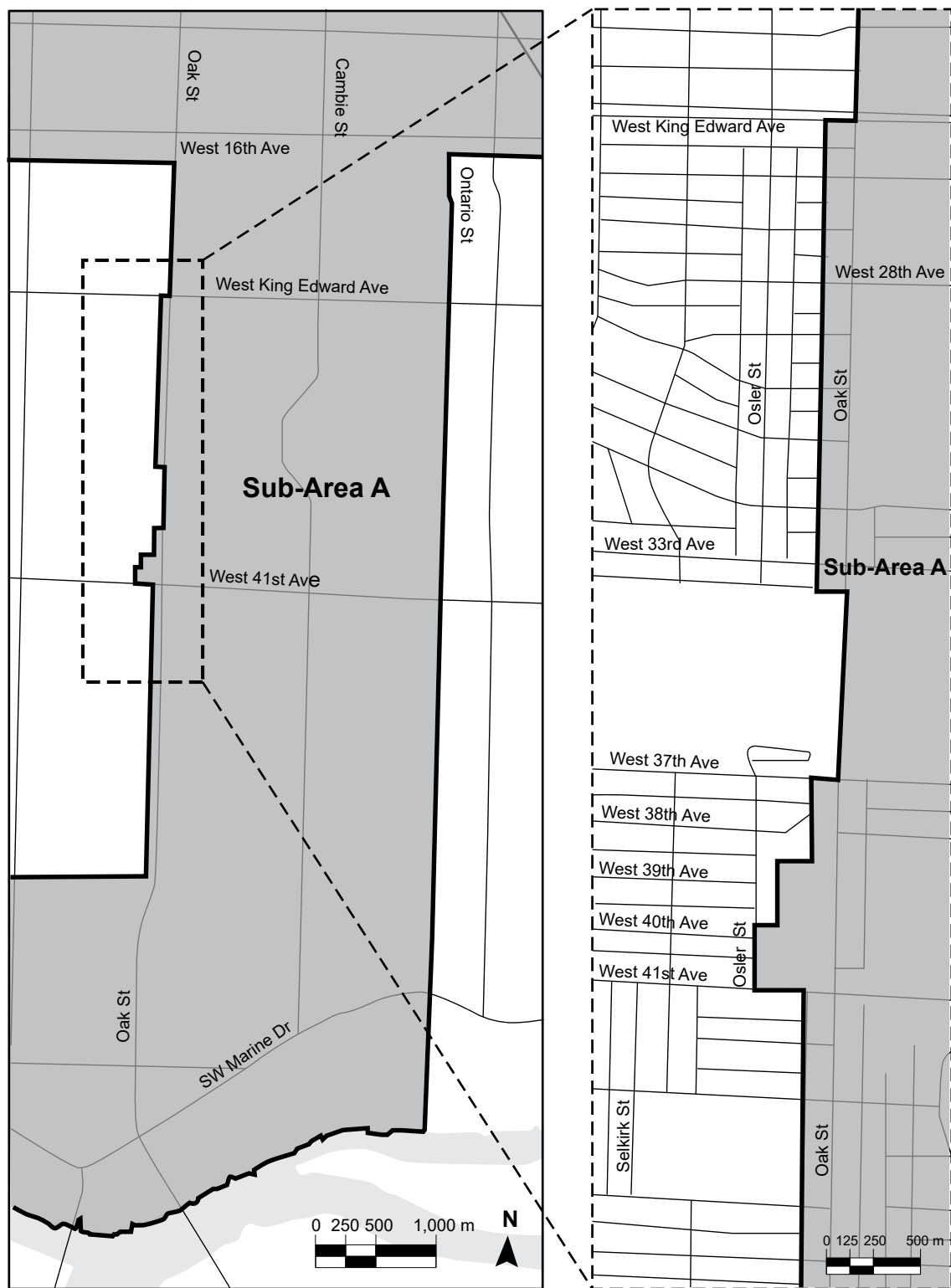
**LEGEND**

Sub-Area A

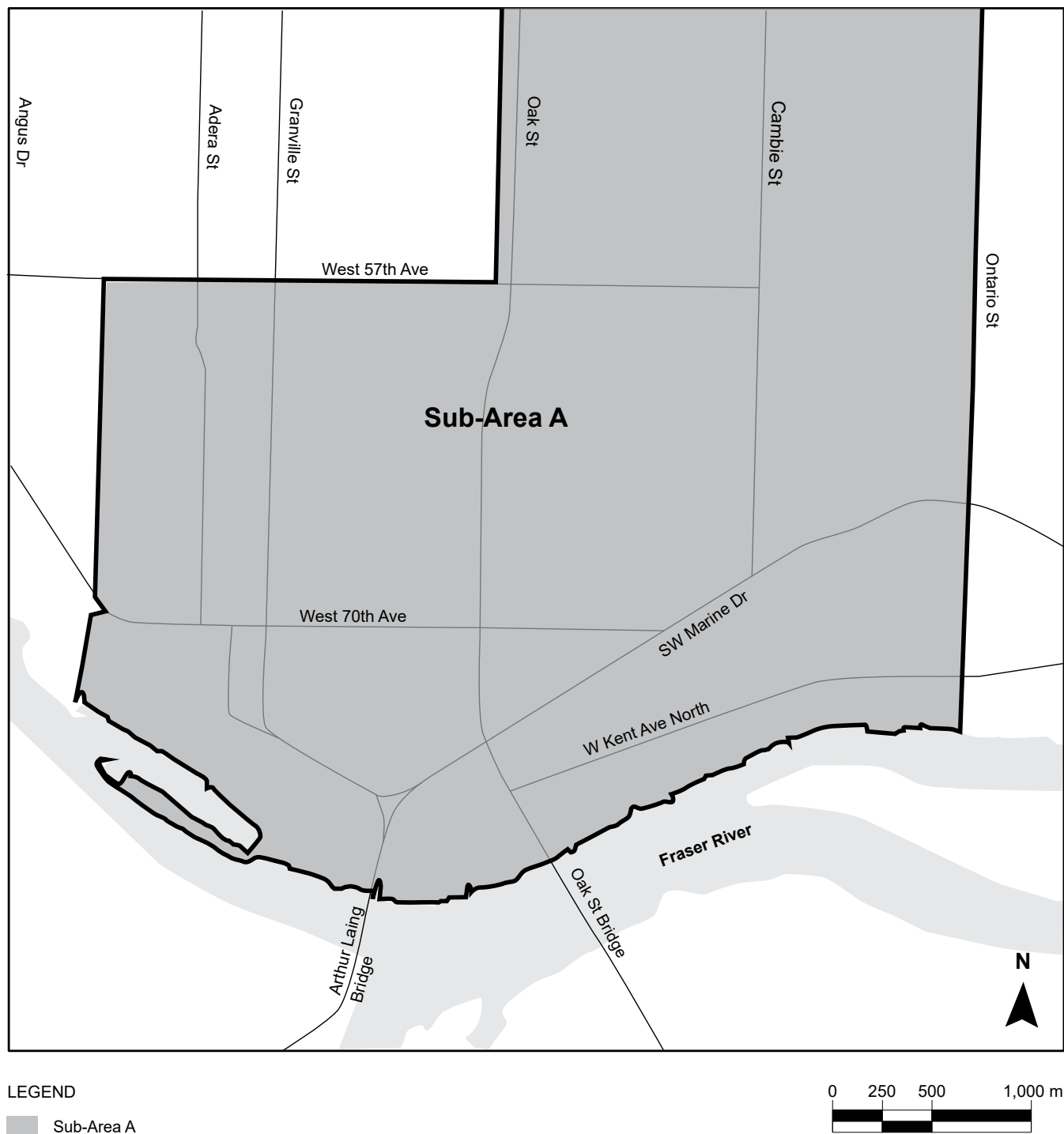
Map 1B: Sub-Area A



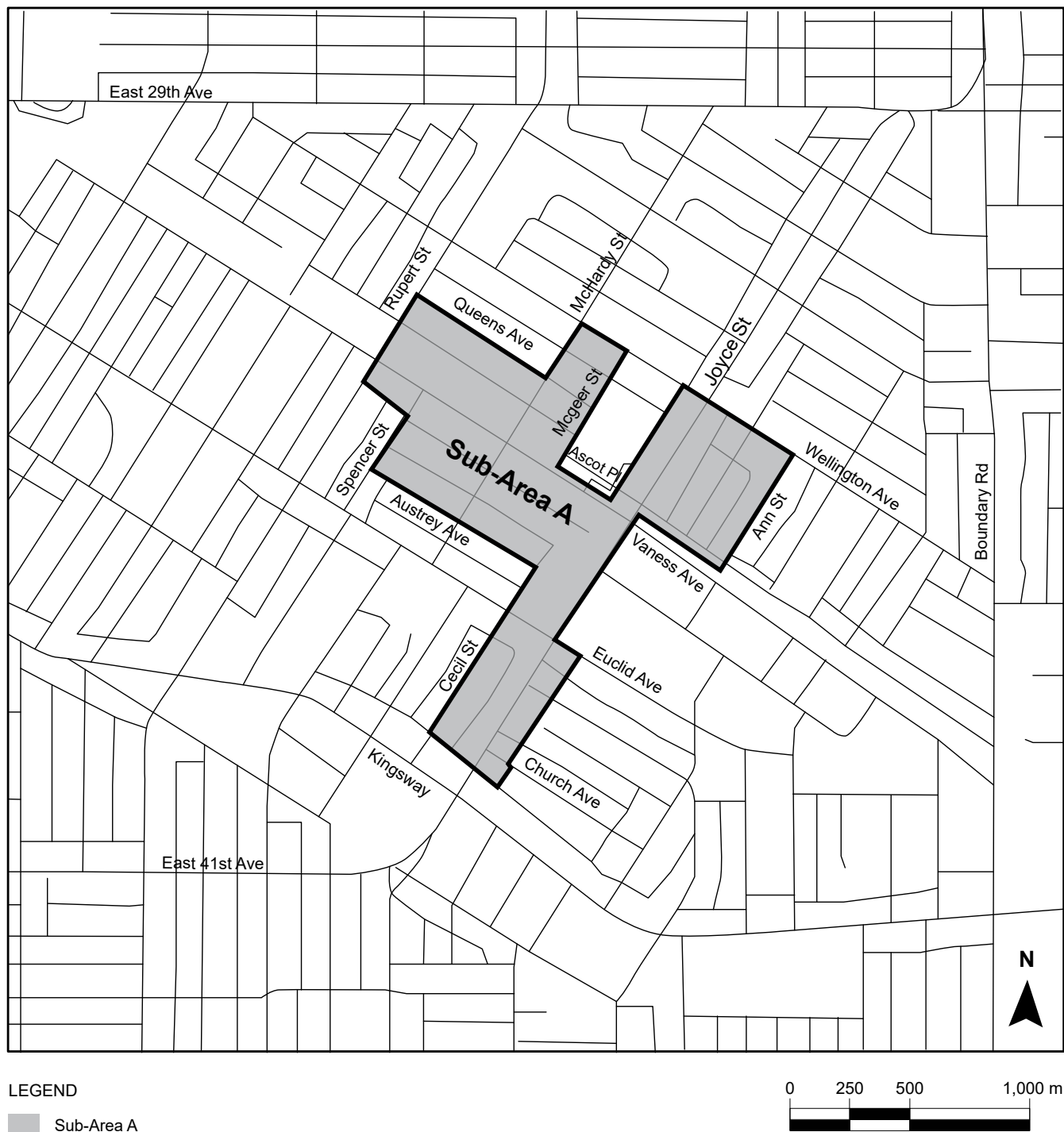
**Map 1C: Sub-Area A**



Map 1D: Sub-Area A



Map 1E: Sub-Area A



## SCHEDULE L

# C-2C

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to provide for a wide range of goods and services, to maintain commercial uses that require central locations to serve larger neighbourhoods, districts or communities, and to encourage creation of a pedestrian-oriented district shopping area by allowing more residential floor area and limiting the floor area for office uses. In addition, this schedule encourages mixed-use residential buildings that contain secure rental housing by including provisions for residential rental tenure buildings.

Without limitation, applicable Council policies and guidelines for consideration include the [C-2B](#), [C-2C](#) and [C-2C1 Guidelines](#), [C-2C Broadway and Commercial Drive](#), [Brewery Creek IC-3](#), [C-3A](#), [C-2C](#) and [RM-4/4N Guidelines](#) and [C-2](#), [C-2B](#), [C-2C](#), and [C-2C1 Guidelines for Residential Rental Tenure Buildings](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the C-2C district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	Mixed-Use Residential Building that is a residential rental tenure building	<a href="#">3.1</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.2</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).



The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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; and
- (c) the amount of open space, including plazas, and landscaping being provided and the impact of the development on the character of the community.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	
<b>Cultural and Recreational Uses</b>		
Artist Studio	Conditional	<a href="#">2.2.1</a>
Arts and Culture Indoor Event	Outright	<a href="#">2.2.1</a>
Billiard Hall	Conditional	<a href="#">2.2.1</a>
Bowling Alley	Conditional	<a href="#">2.2.1</a>
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	<a href="#">2.2.1</a>
Fitness Centre	Conditional	<a href="#">2.2.1</a>
Hall	Conditional	<a href="#">2.2.1</a>
Library	Conditional	<a href="#">2.2.1</a>
Museum or Archives	Conditional	<a href="#">2.2.1</a>
Park or Playground	Conditional	
Rink	Conditional	<a href="#">2.2.1</a>
Swimming Pool	Conditional	<a href="#">2.2.1</a>
Theatre	Conditional	<a href="#">2.2.1</a>
Zoo or Botanical Garden	Conditional	<a href="#">2.2.1</a>
<b>Dwelling Uses</b>		
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.3</a> , <a href="#">2.2.4</a> , <a href="#">2.2.5</a>

Use	Approval	Use-Specific Regulations
Multiple Conversion Dwelling, resulting from the conversion of a building existing prior to June 18, 1956	Conditional	<a href="#">2.2.5</a> , <a href="#">2.2.6</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.3</a> , <a href="#">2.2.4</a> , <a href="#">2.2.7</a>
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	<a href="#">2.2.1</a>
Seniors Supportive or Assisted Housing	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a>
Child Day Care Facility	Conditional	<a href="#">2.2.1</a>
Church	Conditional	<a href="#">2.2.1</a>
Community Care Facility – Class B	Conditional	<a href="#">2.2.1</a>
Group Residence	Conditional	<a href="#">2.2.1</a>
Public Authority Use	Conditional	<a href="#">2.2.1</a>
School – Elementary or Secondary	Conditional	<a href="#">2.2.1</a>
School – University or College	Conditional	<a href="#">2.2.1</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a>
<b>Office Uses</b>		
Office Uses	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
<b>Retail Uses</b>		
Cannabis Store	Conditional	<a href="#">2.2.1</a>
Farmers' Market	Conditional	<a href="#">2.2.9</a>
Furniture or Appliance Store	Conditional	<a href="#">2.2.1</a>
Gasoline Station – Full Serve	Conditional	
Gasoline Station – Split Island	Conditional	
Grocery or Drug Store, except for Small-Scale Pharmacy	Outright	<a href="#">2.2.1</a>
Grocery Store with Liquor Store	Conditional	<a href="#">2.2.1</a>
Liquor Store	Conditional	<a href="#">2.2.1</a>
Pawnshop	Conditional	<a href="#">2.2.1</a>
Public Bike Share	Conditional	
Retail Store	Outright	<a href="#">2.2.1</a>
Secondhand Store	Conditional	<a href="#">2.2.1</a>
Small-Scale Pharmacy	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Animal Clinic	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Auction Hall	Conditional	<a href="#">2.2.1</a>
Barber Shop or Beauty Salon	Outright	<a href="#">2.2.1</a>
Beauty and Wellness Centre	Outright	<a href="#">2.2.1</a>
Bed and Breakfast Accommodation	Conditional	<a href="#">2.2.1</a>
Catering Establishment	Conditional	<a href="#">2.2.1</a>
Laundromat or Dry Cleaning Establishment	Outright	<a href="#">2.2.1</a>
Neighbourhood Public House	Conditional	
Photofinishing or Photography Studio	Outright	<a href="#">2.2.1</a>
Print Shop	Conditional	<a href="#">2.2.1</a>
Repair Shop – Class B	Outright	<a href="#">2.2.1</a>
Restaurant – Class 1	Conditional	
School – Arts or Self-Improvement	Conditional	<a href="#">2.2.1</a>
School – Business	Conditional	<a href="#">2.2.1</a>
School – Vocational or Trade	Conditional	<a href="#">2.2.1</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.1</a>
Utility and Communication Uses		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Conditional	<a href="#">2.2.1</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Deposition or extraction of material, which alters the configuration of the land	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

- 2.2.1 All commercial uses listed in section [2.1](#) of this schedule must be carried on wholly within a completely enclosed building, other than the following:

- (a) display of flowers, plants, fruits and vegetables;
- (b) farmers' market;
- (c) gasoline station – full serve;
- (d) gasoline station – split island;
- (e) neighbourhood public house;
- (f) parking and loading facilities;
- (g) public bike share;
- (h) restaurant – class 1; and
- (i) urban farm – class B,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this schedule.

- 2.2.2 Any of the non-dwelling uses listed in section [2.1](#) of this schedule are permitted in a mixed-use residential building.
- 2.2.3 No portion of the first storey of a mixed-use residential building, to a depth of 10.7 m from the front wall of the building and extending across its full width, may be used for residential purposes except for entrances to the residential portion.
- 2.2.4 Only dwelling uses are permitted on the third floor of any building, except that the Director of Planning may vary this requirement if the Director of Planning is satisfied that dwelling use is inappropriate or impractical.
- 2.2.5 Development on any site consisting of 3 or more dwelling units that:
  - (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
  - (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,
 is subject to the [Rental Housing Stock Official Development Plan](#).
- 2.2.6 Multiple conversion dwelling, resulting from the conversion of a building existing prior to June 18, 1956, may be permitted if:
  - (a) the Director of Planning considers:
    - (i) the quality and liveability of the resulting units,
    - (ii) the suitability of the building for conversion in terms of age and size, and

(iii) the impact of the conversion on adjacent properties and the character of the area;

(b) there are no additions to the building; and

(c) no housekeeping or sleeping units are created.

2.2.7 Principal dwelling unit with lock-off unit may be permitted only in a mixed-use residential building.

2.2.8 No portion of a storey having an elevation within 2.0 m of street grade on the fronting street, to a depth of 10.7 m of the front wall of the building and extending across its full width, may be used for general office except for:

(a) an insurance or travel agency or real estate office; and

(b) entrances to the general office portion,

and in the case of a site abutting more than 1 street, the fronting street is to be determined by the Director of Planning.

2.2.9 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.10 Accessory buildings customarily ancillary to any uses listed in section 2.1 of this schedule are permitted as an outright approval use if:

(a) no accessory building exceeds 3.7 m in height measured to:

(i) the highest point of a flat roof,

(ii) the deck line of a mansard roof, or

(iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

(b) all accessory buildings are located in the rear yard; and

(c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 15% of the total site area,

except that the Director of Planning may vary the maximum building height, the location regulations, and the floor area regulations to a maximum total floor area not exceeding 33.3% of the gross floor area of the principal use.

2.2.11 Accessory uses customarily ancillary to any use listed in section 2.1 of this schedule are permitted provided that the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal use, unless permitted as an outright approval use pursuant to section 2.1 of this schedule, except that the Director of Planning may vary the floor area regulations to a maximum total floor area not exceeding 33.3% of the gross floor area of the principal use.

- 2.2.12 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.11 above.
- 2.2.13 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Mixed-Use Residential Building that is a Residential Rental Tenure Building

Mixed-use residential building that is a residential rental tenure building is subject to the following regulations. For the purposes of this schedule, “residential rental tenure building” means a building:

- (a) that is located outside of sub-area A, which is illustrated in [Map 1: Sub-Area A](#) at the end of this schedule;
- (b) that is a mixed-use residential building and contains at least 3 dwelling units;
- (c) where all of the dwelling units are non-stratified and secured as residential rental tenure;
- (d) where at least 35% of the total dwelling units have 2 or more bedrooms;
- (e) where the third storey and above, measured from the front property line, is limited to dwelling use only; and
- (f) that is designed to achieve either of the following energy efficiency requirements:
  - (i) certification under the Passive House standard set by Passive House International or the Zero Energy standard set by the International Living Future Institute, or
  - (ii) energy and emissions intensity limits in accordance with the following table for all dwelling uses:

Low Carbon Energy System (LCES) connection, as per the LCES Policy	Total Energy Use Intensity	Thermal Energy Demand Intensity	Greenhouse Gas Intensity
No	100 kWh/m <sup>2</sup>	15 kWh/m <sup>2</sup>	3 kgCO <sub>2</sub> e/m <sup>2</sup>
Yes	110 kWh/m <sup>2</sup>	25 kWh/m <sup>2</sup>	3 kgCO <sub>2</sub> e/m <sup>2</sup>

except that the Director of Planning may vary the requirements under this section [3.1\(f\)\(ii\)](#) provided the Director of Planning is satisfied that sustainability objectives have been achieved on the development site.

##### 3.1.1 Density and Floor Area

- 3.1.1.1 The maximum floor space ratio is 3.50 for all uses combined, provided that the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35.

3.1.1.2 Despite section 3.1.1.1 above, for a corner site, the maximum floor space ratio is 3.70 for all uses combined, provided that:

- (a) the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35;
- (b) the length of the front property line facing the street is at least 45.7 m; and
- (c) the site has a minimum site area of 1,672 m<sup>2</sup>.

3.1.1.3 Despite sections 3.1.1.1 and 3.1.1.2 above, the Director of Planning may increase the permitted floor space ratio by up to 0.05 for exterior circulation located above the first storey.

### 3.1.2 Building Form and Placement

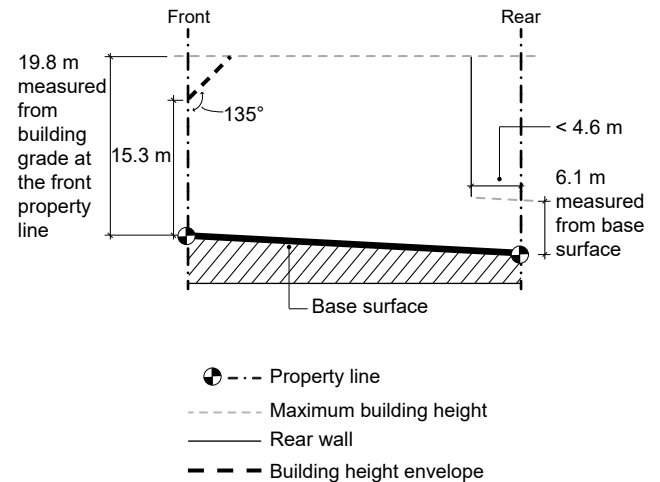
Regulations	C-2C
3.1.2.1 Maximum unit frontage for any commercial use	15.3 m
3.1.2.2 Maximum building height:	
(a) where the floor-to-floor height for non-dwelling uses located on the first storey, facing the street is:	
(i) 5.2 m or greater	22.0 m and 6 storeys
(ii) less than 5.2 m	19.8 m and 6 storeys
(b) for portions of a building located within 4.6 m of the ultimate rear property line	6.1 m
3.1.2.3 Minimum front yard depth	2.5 m
3.1.2.4 Minimum side yard width for a side yard that:	
(a) adjoins a site located in any RM district, without the intervention of a lane	1.5 m
(b) adjoins a site located in any RA, RS or RT district, without the intervention of a lane	0.9 m
(c) does not adjoin a site located in an R district	not required
3.1.2.5 Minimum rear yard depth and rear setback for portions of a building:	
(a) containing non-dwelling uses only, and less than 6.1 m in height	1.5 m
(b) containing non-dwelling uses only, and 6.1 m or more in height	4.6 m
(c) containing dwelling uses	4.6 m



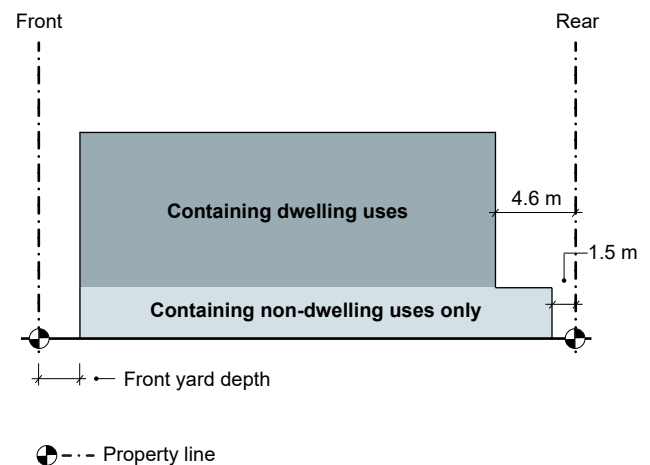
## Building Height

- 3.1.2.6 Building height in section 3.1.2.2(a) above is measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line.
- 3.1.2.7 The maximum building height in section 3.1.2.2(b) above does not apply to portions of a building where the rear yard has been decreased under section 3.1.2.16 below.
- 3.1.2.8 Despite the maximum building height in sections 3.1.2.2 and 3.1.2.7 above, no portion of the building may extend above an envelope formed by a vertical line measuring 15.3 m in height at the front property line and a plane formed by an angle of 135 degrees measured from the vertical, except where:
- the site frontage faces a street:
    - with a total width measuring 24.4 m or greater, measured from property line to property line or, where any building lines exist, measured from the building line or lines, and
    - generally running north-south; or
  - the site frontage faces a street with a total width measuring more than 27.5 m, measured from property line to property line or, where any building lines exist, measured from the building line or lines.

**Diagram: Maximum building height for residential rental tenure buildings**



**Diagram: Front yard, rear yard and rear setback for a building where the first floor contains non-dwelling uses only**



- 3.1.2.9 The Director of Planning or Development Permit Board may increase the maximum building height if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

## Front Yard

- 3.1.2.10 The Director of Planning may decrease the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

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

- 3.1.2.11 Despite the minimum side yard width in section 3.1.2.4(c) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.
- 3.1.2.12 Despite the minimum side yard width in sections 3.1.2.4 and 3.1.2.11 above, in the case of a corner site, the exterior side yard requirements are the same as the front yard requirements in section 3.1.2.4 above.
- 3.1.2.13 For any parking area on a corner site, a setback of 1.2 m from the side property line abutting the flanking street is required.
- 3.1.2.14 The Director of Planning may decrease any minimum side yard width or side setback if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### **Rear Yard and Rear Setback**

- 3.1.2.15 Despite the minimum rear yard depth and rear setback in section 3.1.2.5(a) above, if the rear of the site adjoins the side yard of a site located in an R district, without the intervention of a lane, the minimum rear yard depth and rear setback is 3.1 m.
- 3.1.2.16 Despite the minimum rear yard depth and rear setback in sections 3.1.2.5(b) and 3.1.2.5(c) above, in the case of a corner site, the rear yard depth and rear setback may be decreased to a minimum of 1.5 m if the portion of the building for which the rear yard is decreased:
  - (a) is located at least 22.8 m from an adjoining site; and
  - (b) does not exceed 25.3 m in width, measured from the ultimate exterior side property line,except that if the rear of the site adjoins the side yard of a site located in an R district, without the intervention of a lane, the rear yard depth and rear setback may not be decreased.
- 3.1.2.17 Despite the minimum rear yard depth and rear setback in section 3.1.2.5(c) above, roof decks and balconies may project into the setback.
- 3.1.2.18 The Director of Planning may decrease the minimum rear yard depth or rear setback if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

## 3.2 Other Uses

Uses not regulated by section 3.1 of this schedule are subject to the following regulations.

### 3.2.1 Density and Floor Area

#### 3.2.1.1 The maximum floor space ratio is:

- (a) 1.20 for office uses;
- (b) 1.50 for dwelling uses other than mixed-use residential building; and
- (c) 3.00 for all other uses,

provided that the floor space ratio for non-dwelling uses on the first storey facing the street must be at least 0.35.

#### 3.2.1.2 For the purposes of section 3.2.1.1 above, where there is a residential unit associated with and forming an integral part of an artist studio, the artist studio is also considered a dwelling use.

### 3.2.2 Building Form and Placement

Regulations	C-2C
3.2.2.1 Maximum unit frontage for any commercial use	15.3 m
3.2.2.2 Maximum building height	10.7 m
3.2.2.3 Minimum front yard depth	2.5 m
3.2.2.4 Minimum side yard width for a side yard that:	
(a) adjoins a site located in any RM district, without the intervention of a lane	1.5 m
(b) adjoins a site located in any RA, RS or RT district, without the intervention of a lane	0.9 m
(c) does not adjoin a site located in an R district	not required
3.2.2.5 Minimum rear yard depth and rear setback for portions of a building:	
(a) containing non-dwelling uses only	1.5 m
(b) containing dwelling uses	4.6 m

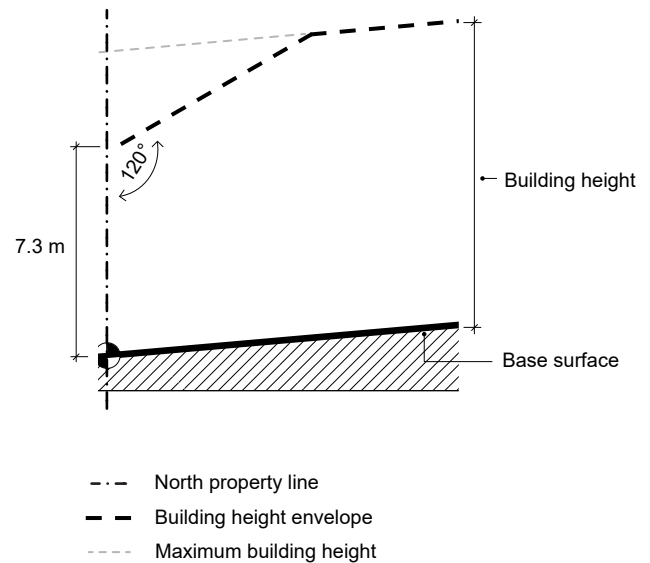
## Building Height

3.2.2.6 Despite the maximum building height in section 3.2.2.2 above, in the case of a site fronting a street generally running east-west, no portion of a building may extend above the 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 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north property line.

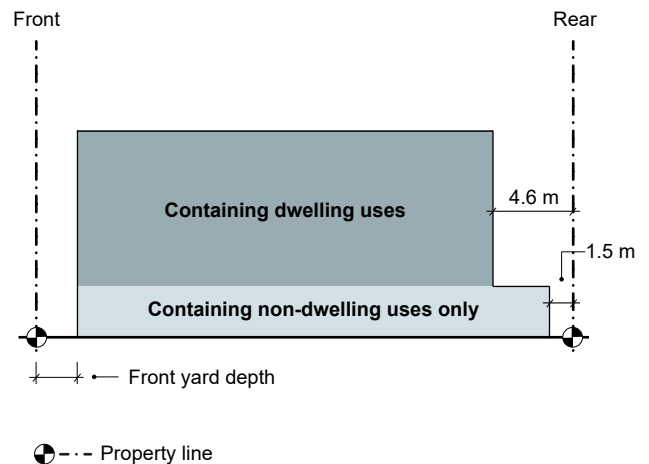
3.2.2.7 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 15.3 m and may permit a building that exceeds the required envelope if the Director of Planning or Development Permit Board considers:

- the height, bulk and location of the building and its impact on the site, surrounding buildings and streets, and existing views;
- the amount of open space, including plazas, and the impact of overall design on the general amenity of the area;
- the relationship of the development with nearby residential areas; and
- the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

**Diagram: Maximum building height for a site fronting on a street generally running east-west**



**Diagram: Front yard, rear yard and rear setback for a building where the first floor contains non-dwelling uses only**



## Front Yard

3.2.2.8 The Director of Planning may decrease the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Side Yard and Side Setback

3.2.2.9 Despite the minimum side yard width in section 3.2.2.4(c) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

- 3.2.2.10 Despite the minimum side yard width in sections 3.2.2.4 and 3.2.2.9 above, in the case of a corner site, the exterior side yard requirements are the same as the front yard requirements in sections 3.2.2.3 and 3.2.2.8 above.
- 3.2.2.11 For any parking area on a corner site, a side setback of 1.2 m from the side property line abutting the flanking street is required.
- 3.2.2.12 The Director of Planning may decrease any minimum side yard depth or side setback if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### **Rear Yard and Rear Setback**

- 3.2.2.13 Despite the minimum rear yard depth and rear setback in section 3.2.2.5(b) above, roof decks and balconies may project into the setback.
- 3.2.2.14 The Director of Planning may decrease the minimum rear yard depth or rear setback if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings, including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided the maximum exclusion for parking space does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a dwelling use, to a maximum floor area of 10% of the total permitted floor area; and
- (e) 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 area above base surface for that unit.

4.1.3 For a building other than a residential rental tenure building, the Director of Planning may permit enclosed residential balconies to be excluded in the computation of floor area, if the Director of Planning considers all applicable Council policies and guidelines and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or deck exclusions may not exceed 8% of the permitted residential floor area; and
- (b) no more than 50% of the excluded balcony floor area may be enclosed.

### 4.2 Horizontal Angle of Daylight

4.2.1 Each habitable room must have at least 1 window on an exterior wall of a building.

- 4.2.2 For the purposes of section 4.2.1 above, habitable room means any room except a bathroom or kitchen.
- 4.2.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.2.4 The plane or planes referred to in section 4.2.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.2.5 An obstruction referred to in section 4.2.3 above means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.2.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 3.7 m.

## 4.3 Dedication of Land

### 4.3.1 Dedication for Lane Purposes

- 4.3.1.1 Where a site does not abut a lane, or abuts a lane that 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.

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

### 4.3.2 Statutory Right of Way for Sidewalk and Boulevard Purposes

- 4.3.2.1 For all new buildings, a surface statutory right of way on a portion of the site must be provided to the City for sidewalk and boulevard improvements to achieve a distance of 2.5 m from the front property line.

- 4.3.2.2 Despite section 4.3.2.1 above, the Director of Planning or Development Permit Board may permit a reduced surface statutory right of way if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

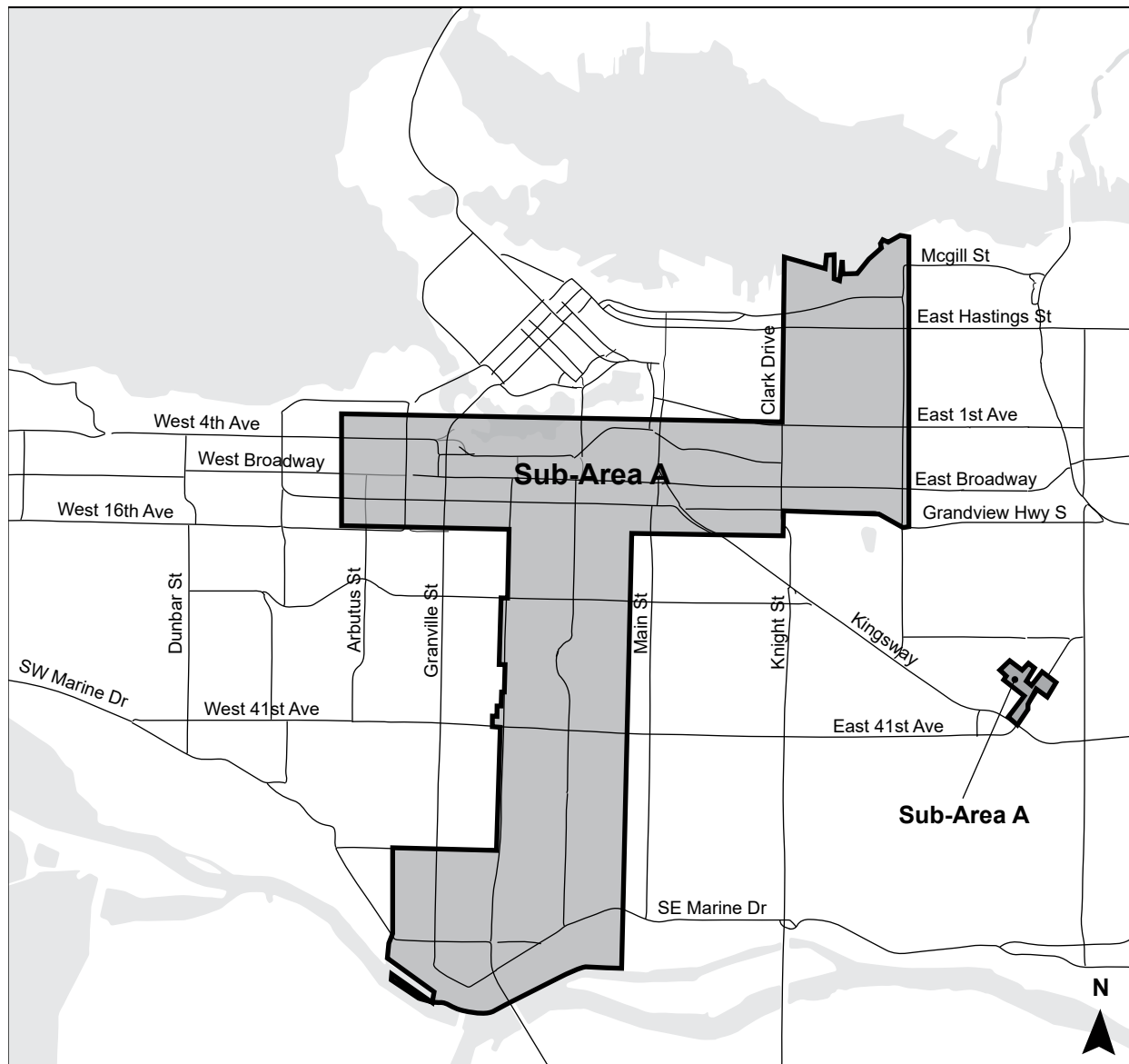
## 5 RELAXATIONS

- 5.1 The Director of Planning may relax the maximum unit frontage regulation in sections 3.1.2.1 and 3.2.2.1 of this schedule if:

- (a) a pedestrian amenity area such as a courtyard or resting area is provided, or pedestrian interest is otherwise maintained; and
- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

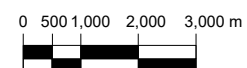
### Map 1: Sub-Area A

Sub-area A, as shown in Map 1 below, is further illustrated by Maps 1A, 1B, 1C, 1D and 1E.



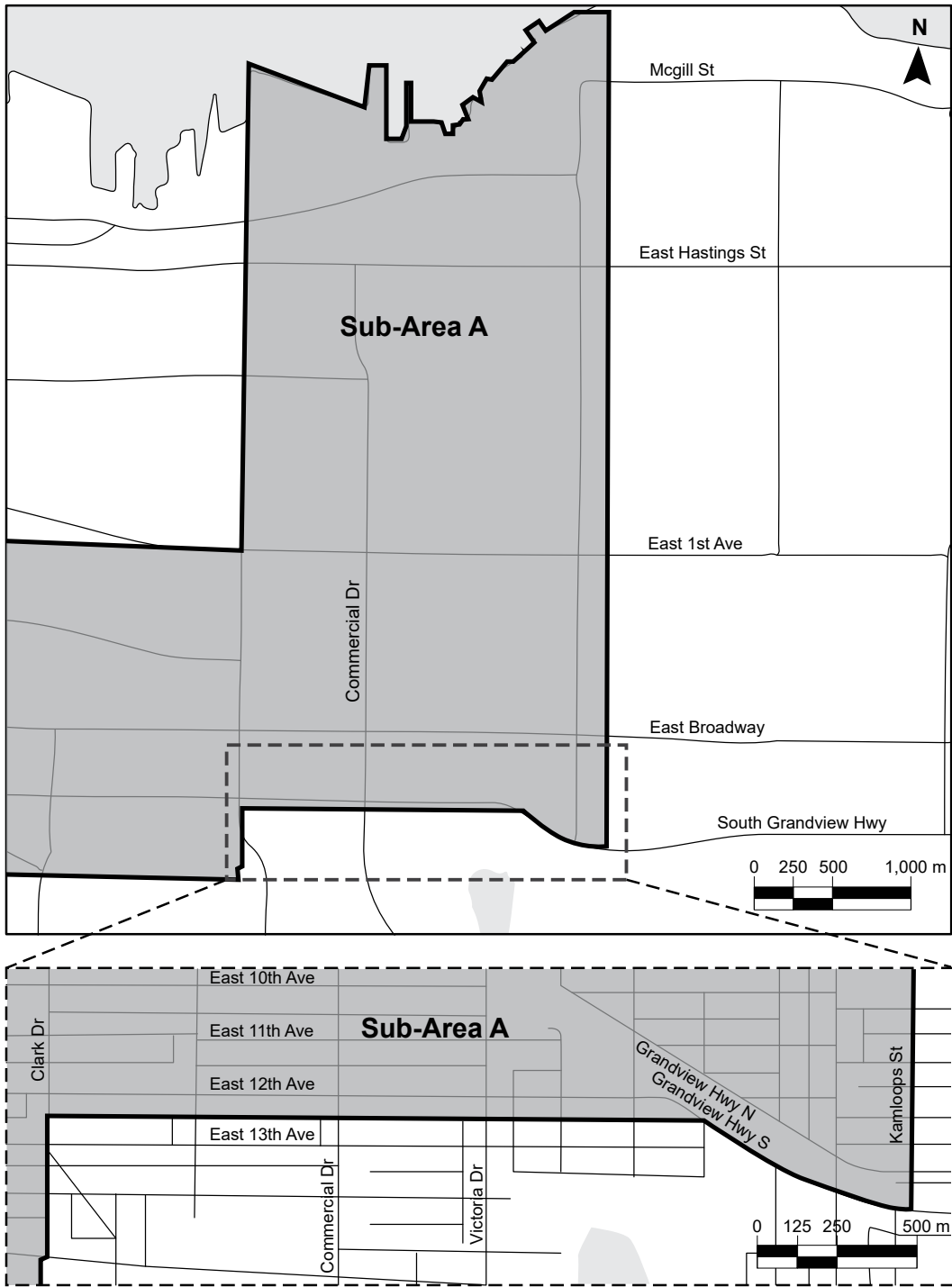
#### LEGEND

Sub-Area A

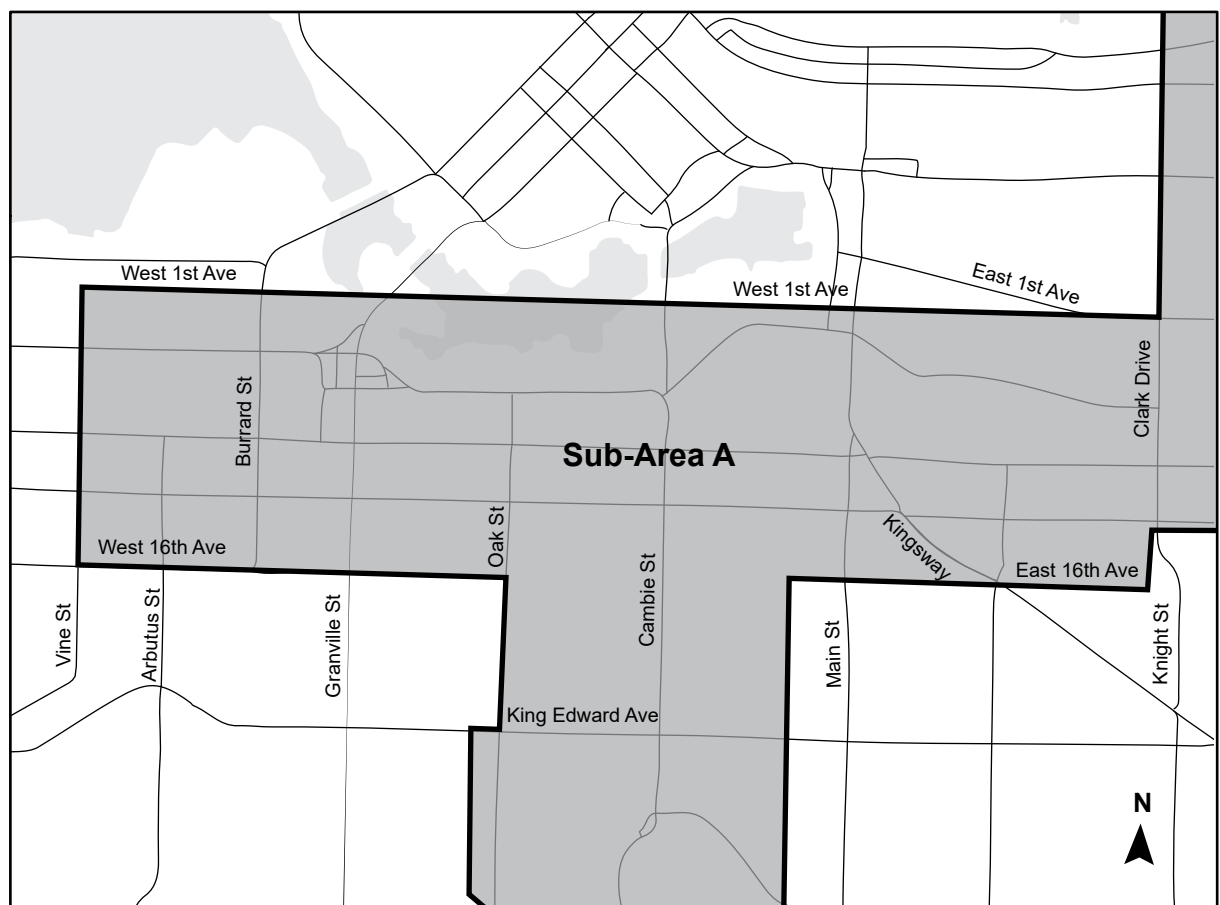




Map 1A: Sub-Area A

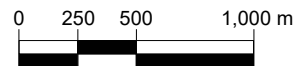


**Map1B: Sub-Area A**



**LEGEND**

■ Sub-Area A



**Map 1C: Sub-Area A**



**LEGEND**

Sub-Area A

Map 1D: Sub-Area A

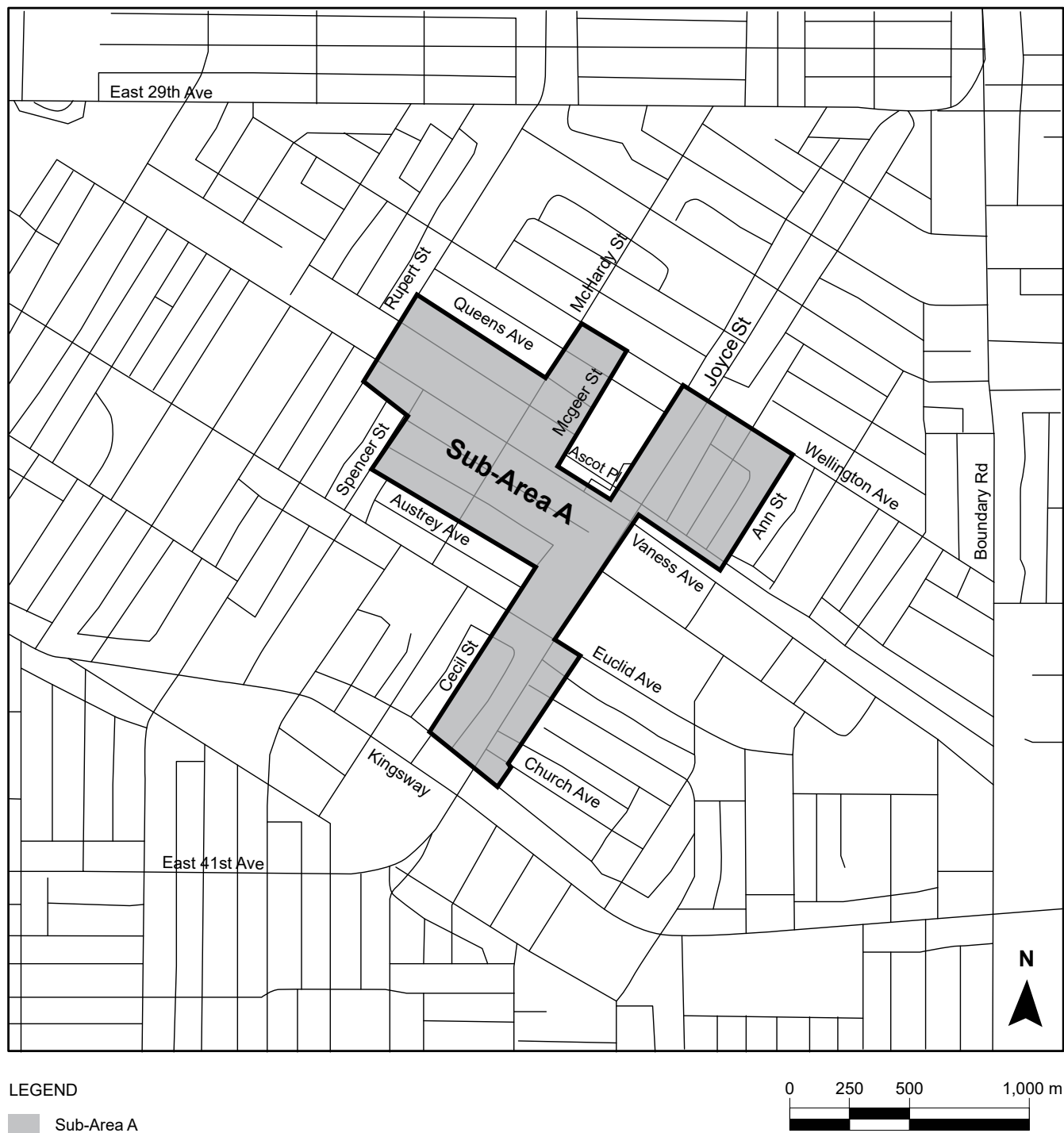


LEGEND

Sub-Area A



Map 1E: Sub-Area A



## SCHEDULE M

# C-2C1

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to provide for a wide range of goods and services, to maintain commercial uses that require central locations to serve larger neighbourhoods, districts or communities, and to encourage creation of a district shopping area by allowing more residential floor area and limiting the amount of floor area for office uses. In addition, this schedule encourages mixed-use residential buildings that contain secure rental housing by including provisions for residential rental tenure buildings.

Without limitation, applicable Council policies and guidelines for consideration include the [C-2B, C-2C and C-2C1 Guidelines](#) and [C-2, C-2B, C-2C, and C-2C1 Guidelines for Residential Rental Tenure Buildings](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the C-2C1 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	Mixed-Use Residential Building that is a residential rental tenure building	<a href="#">3.1</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.2</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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; and
- (c) the amount of open space, plazas, and landscaping being provided and the impact of the development on the character of the community.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	
<b>Cultural and Recreational Uses</b>		
Artist Studio	Conditional	<a href="#">2.2.1</a>
Arts and Culture Indoor Event	Outright	<a href="#">2.2.1</a>
Billiard Hall	Conditional	<a href="#">2.2.1</a>
Bowling Alley	Conditional	<a href="#">2.2.1</a>
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	<a href="#">2.2.1</a>
Fitness Centre	Conditional	<a href="#">2.2.1</a>
Hall	Conditional	<a href="#">2.2.1</a>
Library	Conditional	<a href="#">2.2.1</a>
Museum or Archives	Conditional	<a href="#">2.2.1</a>
Park or Playground	Conditional	
Rink	Conditional	<a href="#">2.2.1</a>
Swimming Pool	Conditional	<a href="#">2.2.1</a>
Theatre	Conditional	<a href="#">2.2.1</a>
Zoo or Botanical Garden	Conditional	<a href="#">2.2.1</a>
<b>Dwelling Uses</b>		
Duplex	Conditional	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.3</a> , <a href="#">2.2.4</a> , <a href="#">2.2.5</a>

Use	Approval	Use-Specific Regulations
Multiple Conversion Dwelling, resulting from the conversion of a building existing prior to June 18, 1956	Conditional	2.2.4, 2.2.6
Multiple Dwelling	Conditional	2.2.4
Principal Dwelling Unit with Lock-Off Unit	Conditional	2.2.7
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1
Child Day Care Facility	Conditional	2.2.1
Church	Conditional	2.2.1
Community Care Facility – Class A	Conditional	2.2.1, 2.2.8
Community Care Facility – Class B	Conditional	2.2.1
Group Residence	Conditional	2.2.1
Public Authority Use	Conditional	2.2.1
School – Elementary or Secondary	Conditional	2.2.1
School – University or College	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
<b>Manufacturing Uses</b>		
Clothing Manufacturing	Conditional	2.2.1, 2.2.9
Miscellaneous Products Manufacturing – Class B	Conditional	2.2.1, 2.2.9
Printing and Publishing	Conditional	2.2.1, 2.2.9
Textiles or Knit Goods Manufacturing	Conditional	2.2.1, 2.2.9
<b>Office Uses</b>		
Office Uses	Conditional	2.2.1, 2.2.10
<b>Parking Uses</b>		
Parking Uses	Conditional	
<b>Retail Uses</b>		
Cannabis Store	Conditional	2.2.1
Farmers' Market	Conditional	2.2.11
Furniture or Appliance Store	Conditional	2.2.1
Gasoline Station – Full Serve	Conditional	
Gasoline Station – Split Island	Conditional	



Use	Approval	Use-Specific Regulations
Grocery or Drug Store, except for Small-Scale Pharmacy	Outright	2.2.1
Grocery Store with Liquor Store	Conditional	2.2.1
Liquor Store	Conditional	2.2.1
Pawnshop	Conditional	2.2.1
Public Bike Share	Conditional	
Retail Store	Outright	2.2.1
Secondhand Store	Conditional	2.2.1
Small-Scale Pharmacy	Conditional	2.2.1
Vehicle Dealer	Conditional	2.2.1
<b>Service Uses</b>		
Animal Clinic	Conditional	2.2.1
Auction Hall	Conditional	2.2.1
Barber Shop or Beauty Salon	Outright	2.2.1
Beauty and Wellness Centre	Outright	2.2.1
Bed and Breakfast Accommodation	Conditional	2.2.1
Catering Establishment	Conditional	2.2.1
Drive-Through Service	Conditional	
Funeral Home	Conditional	2.2.1
Laundromat or Dry Cleaning Establishment	Outright	2.2.1
Motor Vehicle Repair Shop	Conditional	2.2.1
Motor Vehicle Wash	Conditional	2.2.1
Neighbourhood Public House	Conditional	
Photofinishing or Photography Studio	Outright	2.2.1
Print Shop	Conditional	2.2.1
Repair Shop – Class B	Outright	2.2.1
Restaurant – Class 1	Conditional	
Restaurant – Drive-In	Conditional	
School – Arts or Self-Improvement	Conditional	2.2.1
School – Business	Conditional	2.2.1
School – Vocational or Trade	Conditional	2.2.1
Short Term Rental Accommodation	Conditional	2.2.1
Sign Painting Shop	Conditional	2.2.1
Wedding Chapel	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
Utility and Communication Uses		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Conditional	<a href="#">2.2.1</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.14</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.15</a>
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 All commercial uses listed in section [2.1](#) of this schedule must be carried on wholly within a completely enclosed building, other than the following:

- (a) display of flowers, plants, fruits and vegetables;
- (b) drive-through service;
- (c) farmers' market;
- (d) gasoline station – full serve;
- (e) gasoline station – split island;
- (f) neighbourhood public house;
- (g) parking and loading facilities;
- (h) public bike share;
- (i) restaurant – class 1;
- (j) restaurant – drive-in; and
- (k) urban farm – class B,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary,

having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this schedule.

- 2.2.2 Any of the non-dwelling uses listed in section [2.1](#) of this schedule are permitted in a mixed-use residential building.
- 2.2.3 No portion of the first storey of a mixed-use residential building, to a depth of 10.7 m from the front wall of the building and extending across its full width, may be used for residential purposes except for entrances to the residential portion.
- 2.2.4 Only dwelling uses are permitted on the third floor of any mixed-use residential building, except that the Director of Planning may vary this condition where the Director of Planning is satisfied that dwelling use is inappropriate or impractical.
- 2.2.5 Development on any site consisting of 3 or more dwelling units that:
- (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
  - (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,
- is subject to the [Rental Housing Stock Official Development Plan](#).
- 2.2.6 Multiple conversion dwelling, resulting from the conversion of a building existing prior to June 18, 1956, may be permitted if:
- (a) the Director of Planning considers:
    - (i) the quality and liveability of the resulting units,
    - (ii) the suitability of the building for conversion in terms of age and size, and
    - (iii) the impact of the conversion on adjacent properties and the character of the area;
  - (b) there are no additions to the building; and
  - (c) no housekeeping or sleeping units are created.
- 2.2.7 Principal dwelling unit with lock-off unit is permitted only in a multiple dwelling or mixed-use residential building.
- 2.2.8 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.9 Manufacturing uses may be permitted only if:
- (a) the total floor area of manufacturing uses does not exceed 300 m<sup>2</sup>;

- (b) the portion of the first storey of a building to a depth of 4.5 m from the front wall of the building and extending across its full width is used for ancillary retailing purposes, except for:
  - (i) entrances to the manufacturing portion, and
  - (ii) display features that, in the opinion of the Director of Planning, benefit pedestrian character, unless the applicant can demonstrate, to the satisfaction of Director of Planning, that the site is located in a block predominantly developed with auto-oriented retailing or general business commercial uses and that deletion of the required retailing would not adversely impact adjacent uses; and
- (c) the Director of Planning is satisfied that there will be no undue adverse impact on uses within the building or on an abutting site.

2.2.10 No portion of a storey having an elevation within 2.0 m of street grade on the fronting street, to a depth of 10.7 m of the front wall of the building and extending across its full width, may be used for general office except for:

- (a) an insurance or travel agency or real estate office; and
- (b) entrances to the general office portion, and

in the case of a site abutting more than 1 street, the fronting street is to be determined by the Director of Planning.

2.2.11 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.12 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located in the rear yard; and
- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 15% of the total site area,

except that the Director of Planning may vary the maximum height, the location regulations, and the floor area regulations to a maximum total floor area not exceeding 33.3% of the gross floor area of the principal use.

- 2.2.13 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule are permitted provided that the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal use, unless permitted as an outright approval use pursuant to section 2.1 of this schedule, except that the Director of Planning may vary the floor area regulations to a total floor area not exceeding 33.3% of the gross floor area of the principal use.
- 2.2.14 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.13 above.
- 2.2.15 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Mixed-Use Residential Building that is a Residential Rental Tenure Building

Mixed-use residential building that is a residential rental tenure building is subject to the following regulations. For the purposes of this schedule, “residential rental tenure building” means a building:

- (a) that is located outside of sub-area A, which is illustrated in [Map 1: Sub-Area A](#) at the end of this schedule;
- (b) that is a mixed-use residential building and contains at least 3 dwelling units;
- (c) where all of the dwelling units are non-stratified and secured as residential rental tenure;
- (d) where at least 35% of the total dwelling units have 2 or more bedrooms;
- (e) where the third storey and above, measured from the front property line, is limited to dwelling use only; and
- (f) that is designed to achieve either of the following energy efficiency requirements:
  - (i) certification under the Passive House standard set by Passive House International or the Zero Energy standard set by the International Living Future Institute, or
  - (ii) energy and emissions intensity limits in accordance with the following table for all dwelling uses:

Low Carbon Energy System (LCES) connection, as per the LCES Policy	Total Energy Use Intensity	Thermal Energy Demand Intensity	Greenhouse Gas Intensity
No	100 kWh/m <sup>2</sup>	15 kWh/m <sup>2</sup>	3 kgCO <sub>2</sub> e/m <sup>2</sup>
Yes	110 kWh/m <sup>2</sup>	25 kWh/m <sup>2</sup>	3 kgCO <sub>2</sub> e/m <sup>2</sup>

except that the Director of Planning may vary the requirements under this section [3.1\(f\)\(ii\)](#) provided the Director of Planning is satisfied that sustainability objectives have been achieved on the development site.

##### 3.1.1 Density and Floor Area

- 3.1.1.1 The maximum floor space ratio is 3.50 for all uses combined, provided that the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35.

3.1.1.2 Despite section 3.1.1.1 above, for a corner site, the maximum floor space ratio is 3.70 for all uses combined, provided that:

- (a) the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35;
- (b) the length of the front property line facing the street is at least 45.7 m; and
- (c) the site has a minimum site area of 1,672 m<sup>2</sup>.

3.1.1.3 Despite sections 3.1.1.1 and 3.1.1.2 above, the Director of Planning may increase the permitted floor space ratio by up to 0.05 for exterior circulation located above the first storey.

### 3.1.2 Building Form and Placement

Regulations	C-2C1
3.1.2.1 Maximum unit frontage for any commercial use	15.3 m
3.1.2.2 Maximum building height:	
(a) where the floor-to-floor height for non-dwelling uses located on the first storey, facing the street is:	
(i) 5.2 m or greater	22.0 m and 6 storeys
(ii) less than 5.2 m	19.8 m and 6 storeys
(b) for portions of a building located within 4.6 m of the ultimate rear property line	6.1 m
3.1.2.3 Minimum front yard depth	2.5 m
3.1.2.4 Minimum side yard width for a side yard that:	
(a) adjoins a site located in any RM district, without the intervention of a lane	1.5 m
(b) adjoins a site located in any RA, RS or RT district, without the intervention of a lane	0.9 m
(c) does not adjoin a site located in an R district	not required
3.1.2.5 Minimum rear yard depth and rear setback for portions of a building:	
(a) containing non-dwelling uses only, and less than 6.1 m in height	1.5 m
(b) containing non-dwelling uses only, and 6.1 m or more in height	4.6 m
(c) containing dwelling uses	4.6 m

## Building Height

3.1.2.6 Building height in section 3.1.2.2(a) above is measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line.

3.1.2.7 The maximum building height in section 3.1.2.2(b) above does not apply to portions of buildings where the rear yard has been decreased under section 3.1.2.14 below.

3.1.2.8 Despite the maximum building height in sections 3.1.2.2 and 3.1.2.7 above, no portion of the building may extend above an envelope formed by a vertical line measuring 15.3 m in height at the front property line and a plane formed by an angle of 135 degrees measured from the vertical, except where:

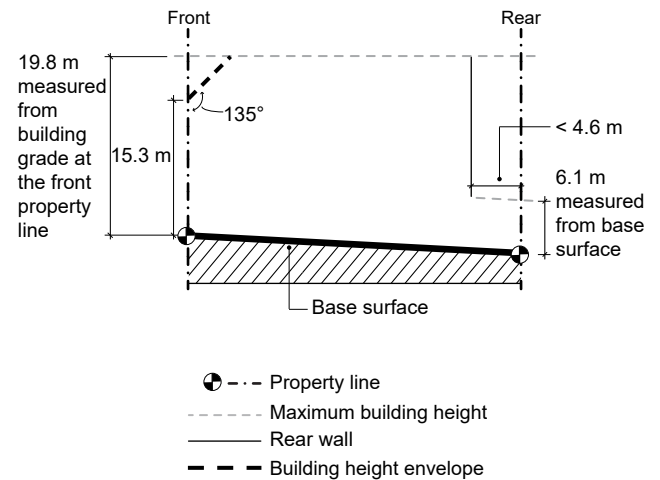
- (a) the site frontage faces a street:
  - (i) with a total width measuring 24.4 m or greater, measured from property line to property line or, where any building lines exist, measured from the building line or lines, and
  - (ii) generally running north-south; or
- (b) the site frontage faces a street with a total width measuring more than 27.5 m, measured from property line to property line or, where any building lines exist, measured from the building line or lines.

3.1.2.9 The Director of Planning or Development Permit Board may increase the maximum building height if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

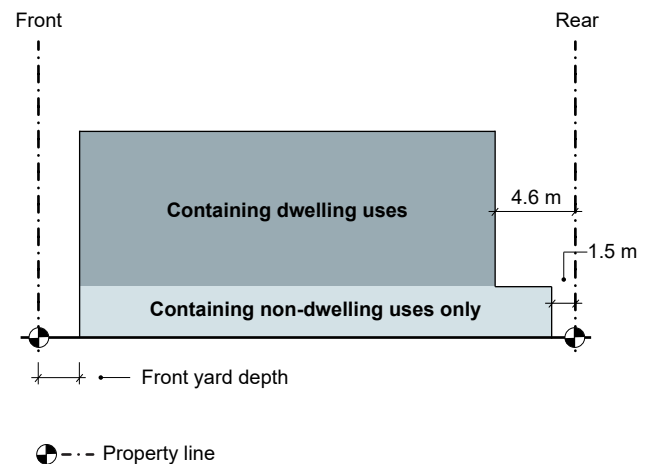
## Front Yard

3.1.2.10 The Director of Planning may decrease the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Maximum building height for a site fronting on a street generally running east-west**



**Diagram: Front yard, rear yard and rear setback for a building where the first floor contains non-dwelling uses only**





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

- 3.1.2.11 Despite the minimum side yard width in section 3.1.2.4(c), where a side yard is provided, although not required, the minimum side yard width is 0.9 m.
- 3.1.2.12 Despite the minimum side yard width in sections 3.1.2.4 and 3.1.2.11 above, in the case of a corner site, the exterior side yard requirements are the same as the front yard requirements in section 3.1.2.3 above.
- 3.1.2.13 For any parking area on a corner site, a setback of 1.2 m from the side property line abutting the flanking street is required.
- 3.1.2.14 The Director of Planning may decrease any minimum side yard width if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### **Rear Yard and Rear Setback**

- 3.1.2.15 Despite the minimum rear yard depth and rear setback in section 3.1.2.5(a) above, if the rear of the site adjoins the side yard of a site located in an R district, without the intervention of a lane, the minimum rear yard depth and rear setback is 3.1 m.
- 3.1.2.16 Despite the minimum rear yard depth and rear setback in sections 3.1.2.5(b) and 3.1.2.5(c) above, in the case of a corner site, the rear yard depth and rear setback may be decreased to a minimum of 1.5 m if the portion of the building for which the rear yard is decreased:
  - (a) is located at least 22.8 m from an adjoining site; and
  - (b) does not exceed 25.3 m in width, measured from the ultimate exterior side property line,except that if the rear of the site adjoins the side yard of a site located in an R district, without the intervention of a lane, the minimum rear yard depth and rear setback may not be decreased.
- 3.1.2.17 Despite the minimum rear yard depth and rear setback in section 3.1.2.5(c) above, roof decks and balconies may project into the setback.
- 3.1.2.18 The Director of Planning may decrease the minimum rear yard depth or rear setback if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 3.2 Other Uses

Uses not regulated by section 3.1 of this schedule are subject to the following regulations.

### 3.2.1 Density and Floor Area

#### 3.2.1.1 The maximum floor space ratio is:

- (a) 1.20 for office uses;
- (b) 1.50 for dwelling uses other than mixed-use residential; and
- (c) 3.00 for all other uses,

provided that the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35.

#### 3.2.1.2 For the purposes of section 3.2.1.1 above, where there is a residential unit associated with and forming an integral part of an artist studio, the artist studio is also considered a dwelling use.

### 3.2.2 Building Form and Placement

Regulations	C-2C1
3.2.2.1 Maximum unit frontage for any commercial use	15.3 m
3.2.2.2 Maximum building height	10.7 m
3.2.2.3 Minimum front yard depth	2.5 m
3.2.2.4 Minimum side yard width for a side yard that:	
(a) adjoins a site located in any RM district, without the intervention of a lane	1.5 m
(b) adjoins a site located in any RA, RS or RT district, without the intervention of a lane	0.9 m
(c) does not adjoin a site located in an R district	not required
3.2.2.5 Minimum rear yard depth and rear setback for portions of a building:	
(a) containing non-dwelling uses only	1.5 m
(b) containing dwelling uses	4.6 m

### Building Height

#### 3.2.2.6 Despite the maximum building height in section 3.2.2.2 above, in the case of a site fronting a street generally running east-west, no portion of a building may extend above the 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 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north property line.

3.2.2.7 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 15.3 m and may permit a building that exceeds the required envelope, if the Director of Planning or Development Permit Board considers:

- (a) the height, bulk, scale and location of the building and its impact on the site, surrounding buildings and streets, and existing views;
- (b) the amount of open space, including plazas, and the impact of the overall design on the general amenity of the area;
- (c) the relationship of the development with nearby residential areas; and
- (d) the intent of this schedule and all applicable Council policies, guidelines, and the submission of any advisory group, property owner or tenant.

### Front Yard

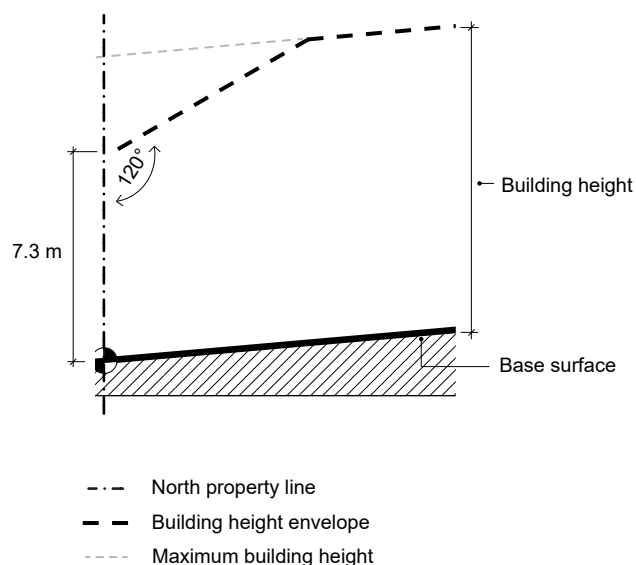
3.2.2.8 The Director of Planning may decrease the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Side Yard and Setback

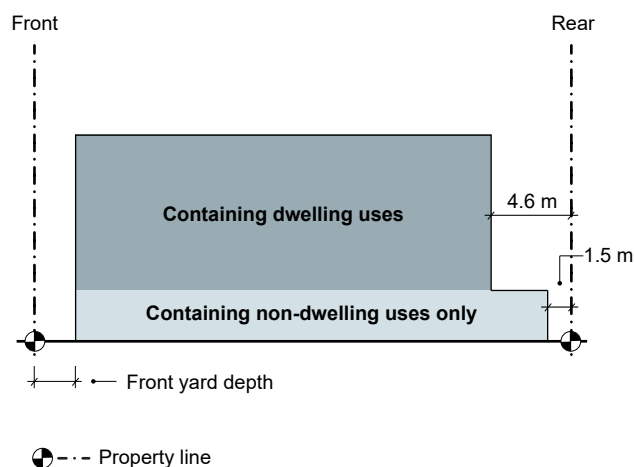
3.2.2.9 Despite the minimum side yard width in section 3.2.2.4(c) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

3.2.2.10 Despite the minimum side yard width in section 3.2.2.4 and 3.2.2.9 above, in the case of a corner site, the exterior side yard requirements are the same as the front yard requirements in section 3.2.2.3 above.

**Diagram: Maximum building height for a site fronting on a street generally running east-west**



**Diagram: Front yard, rear yard and rear setback for a building where the first floor contains non-dwelling uses only**



- 3.2.2.11 For any parking area on a corner site, a setback of 1.2 m from the side property line abutting the flanking street is required.
- 3.2.2.12 The Director of Planning may decrease the minimum side yard width or side setback if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Rear Yard and Setback**

- 3.2.2.13 Despite the minimum rear yard depth and rear setback in section [3.2.2.5\(b\)](#) above, roof decks and balconies may project into the setback.
- 3.2.2.14 The Director of Planning may decrease the minimum rear yard depth or rear setback if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings, including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided the maximum exclusion for parking space does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreational facilities and meeting rooms accessory to a dwelling use, to a maximum floor area of 10% of the total permitted floor area; and
- (e) 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 area above base surface for that unit.

4.1.3 For buildings other than residential rental tenure buildings, the Director of Planning may permit enclosed residential balconies to be excluded in the computation of floor area if the Director of Planning considers all applicable Council policies and guidelines and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or deck exclusions may not exceed 8% of the permitted residential floor area; and
- (b) no more than 50% of the excluded balcony floor area may be enclosed.

### 4.2 Horizontal Angle of Daylight

4.2.1 Each habitable room must have at least 1 window on an exterior wall of a building.

4.2.2 For the purposes of section [4.2.1](#) above, habitable room means any room except a bathroom or kitchen.

- 4.2.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.2.4 The plane or planes referred to in section 4.2.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.2.5 An obstruction referred to in section 4.2.3 above means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.2.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 3.7 m.
- 4.3 Dedication of Land
- 4.3.1 Dedication for Lane Purposes
- 4.3.1.1 Where a site does not abut a lane, or abuts a lane that 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.
- 4.3.1.2 Where a dedication is made, it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.
- 4.3.2 Statutory Right of Way for Sidewalk and Boulevard Purposes
- 4.3.2.1 For all new buildings, a surface statutory right of way on a portion of the site must be provided to the City for sidewalk and boulevard improvements to achieve a distance of 2.5 m from the front property line.
- 4.3.2.2 Despite section 4.3.2.1 above, the Director of Planning or Development Permit Board may permit a reduced surface statutory right of way if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

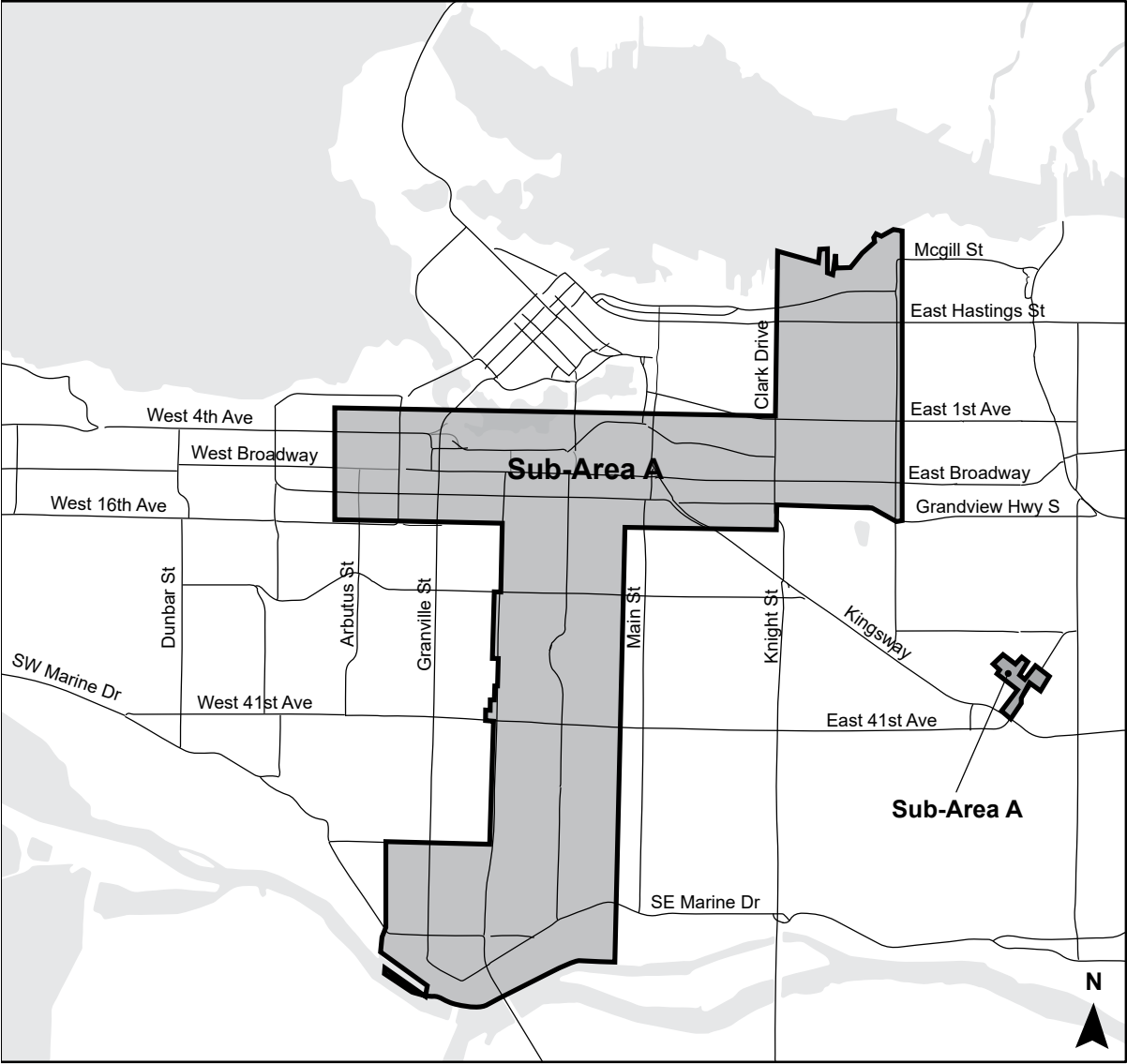
## 5 RELAXATIONS

- 5.1 The Director of Planning may relax the maximum unit frontage regulations in sections 3.1.2.1 and 3.2.2.1 of this schedule if:
- (a) a pedestrian amenity area such as a courtyard or resting area is provided, or where pedestrian interest is otherwise maintained; and

- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

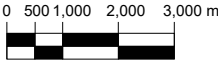
**Map 1: Sub-Area A**

Sub-area A, as shown in Map 1 below, is further illustrated by Maps 1A, 1B, 1C, 1D and 1E.

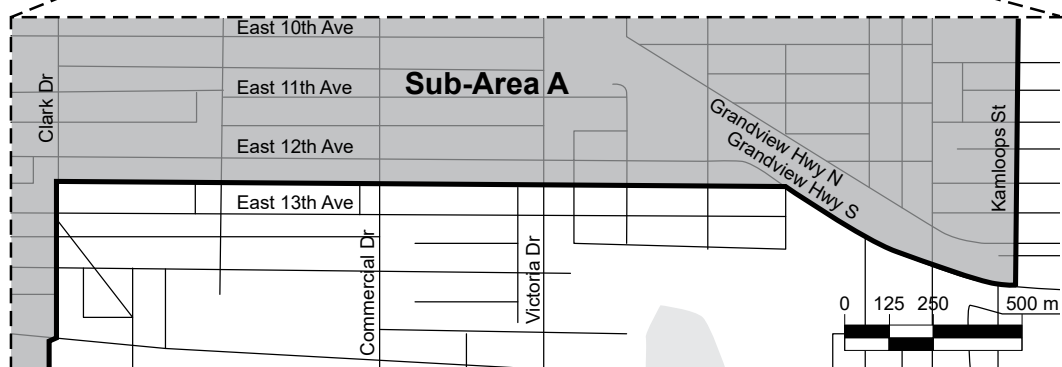
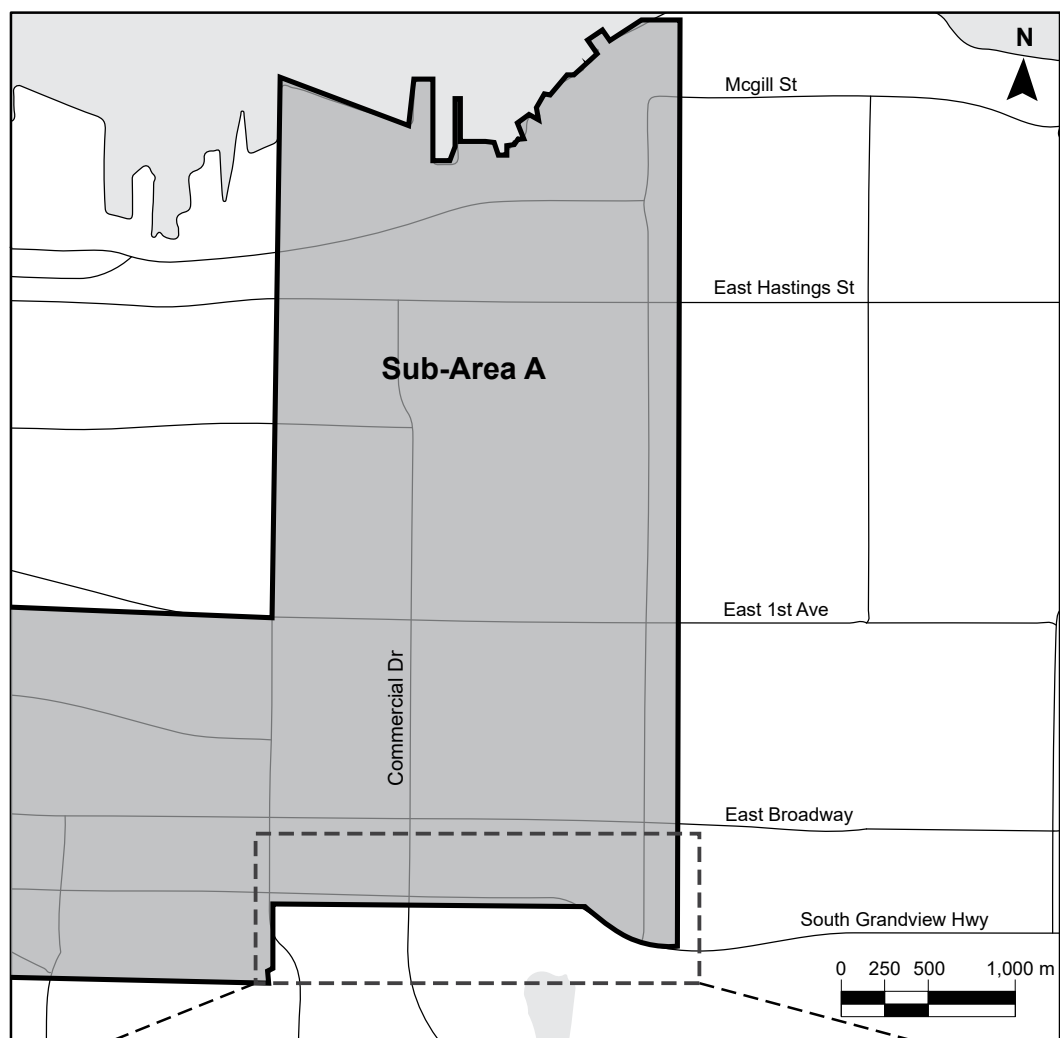


**LEGEND**

Sub-Area A



**Map 1A: Sub-Area A**

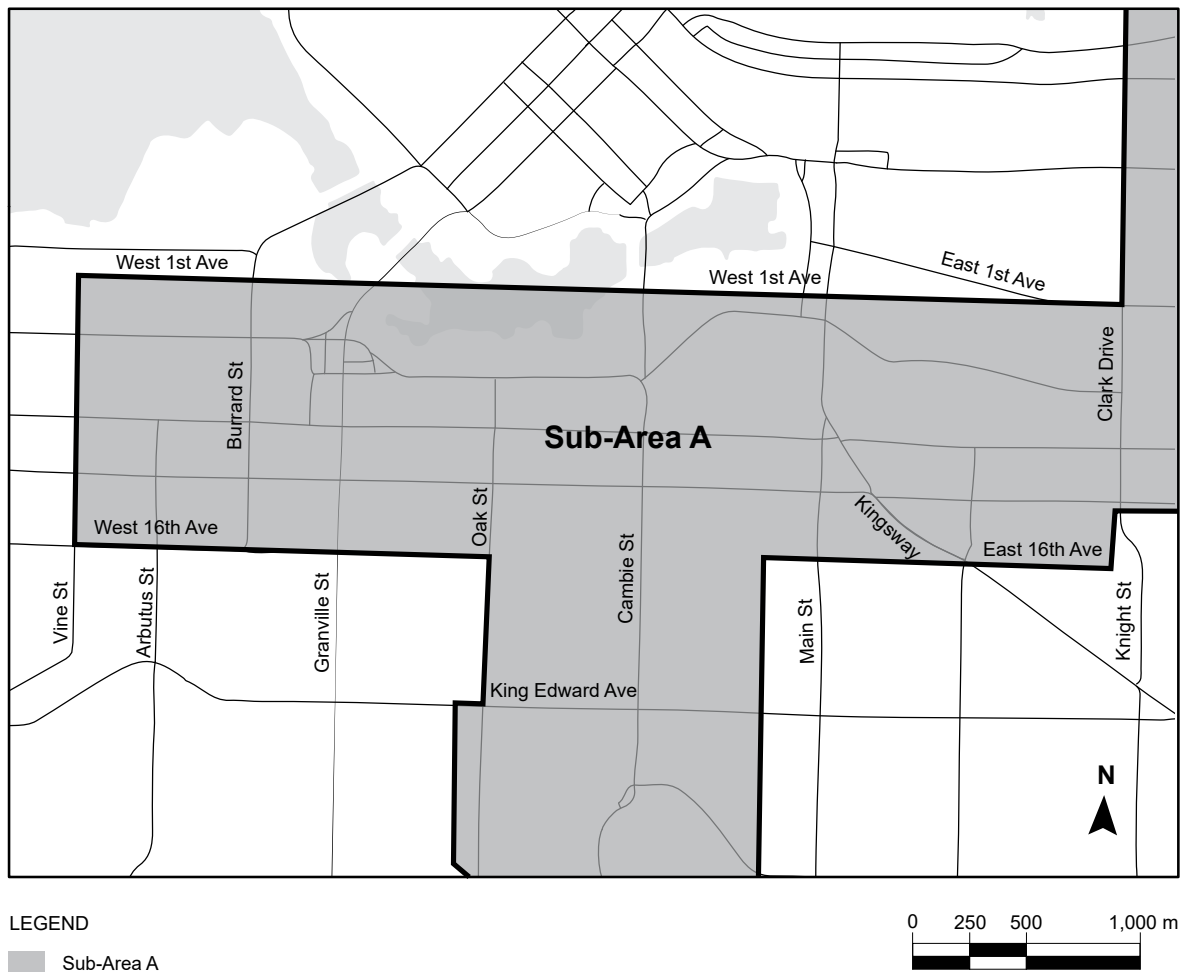


**LEGEND**

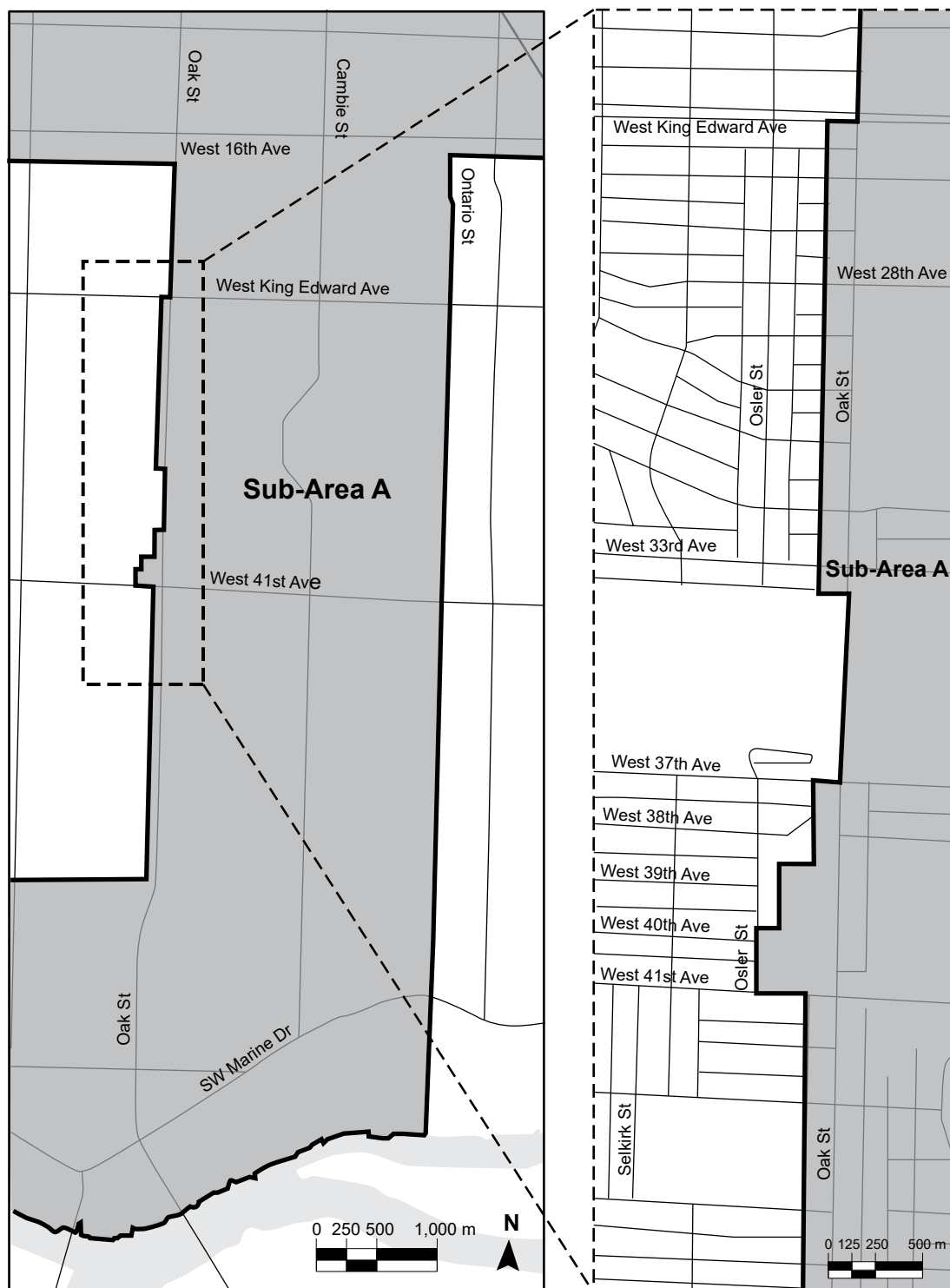
Sub-Area A



Map1B: Sub-Area A



**Map 1C: Sub-Area A**



**LEGEND**

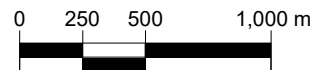
■ Sub-Area A

Map 1D: Sub-Area A

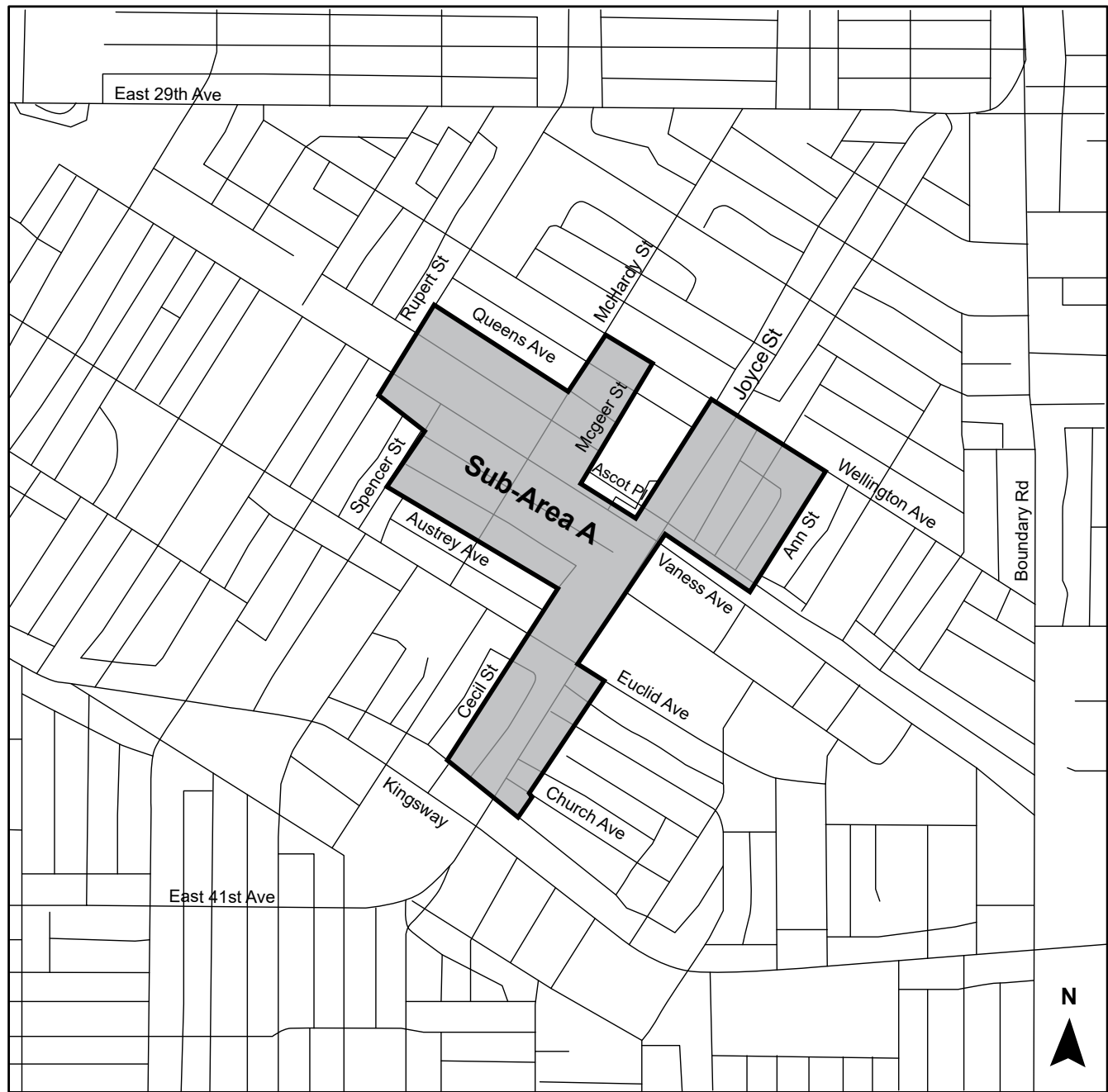


LEGEND

Sub-Area A

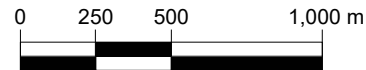


Map 1E: Sub-Area A



LEGEND

Sub-Area A



## SCHEDULE N

# C-3A

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to provide for a wide range of goods and services, to maintain commercial activities, specialized services and some light manufacturing uses while preserving the character and general amenity of the area and its immediate surroundings, and to provide for dwelling uses compatible with commercial uses. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units.

Without limitation, applicable Council policies and guidelines for consideration include [605 - 645 West Eighth Avenue C-3A Guidelines](#), [Broadway-Arbutus C-3A and 2000 Block West 10th Avenue \(North Side\) Guidelines](#), [Broadway/Commercial C-3A Guidelines](#), [Burrard Slopes C-3A Guidelines](#), [Cambie Street \(East Side\) C-3A Guidelines](#), [Central Broadway C-3A Urban Design Guidelines](#), [Main Street C-3A Guidelines](#) and [North Burrard C-3A Guidelines](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the C-3A district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	
<b>Cultural and Recreational Uses</b>		
Arcade	Conditional	<a href="#">2.2.1</a>
Artist Studio	Conditional	<a href="#">2.2.1</a>
Arts and Culture Indoor Event	Outright	<a href="#">2.2.1</a>
Billiard Hall	Conditional	<a href="#">2.2.1</a>
Bingo Hall	Conditional	<a href="#">2.2.1</a>
Bowling Alley	Outright	<a href="#">2.2.1</a>
Casino – Class 1	Conditional	<a href="#">2.2.1</a>
Club	Outright	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Outright	<a href="#">2.2.1</a>
Fitness Centre	Outright	<a href="#">2.2.1</a>
Hall	Outright	<a href="#">2.2.1</a>
Library	Outright	<a href="#">2.2.1</a>
Museum or Archives	Outright	<a href="#">2.2.1</a>
Park or Playground	Conditional	
Rink	Outright	<a href="#">2.2.1</a>
Swimming Pool	Outright	<a href="#">2.2.1</a>
Theatre	Outright	<a href="#">2.2.1</a>
Zoo or Botanical Garden	Conditional	<a href="#">2.2.1</a>
<b>Dwelling Uses</b>		
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.3</a> , <a href="#">2.2.4</a>

Use	Approval	Use-Specific Regulations
Multiple Conversion Dwelling, resulting from the conversion of a building existing prior to June 18, 1956	Conditional	<a href="#">2.2.5</a>
Multiple Dwelling	Conditional	<a href="#">2.2.6</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.7</a>
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	
Seniors Supportive or Assisted Housing	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a>
Child Day Care Facility	Conditional	<a href="#">2.2.1</a>
Church	Conditional	<a href="#">2.2.1</a>
Community Care Facility – Class B	Conditional	<a href="#">2.2.1</a>
Detoxification Centre	Conditional	<a href="#">2.2.1</a>
Group Residence	Conditional	<a href="#">2.2.1</a>
Hospital	Conditional	<a href="#">2.2.1</a>
Public Authority Use	Conditional	<a href="#">2.2.1</a>
School – Elementary or Secondary	Conditional	<a href="#">2.2.1</a>
School – University or College	Outright	<a href="#">2.2.1</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a>
<b>Manufacturing Uses</b>		
Clothing Manufacturing	Conditional	<a href="#">2.2.1</a>
Dairy Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Food or Beverage Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Ice Manufacturing	Conditional	<a href="#">2.2.1</a>
Jewellery Manufacturing	Conditional	<a href="#">2.2.1</a>
Miscellaneous Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Printing or Publishing	Conditional	<a href="#">2.2.1</a>
Textiles or Knit Goods Manufacturing	Conditional	<a href="#">2.2.1</a>
<b>Office Uses</b>		
Financial Institution	Outright	<a href="#">2.2.1</a>
General Office	Outright	<a href="#">2.2.1</a>
Health Care Office	Outright	<a href="#">2.2.1</a>
Health Enhancement Centre	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
<b>Parking Uses</b>		
Parking Uses	Conditional	
<b>Retail Uses</b>		
Adult Retail Store	Conditional	<a href="#">2.2.1</a>
Cannabis Store	Conditional	<a href="#">2.2.1</a>
Farmers' Market	Conditional	<a href="#">2.2.8</a>
Furniture or Appliance Store	Outright	<a href="#">2.2.1</a>
Gasoline Station – Full Serve	Conditional	
Gasoline Station – Split Island	Conditional	
Grocery or Drug Store, except for Small-Scale Pharmacy	Outright	<a href="#">2.2.1</a>
Grocery Store with Liquor Store	Conditional	<a href="#">2.2.1</a>
Liquor Store	Conditional	<a href="#">2.2.1</a>
Pawnshop	Conditional	<a href="#">2.2.1</a>
Public Bike Share	Conditional	
Retail Store	Outright	<a href="#">2.2.1</a>
Secondhand Store	Conditional	<a href="#">2.2.1</a>
Small-Scale Pharmacy	Conditional	<a href="#">2.2.1</a>
Vehicle Dealer	Conditional	
<b>Service Uses</b>		
Animal Clinic	Conditional	<a href="#">2.2.1</a>
Auction Hall	Outright	<a href="#">2.2.1</a>
Barber Shop or Beauty Salon	Outright	<a href="#">2.2.1</a>
Beauty and Wellness Centre	Outright	<a href="#">2.2.1</a>
Bed and Breakfast Accommodation	Conditional	<a href="#">2.2.1</a>
Cabaret	Conditional	<a href="#">2.2.1</a>
Catering Establishment	Outright	<a href="#">2.2.1</a>
Drive-Through Service	Conditional	
Funeral Home	Conditional	<a href="#">2.2.1</a>
Hotel	Conditional	<a href="#">2.2.1</a>
Laboratory	Outright	<a href="#">2.2.1</a>
Laundromat or Dry Cleaning Establishment	Outright	<a href="#">2.2.1</a>
Motor Vehicle Repair Shop	Conditional	<a href="#">2.2.1</a>
Motor Vehicle Wash	Conditional	<a href="#">2.2.1</a>
Neighbourhood Public House	Conditional	



Use	Approval	Use-Specific Regulations
Photofinishing or Photography Laboratory	Conditional	<a href="#">2.2.1</a>
Photofinishing or Photography Studio	Outright	<a href="#">2.2.1</a>
Production or Rehearsal Studio	Conditional	<a href="#">2.2.1</a>
Print Shop	Outright	<a href="#">2.2.1</a>
Repair Shop – Class A	Conditional	<a href="#">2.2.1</a>
Repair Shop – Class B	Outright	<a href="#">2.2.1</a>
Restaurant – Class 1	Outright	
Restaurant – Class 2	Conditional	<a href="#">2.2.1</a>
Restaurant – Drive-In	Conditional	
School – Arts or Self-Improvement	Conditional	<a href="#">2.2.1</a>
School – Business	Outright	<a href="#">2.2.1</a>
School – Vocational or Trade	Outright	<a href="#">2.2.1</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.1</a>
Sign Painting Shop	Outright	<a href="#">2.2.1</a>
Wedding Chapel	Conditional	<a href="#">2.2.1</a>
<b>Transportation and Storage Uses</b>		
Mini-Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Taxicab or Limousine Station	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Conditional	<a href="#">2.2.1</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>Wholesale Uses</b>		
Lumber and Building Materials Establishment	Conditional	
Wholesaling – Class A	Conditional	<a href="#">2.2.1</a>
Wholesaling – Class B	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.9</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>

Use	Approval	Use-Specific Regulations
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 All commercial uses listed in section [2.1](#) of this schedule, and all outright approval accessory uses listed in section [2.1](#) of this schedule, must be carried on wholly within a completely enclosed building, other than the following:

- (a) display of flowers, plants, fruits and vegetables;
- (b) drive-through service;
- (c) farmers' market;
- (d) gasoline station – full serve;
- (e) gasoline station – split island;
- (f) lumber and buildings material establishment;
- (g) neighbourhood public house;
- (h) parking and loading facilities;
- (i) public bike share;
- (j) restaurant – class 1;
- (k) restaurant – drive-in;
- (l) taxicab or limousine station;
- (m) urban farm – class B; and
- (n) vehicle dealer,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this schedule.

2.2.2 Any non-dwelling uses listed in section [2.1](#) of this schedule are permitted in a mixed-use residential building.

- 2.2.3 Mixed-use residential building may be permitted if the Director of Planning considers the design and liveability of the dwelling units.
- 2.2.4 No portion of the first storey of a mixed-use residential building, to a depth of 10.7 m from the front wall of the building and extending across its full width, may be used for dwelling uses except for entrances to the residential portion.
- 2.2.5 Multiple conversion dwelling, resulting from the conversion of a building existing prior to June 18, 1956, may be permitted if:
- (a) the Director of Planning considers:
    - (i) the quality and liveability of the resulting units,
    - (ii) the suitability of the building for conversion in terms of age and size, and
    - (iii) the impact of the conversion on adjacent properties and the character of the area; and
  - (b) there are no additions to the building.
- 2.2.6 Multiple dwelling may be permitted if the Director of Planning considers the site suitable for dwelling uses.
- 2.2.7 Principal dwelling unit with lock-off unit is permitted only in a mixed-use residential building or multiple dwelling.
- 2.2.8 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.9 Accessory buildings customarily ancillary to any use listed in section [2.1](#) of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:
    - (i) in the rear yard, and
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 15% of the total site area,

except that the Director of Planning may vary the maximum height, the location regulations, and the floor area regulations to a maximum total floor area not exceeding 33.3% of the gross floor area of the principal use.

- 2.2.10 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule are permitted provided that the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal use, unless permitted as an outright approval use pursuant to section 2.1 of this schedule, except that the Director of Planning may vary the floor area regulations to a total floor area not exceeding 33.3% of the gross floor area of the principal use.
- 2.2.11 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.10 above.
- 2.2.12 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is 1.00, except that:

- (a) the Director of Planning or Development Permit Board may increase the permitted floor space ratio to a maximum of 3.00, if the Director of Planning or Development Permit Board considers:
  - (i) the relationship of the development with nearby residential areas,
  - (ii) the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets, and existing views,
  - (iii) the amount of open space, including plazas, and the impact of the overall design on the general amenity of the area,
  - (iv) the impact of the development on traffic in the area,
  - (v) the provision for pedestrian needs,
  - (vi) the design and liveability of any dwelling uses, and
  - (vii) the intent of this schedule and all applicable Council policies and guidelines;
- (b) despite section [3.1.1.1\(a\)](#) above, if there is no heritage density available for transfer, the Director of Planning or Development Permit Board may permit an additional increase in the permitted floor area of 1 m<sup>2</sup> per amenity share provided to the City at no cost to the City, to a maximum of 10% of the permitted floor space ratio, if the Director of Planning or Development Permit Board considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant; and
- (c) the Development Permit Board may increase the permitted floor space ratio by a maximum of 10% where the increase results from a transfer of heritage density, except that this section [3.1.1.1\(c\)](#) does not apply to a development where there has been an increase in floor space ratio pursuant to section [3.1.1.1\(b\)](#) above.

###### 3.1.1.2 Despite section [3.1.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this schedule and this by-law.

###### 3.1.1.3 For the purposes of this section [3.1.1](#), “heritage density” means density provided as compensation for a heritage designation, which is transferred from the site of the designated heritage property to another site in accordance with [Heritage Incentive Program Policies and Procedures](#).

### 3.1.2 Building Form and Placement

Regulations	C-3A
3.1.2.1 Maximum building height	9.2 m
3.1.2.2 Front yard	not required
3.1.2.3 Minimum side yard width for a side yard that:	
(a) adjoins a site located in any RM district, without the intervention of a lane	1.5 m
(b) adjoins a site located in any RA, RS or RT district, without the intervention of a lane	0.9 m
(c) does not adjoin a site located in an R district	not required
3.1.2.4 Minimum rear yard depth	3.1 m
3.1.2.5 Minimum rear setback for portions of a building containing dwelling uses	7.6 m

#### Building Height

- 3.1.2.6 The Director of Planning or Development Permit Board may increase the maximum building height if the Director of Planning or Development Permit Board considers:
- (a) the relationship of the development with nearby residential areas;
  - (b) the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets, and existing views;
  - (c) the amount of open space, including plazas, and the impact of the overall design on the general amenity of the area;
  - (d) the provision for pedestrian needs;
  - (e) the preservation of the character and general amenity desired for the area; and
  - (f) the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

**Diagram: Rear yard and rear setback**



#### Front Yard

- 3.1.2.7 For any parking area, a setback of 1.2 m from the front property line is required.

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

- 3.1.2.8 Despite the minimum side yard width in section 3.1.2.3(c) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.
- 3.1.2.9 For any parking area on a corner site, a side setback of 1.2 m from the side property line abutting the flanking street is required.

### **Rear Yard and Rear Setback**

- 3.1.2.10 Despite the minimum rear yard depth and rear setback in sections 3.1.2.4 and 3.1.2.5 above, where the rear of a site abuts a lane, the required minimum rear yard depth and rear setback will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Amenity Shares

4.1.1 For the purposes of this schedule, amenity means conservation of protected heritage property.

4.1.2 For the purposes of this schedule, the cost of an amenity share is the amount specified per m<sup>2</sup> in **Schedule G: Heritage Amenity Share Cost Schedule** of this by-law for the C-3A zoning district.

### 4.2 Computation of Floor Area

4.2.1 Computation of floor area must include:

- (a) all floors of all buildings, including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building; and
- (b) in dwelling units and artist studios, where the distance from a floor to the floor above, or where there is no floor above, to the top of the roof rafters or deck, exceeds 3.7 m, an additional amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude additional height in combination with:
  - (i) an undeveloped floor area beneath roof elements which are, in the opinion of the Director of Planning, solely for decorative purposes and to which the only means of access is a hatch, residential lobby or mechanical penthouse, or
  - (ii) venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation.

4.2.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) 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 does not exceed 7.3 m in length;



- (d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, if:
  - (i) the total excluded floor area does not exceed the lesser of 20% of the permitted floor area or 1,000 m<sup>2</sup>, and
  - (ii) in the case of child day care facilities the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood; and
- (e) 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 area above base surface for that unit.

4.2.3 The Director of Planning may permit the following to be excluded from the computation of floor area:

- (a) enclosed residential balconies, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines and approves the design of any balcony enclosure, except that:
  - (i) the total area of all open and enclosed balcony or deck exclusions may not exceed 8% of the permitted residential floor area, and
  - (ii) no more than 50% of the excluded balcony floor area may be enclosed; and
- (b) interior public space, including atria and other similar spaces, if:
  - (i) the excluded area does not exceed the lesser of 10% of the permitted floor area or 600 m<sup>2</sup>,
  - (ii) the excluded area is secured by covenant and right-of-way in favour of the City of Vancouver which set out public access and use, and
  - (iii) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4.3 Horizontal Angle of Daylight

- 4.3.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.3.2 For the purposes of section 4.3.1 above, habitable room means any room except a bathroom or kitchen.
- 4.3.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.3.4 The plane or planes referred to in section 4.3.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.3.5 An obstruction referred to in section 4.3.3 above means:

- (a) any part of the same building excluding permitted projections; or
- (b) the largest building permitted on any adjoining site.

4.3.6 The Director of Planning may vary the horizontal angle of daylight requirement if:

- (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
- (b) the minimum distance of unobstructed view is at least 3.7 m.

## 5 RELAXATIONS

- 5.1 Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax the maximum floor space ratio for any 1 building that includes 1 or more of such facilities, and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.
- 5.2 In determining the increase in floor area that may be permitted under section [5.1](#) above, the Development Permit Board must consider:
- (a) the construction cost of the facility;
  - (b) any costs to the developer of continuing maintenance required for the facility;
  - (c) the rental value of the increased floor area;
  - (d) the value of any authorized relaxation of other restrictions; and
  - (e) the opinion of City Council.

## SCHEDULE O

# C-5, C-5A and C-6

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to provide for retail and services uses and forms of development compatible with the primarily residential character of the West End, and to provide for dwelling units in C-5A and C-6 designed to be compatible with commercial uses. This schedule encourages the scale and function of the external design of buildings oriented towards pedestrians. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units.

The C-5 district provides opportunities for commercial uses throughout the district and opportunities for nightlife in the Davie Village. The C-5A district differs from the C-5 district by providing density bonuses for social housing and secured market rental housing. The C-6 district provides a transition between the Downtown and the West End and differs from the C-5 and C-5A districts by permitting a greater density and scale.

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the C-5, C-5A and C-6 districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in [section 3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in <a href="#">section 2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including [section 2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	
<b>Cultural and Recreational Uses</b>		
Artist Studio	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.1
Billiard Hall	Outright	2.2.1
Bowling Alley	Outright	2.2.1
Club	Outright	2.2.1, 2.2.2
Community Centre or Neighbourhood House	Outright	2.2.1
Fitness Centre	Outright	2.2.1
Library	Outright	2.2.1
Museum or Archives	Outright	2.2.1
Rink	Outright	2.2.1
Swimming Pool	Outright	2.2.1
Theatre	Outright	2.2.1
<b>Dwelling Uses</b>		
Dwelling uses, existing on or before February 4, 2014 and only in the C-5 district	Conditional	2.2.3
Mixed-Use Residential Building, only in the C-5A and C-6 districts	Conditional	2.2.2, 2.2.4, 2.2.5
Residential Unit associated with and forming an integral part of an Artist Studio, only in the C-5A and C-6 districts	Conditional	
Seniors Supportive or Assisted Housing, only in the C-5A and C-6 districts	Conditional	

Use	Approval	Use-Specific Regulations
Seniors Supportive or Assisted Housing, existing on or before February 4, 2014 and only in the C-5 district	Conditional	<a href="#">2.2.3</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>
Child Day Care Facility	Outright	<a href="#">2.2.2</a>
Community Care Facility – Class B, only in the C-5A and C-6 districts	Conditional	<a href="#">2.2.1</a>
Community Care Facility – Class B, existing on or before February 4, 2014 and only in the C-5 district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Detoxification Centre	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>
Group Residence, only in the C-5A and C-6 districts	Conditional	<a href="#">2.2.1</a>
Group Residence, existing on or before February 4, 2014 and only in the C-5 district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Public Authority Use	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>
School – Elementary or Secondary	Outright	<a href="#">2.2.1</a>
School – University or College	Outright	<a href="#">2.2.1</a>
Social Service Centre	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
<b>Office Uses</b>		
Financial Institution	Outright	<a href="#">2.2.1</a>
General Office	Outright	<a href="#">2.2.1</a>
Health Care Office	Outright	<a href="#">2.2.1</a>
Health Enhancement Centre	Conditional	<a href="#">2.2.1</a>
<b>Parking Uses</b>		
Parking Area	Conditional	<a href="#">2.2.8</a>
<b>Retail Uses</b>		
Adult Retail Store	Conditional	<a href="#">2.2.1</a>
Cannabis Store	Conditional	<a href="#">2.2.1</a>
Farmers' Market	Conditional	<a href="#">2.2.9</a>
Furniture or Appliance Store	Outright	<a href="#">2.2.1</a>
Gasoline Station – Full Serve	Conditional	<a href="#">2.2.10</a>
Gasoline Station – Split Island	Conditional	<a href="#">2.2.10</a>
Grocery or Drug Store, except for Small-Scale Pharmacy	Outright	<a href="#">2.2.1</a>
Grocery Store with Liquor Store	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Liquor Store	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Pawnshop	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>

Use	Approval	Use-Specific Regulations
Public Bike Share	Conditional	
Retail Store	Outright	<a href="#">2.2.1</a>
Secondhand Store	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Small-Scale Pharmacy	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Animal Clinic	Outright	<a href="#">2.2.1</a>
Barber Shop or Beauty Salon	Outright	<a href="#">2.2.1</a>
Beauty and Wellness Centre	Outright	<a href="#">2.2.1</a>
Bed and Breakfast Accommodation	Conditional	<a href="#">2.2.1</a>
Cabaret	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Catering Establishment	Outright	<a href="#">2.2.1</a>
Hotel	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.14</a>
Laundromat or Dry Cleaning Establishment	Outright	<a href="#">2.2.1</a>
Neighbourhood Public House	Conditional	<a href="#">2.2.15</a>
Photofinishing or Photography Studio	Outright	<a href="#">2.2.1</a>
Print Shop	Conditional	<a href="#">2.2.1</a>
Repair Shop – Class B	Outright	<a href="#">2.2.1</a>
Restaurant – Class 1	Outright	
Restaurant – Class 2	Conditional	<a href="#">2.2.13</a>
School – Arts or Self-Improvement	Outright	<a href="#">2.2.1</a>
School – Business	Outright	<a href="#">2.2.1</a>
School – Vocational or Trade	Outright	<a href="#">2.2.1</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.16</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.18</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.19</a>
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 All commercial uses listed in section 2.1 of this schedule, and all outright approval accessory uses accessory to the outright commercial uses listed in section 2.1 of this schedule, must be carried on wholly within a completely enclosed building, other than the following:
- (a) child day care facility;
  - (b) display of flowers, plants, fruits and vegetables;
  - (c) farmers' market;
  - (d) gasoline station – full serve;
  - (e) gasoline station – split island;
  - (f) neighbourhood public house;
  - (g) parking and loading facilities;
  - (h) public bike share;
  - (i) restaurant; and
  - (j) urban farm – class B.
- 2.2.2 In the C-5A and C-6 districts, no portion of any floor of a club, social service centre or child day care facility is permitted within 2.0 m of street grade along a fronting street or flanking street if the adjoining site on the flanking street is in a C district, except for entrances.
- 2.2.3 In the C-5 district, no portion of any floor of a dwelling unit, community care facility – class B or group residence is permitted within 2.0 m of street grade along the fronting street or a flanking street if the adjoining site on the flanking street is in a C district, except for entrances.
- 2.2.4 Any of the non-dwelling uses listed in section 2.1 of this schedule are permitted in a mixed-use residential building.
- 2.2.5 Mixed-use residential building may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with use.
- 2.2.6 Ambulance station and public authority may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity, and vehicular ingress and egress.
- 2.2.7 Detoxification centre may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses and size.
- 2.2.8 Parking area may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses and pedestrian amenity.

- 2.2.9 Farmers' market may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.10 Gasoline station – full serve and gasoline station – split island may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity, number existing, and vehicular ingress and egress.
- 2.2.11 Grocery store with liquor store and liquor store may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, and vehicular ingress and egress.
- 2.2.12 Pawnshop and secondhand store may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity, number existing, social and policing impacts, hours of operation, and vehicular ingress and egress.
- 2.2.13 Cabaret or restaurant – class 2 may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking, vehicular circulation, compatibility with surrounding uses and noise control.
- 2.2.14 Hotel may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to design compatibility with any proximate residential area, size of liquor facilities, noise control, parking, loading, and taxi and bus ingress and egress.
- 2.2.15 Neighbourhood public house may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to vehicular circulation and compatibility with surrounding uses.
- 2.2.16 Public utility may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity, and category of facility.
- 2.2.17 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule are permitted provided that the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal use, unless permitted as an outright approval use pursuant to section 2.1 of this schedule.
- 2.2.18 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.17 above.
- 2.2.19 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in these districts are subject to the following regulations.

##### 3.1.1 Density and Floor Area

- 3.1.1.1 The maximum floor space ratio is 2.20 in the C-5 and C-5A districts and 2.60 in the C-6 district, except that:
- (a) for a hotel existing on or before February 4, 2014, the floor space ratio must not exceed the greater of the floor space ratio existing on September 30, 1986 or the maximum floor space ratio permitted in this section [3.1.1.1](#); and
  - (b) if there is no heritage density available for transfer, the Director of Planning or Development Permit Board may increase the permitted floor area by 1 m<sup>2</sup> for each amenity share provided to the City at no cost to the City, to a maximum of 10% above the maximum permitted floor space ratio, if the Director of Planning or Development Permit Board considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.
- 3.1.1.2 The Director of Planning may increase the permitted floor area for hotel existing on September 30, 1986, by a maximum of 5% if, in the opinion of the Director of Planning, the increase in floor area will result in enhanced pedestrian amenities.
- 3.1.1.3 The Development Permit Board may increase the permitted floor space ratio by a maximum of 10% where the increase results from a transfer of heritage density, except that this increase must not apply to a hotel where the floor area has already been increased pursuant to section [3.1.1.2](#) above or a development where there has been an increase in floor space ratio pursuant to section [3.1.1.1\(b\)](#) above.
- 3.1.1.4 The Director of Planning or Development Permit Board may increase the maximum floor space ratio in the C-5A and C-6 districts for mixed-use residential building, if:
- (a) the floor space ratio does not exceed:
    - (i) 7.00 in the C-5A district, and
    - (ii) 8.75 in the C-6 district, except that the floor space ratio must be at least 1.20 for non-dwelling uses;
  - (b) either a minimum of 20% of the floor area included in the calculation of floor space ratio is developed as social housing, or all dwelling units are secured market rental housing, except that this requirement does not apply to any portion of floor area that is increased pursuant to sections [3.1.1.1\(b\)](#) or [3.1.1.3](#) above; and
  - (c) the Director of Planning or the Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

3.1.1.5 For the purposes of section 3.1.1.3 above, "heritage density" means density provided as compensation for a heritage designation, which is transferred from the site of the designated heritage property to another site in accordance with [Heritage Incentive Program Policies and Procedures](#).

3.1.1.6 Despite section 3.1.1.1(b) above, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this schedule and this by-law.

### 3.1.2 Building Form and Placement

Regulations		C-5 and C-5A	C-6
3.1.2.1	Maximum unit frontage located on a floor having an elevation within 2.0 m of street grade, except for community centre, gasoline station – full serve, gasoline station – split island, parking area, and school – elementary or secondary	7.7 m	no maximum
3.1.2.2	Maximum building height	18.3 m	
3.1.2.3	Front yard	not permitted	
3.1.2.4	Side yard	not permitted	
3.1.2.5	Minimum rear yard and rear setback for portions of a building:		
	(a) not containing dwelling uses	7.6 m	
	(b) containing non-dwelling uses	not required	

### Frontage

3.1.2.6 The Director of Planning or Development Permit Board may increase the maximum unit frontage in the case of a grocery or drug store existing as of May 18, 1993, and for other retail or service uses on the same site if:

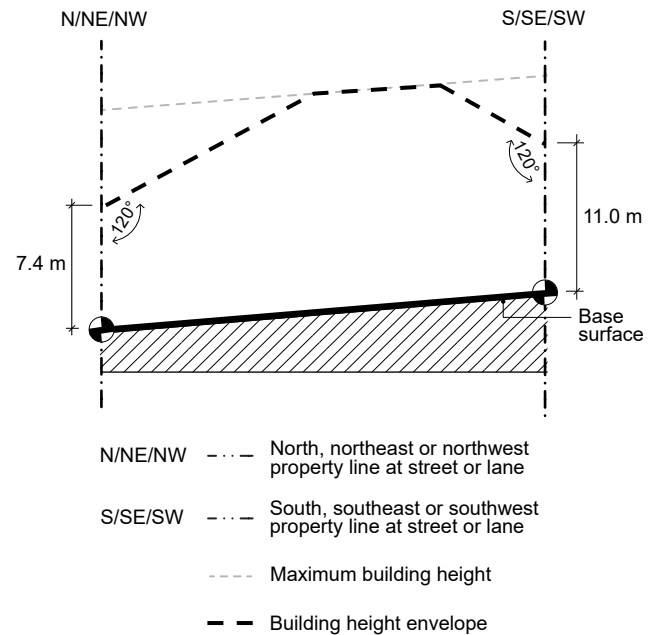
- (a) the Director of Planning or Development Permit Board considers the intent of this schedule and is satisfied that the scale of development at the street property line will relate to pedestrians;
- (b) the site has a frontage exceeding 45.8 m as of May 18, 1993;
- (c) no more than a total of 50% of the frontage of the site is occupied by grocery or drug store, or grocery store with liquor store and their departments, except that this total amount must be interspersed with other retail or service uses; and
- (d) windows at the street property line are clear-glazed and unobstructed so that the interior of the premises are at all times visible from the sidewalk.

- 3.1.2.7 For the purposes of section 3.1.2.6 above, any department of a grocery or drug store, or grocery store with liquor store that has its own check-out facility and entrance/exit door to the street is deemed to be an individual occupancy.

### Building Height

- 3.1.2.8 Despite the maximum building height in section 3.1.2.2 above, no portion of the building may extend above the envelope formed by a vertical line measuring 7.4 m in height at the north, northeast or northwest property line at a street or lane and a vertical line measuring 11.0 m at the south, southeast or southwest property line at a street or lane and a plane formed by an angle of 120 degrees measured from each of the vertical lines.

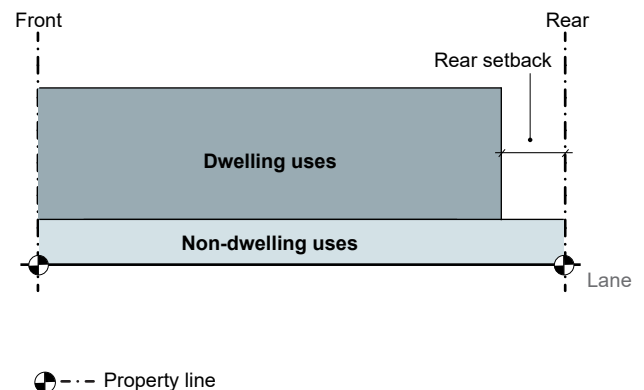
**Diagram: Maximum building height envelope**



- 3.1.2.9 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 64.0 m in the C-5A and C-6 districts if the Director of Planning or Development Permit Board considers:

- the impact on neighbourhood liveability and environmental quality;
- the impact on views, shadowing, privacy, lower level treatment of buildings, and open space; and
- the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

**Diagram: Rear yard and rear setback**



- 3.1.2.10 The Director of Planning or Development Permit Board may permit a portion of a building to extend above the building envelope prescribed in section 3.1.2.8 above, except that the building height must not exceed 18.3 m in the C-5 district, if the Director of Planning or Development Permit Board considers:

- the impact on neighbourhood liveability and environmental quality;
- the impact on views, shadowing, privacy, lower level treatment of buildings, and open space; and

- (c) the intent of this schedule, all applicable Council policies, and guidelines and the submission of any advisory group, property owner or tenant.

3.1.2.11 The Director of Planning or Development Permit Board may vary the maximum building height regulations for a mixed-use residential building in the C-6 district if the Director of Planning or Development Permit Board considers the intent of the schedule and all applicable Council policies and guidelines, and:

- (a) the maximum building height does not exceed 91.4 m; and
- (b) either a minimum of 20% of the floor area included in the calculation of floor space ratio is developed as social housing, or all dwelling units are secured market rental housing.

#### **Front Yard**

3.1.2.12 Despite section 3.1.2.3 above, the Director of Planning may permit a front yard if the Director of Planning is satisfied that shopping continuity and pedestrian amenity along any abutting sidewalk will be achieved.

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

3.1.2.13 Despite section 3.1.2.4 above, the Director of Planning may permit a side yard if:

- (a) a portion of a building contains dwelling uses, in which case that portion may be set back from the side property lines to comply with the horizontal angle of daylight regulations in section 4.4 of this schedule; or
- (b) the Director of Planning is satisfied that shopping continuity and pedestrian amenity along any abutting sidewalk will be achieved.

#### **Rear Yard and Rear Setback**

3.1.2.14 Despite the minimum rear yard depth and rear setback in section 3.1.2.5(b) above, where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

3.1.2.15 The Director of Planning may decrease the rear yard depth and rear setback for dwelling uses, if the Director of Planning is satisfied that residential liveability is achieved for the development site and neighbouring existing or potential dwelling uses.

## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Amenity Shares

4.1.1 For the purposes of this schedule, amenity means conservation of protected heritage property.

4.1.2 For the purposes of this schedule, the cost of an amenity share is the amount specified per m<sup>2</sup> in **Schedule G: Heritage Amenity Share Cost Schedule** of this by-law for the C-5, C-5A and C-6 zoning districts.

### 4.2 Computation of Floor Area

4.2.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.2.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length; and
- (d) 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 area above base surface for that unit.

4.2.3 The Director of Planning may exclude:

- (a) interior public space, including atria and other similar spaces, if:
  - (i) the excluded area does not exceed the lesser of 10% of the permitted floor area or 600 m<sup>2</sup>,
  - (ii) the excluded area is secured by covenant and right-of-way in favour of the City that sets out public access and use, and
  - (iii) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
- (b) amenity areas, including child day care facilities and non-profit recreation facilities, to a maximum area not exceeding the lesser of 10% of the total permitted floor area or 1,000 m<sup>2</sup> if, in the case of

child day care facilities, the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood.

### 4.3 Horizontal Angle of Daylight

- 4.3.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.3.2 For the purposes of section 4.3.1 above, habitable room means any room except a bathroom or kitchen.
- 4.3.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.3.4 The plane or planes referred to in section 4.3.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.3.5 An obstruction referred to in section 4.3.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.3.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
  - (a) the Director of Planning considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 3.7 m.

### 4.4 External Design

- 4.4.1 All developments must provide along all abutting streets any 1 or a combination of:
  - (a) display windows;
  - (b) individualized tenancy unit design;
  - (c) building articulation;
  - (d) pedestrian entrance definition via a recess or projecting canopy; or
  - (e) any other architectural features that facilitate pedestrian interest to the satisfaction of the Director of Planning.
- 4.4.2 The first storey must be built to the front and side property lines except as otherwise permitted in section 3.1.2 of this schedule, while the remaining storeys may terrace back from the property lines.
- 4.4.3 Direct pedestrian access to each individual commercial occupancy which abuts the fronting street of the site must be provided at the fronting street at or near grade level.

- 4.4.4 Continuous weather protection must be provided along the fronting street and flanking street where the adjoining site on the flanking street is in a C district and must:
- (a) have a minimum depth of 1.5 m; and
  - (b) be in the form of:
    - (i) a retractable fabric awning,
    - (ii) a canopy attached to the building face by bolts to facilitate easy removal, or
    - (iii) such other form as may be satisfactory to the Director of Planning and City Engineer.
- 4.4.5 That portion of a building located at the intersection of a fronting and flanking street where the adjoining site on the flanking street is in a C district must be:
- (a) rounded with a minimum radius of 1.8 m;
  - (b) indented or truncated with minimum dimensions of 1.8 m by 1.8 m; or
  - (c) architecturally treated by other means to facilitate pedestrian amenity to the satisfaction of the Director of Planning.
- 4.4.6 Building corners at the intersection of a fronting and flanking street where the adjoining site on the flanking street is in a C district must be accentuated by:
- (a) variances of height;
  - (b) cupolas;
  - (c) domes;
  - (d) other architectural appurtenances; or
  - (e) any proposals varying from the above, to the satisfaction of the Director of Planning.
- 4.4.7 A minimum of 1 pedestrian entrance to commercial uses must be provided from the flanking street where the adjoining site on the flanking street is in a C district.
- 4.4.8 All garbage and recycling container storage areas must be screened from view from nearby sidewalks and dwelling units.
- 4.4.9 Mechanical equipment must be enclosed and set back so as not to be visible from street level or architecturally treated by other means satisfactory to the Director of Planning, and exposed duct work is not permitted.
- 4.4.10 Dwelling uses must provide:
- (a) pedestrian access separate from access to other uses; and
  - (b) a minimum of 1 bicycle rack per 4 dwelling units in an enclosed storage room.

## 5 RELAXATIONS

- 5.1 Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax the maximum floor space ratio for any 1 building that includes 1 or more of such facilities, and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.
- 5.2 In determining the increase in floor area that may be permitted under section 5.1 above, the Development Permit Board must consider:
- (a) the construction cost of the facility;
  - (b) any costs to the developer of continuing maintenance required for the facility;
  - (c) the rental value of the increased floor area;
  - (d) the value of any authorized relaxation of other restrictions; and
  - (e) the opinion of City Council.



## SCHEDULE P

# C-7 and C-8

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage the transition of a predominantly industrial and commercial area into a mixed-use community with a strong residential component, primarily in the form of multiple dwelling and mixed-use residential building, while respecting the needs of existing development. The C-8 district differs from the C-7 district in that it encourages pedestrian-oriented retail uses at grade. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units.

Without limitation, applicable Council policies and guidelines for consideration include the [Arbutus C-7 and C-8 Guidelines](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the C-7 and C-8 districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	
<b>Cultural and Recreational Uses</b>		
Artist Studio	Conditional	<a href="#">2.2.1</a>
Arts and Culture Indoor Event	Outright	<a href="#">2.2.1</a>
Billiard Hall	Conditional	<a href="#">2.2.1</a>
Bowling Alley	Conditional	<a href="#">2.2.1</a>
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	<a href="#">2.2.1</a>
Fitness Centre	Conditional	<a href="#">2.2.1</a>
Hall	Conditional	<a href="#">2.2.1</a>
Library	Outright	<a href="#">2.2.1</a>
Museum or Archives	Outright	<a href="#">2.2.1</a>
Park or Playground	Conditional	
Rink	Conditional	<a href="#">2.2.1</a>
Swimming Pool	Conditional	<a href="#">2.2.1</a>
Theatre	Conditional	<a href="#">2.2.1</a>
Zoo or Botanical Garden	Conditional	<a href="#">2.2.1</a>
<b>Dwelling Uses</b>		
Infill	Conditional	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a>
Multiple Conversion Dwelling, resulting from the conversion of a building existing prior to June 18, 1956	Conditional	<a href="#">2.2.3</a>
Multiple Dwelling, only in the C-7 District	Conditional	
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	

Use	Approval	Use-Specific Regulations
Seniors Supportive or Assisted Housing	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1
Child Day Care Facility	Conditional	2.2.1
Church	Conditional	2.2.1
Community Care Facility – Class A	Conditional	2.2.1
Community Care Facility – Class B	Conditional	2.2.1
Group Residence	Conditional	2.2.1
Public Authority Use	Conditional	2.2.1
School – Elementary or Secondary	Outright	2.2.1
School – University or College	Outright	2.2.1
Social Service Centre	Conditional	2.2.1
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Conditional	2.2.1
Clothing Manufacturing	Conditional	2.2.1
Dairy Products Manufacturing	Conditional	2.2.1
Electrical Products or Appliances Manufacturing	Conditional	2.2.1
Food or Beverages Products Manufacturing – Class B	Conditional	2.2.1
Furniture and Fixtures Manufacturing	Conditional	2.2.1
Ice Manufacturing	Conditional	2.2.1
Jewellery Manufacturing	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class B	Conditional	2.2.1
Printing or Publishing	Conditional	2.2.1
Textiles or Knit Goods Manufacturing	Conditional	2.2.1
<b>Office Uses</b>		
Financial Institution	Outright	2.2.1
General Office	Outright	2.2.1
Health Care Office	Outright	2.2.1
Health Enhancement Centre	Conditional	2.2.1
<b>Parking Uses</b>		
Parking Area	Conditional	
<b>Retail Uses</b>		
Cannabis Store	Conditional	2.2.1
Farmers' Market	Conditional	2.2.4

Use	Approval	Use-Specific Regulations
Gasoline Station – Full Serve, only in the C-8 district	Conditional	
Gasoline Station – Split Island, only in the C-8 district	Conditional	
Grocery or Drug Store, only in the C-8 district	Outright	2.2.1
Grocery Store with Liquor Store, only in the C-8 district	Conditional	2.2.1
Liquor Store, only in the C-8 district	Conditional	2.2.1
Pawnshop, only in the C-8 district	Conditional	2.2.1
Public Bike Share	Conditional	
Retail Store, only in the C-8 district	Outright	2.2.1
Secondhand Store, only in the C-8 district	Conditional	2.2.1
Small-Scale Pharmacy, only in the C-8 district	Conditional	2.2.1
Vehicle Dealer, only in the C-8 district	Conditional	
<b>Service Uses</b>		
Animal Clinic	Conditional	2.2.1
Auction Hall	Conditional	2.2.1
Barber Shop or Beauty Salon	Outright	2.2.1
Beauty and Wellness Centre	Outright	2.2.1
Bed and Breakfast Accommodation	Conditional	2.2.1
Catering Establishment	Conditional	2.2.1
Laboratory	Conditional	2.2.1
Laundromat or Dry Cleaning Establishment	Conditional	2.2.1
Motor Vehicle Repair Shop, only in the C-8 district	Conditional	2.2.1
Motor Vehicle Wash, only in the C-8 district	Conditional	2.2.1
Neighbourhood Public House	Conditional	
Photofinishing or Photography Laboratory	Outright	2.2.1
Photofinishing or Photography Studio	Outright	2.2.1
Print Shop	Outright	2.2.1
Production or Rehearsal Studio	Conditional	2.2.1
Repair Shop – Class B	Conditional	2.2.1
Restaurant – Class 1	Conditional	
School – Arts or Self-Improvement	Conditional	2.2.1
School – Business	Outright	2.2.1
School – Vocational or Trade	Conditional	2.2.1
Short Term Rental Accommodation	Conditional	2.2.1
Wedding Chapel, only in the C-8 district	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
Work Shop	Conditional	<a href="#">2.2.1</a>
<b>Transportation and Storage Uses</b>		
Mini-Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Taxicab or Limousine Station	Conditional	
Works Yard	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Conditional	<a href="#">2.2.1</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>Wholesale Uses</b>		
Lumber and Building Materials Establishment	Conditional	<a href="#">2.2.1</a>
Wholesaling – Class A	Conditional	<a href="#">2.2.1</a>
Wholesaling – Class B	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.5</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>
Any other use that is not specifically listed as an outright approval use in this section <a href="#">2.1</a> but that was existing as of December 12, 1995	Outright	<a href="#">2.2.1</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 All outright approval uses listed in section [2.1](#) of this schedule, and all conditional approval uses listed in section [2.1](#) of this schedule that are commercial uses, must be carried on wholly within a completely enclosed building, other than the following:

- (a) display of flowers, plants, fruits and vegetables;
- (b) farmers' market;

- (c) gasoline station – full serve;
- (d) gasoline station – split island;
- (e) neighbourhood public house;
- (f) outside storage for any outright approval use that is not specifically listed as an outright approval use in section 2.1 of this schedule but that was existing as of December 12, 1995;
- (g) parking and loading facilities;
- (h) public bike share;
- (i) restaurant;
- (j) taxicab or limousine station;
- (k) urban farm – class B; and
- (l) vehicle dealer,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this schedule.

2.2.2 Any of the non-dwelling uses listed in section 2.1 of this schedule are permitted in a mixed-use residential building.

2.2.3 Multiple conversion dwelling, resulting from the conversion of a building existing prior to June 18, 1956, may be permitted if:

- (a) the Director of Planning considers:
  - (i) the quality and liveability of the resulting units,
  - (ii) the suitability of the building for conversion in terms of age and size, and
  - (iii) the impact of the conversion on adjacent properties and the character of the area; and
- (b) no housekeeping or sleeping units are created.

2.2.4 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.5 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height measured to:
  - (i) the highest point of a flat roof,

- (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
- provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
    - (i) in the rear yard, and
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 15% of the total site area,

except that the Director of Planning may vary the maximum height, the location regulations, and the floor area regulations to a maximum total floor area not exceeding 33.3% of the gross floor area of the principal use.

- 2.2.6 Accessory uses customarily ancillary to any outright approval use in section 2.1 of this schedule are permitted provided that the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal use, unless permitted as an outright approval use pursuant to section 2.1 of this schedule, except that the Director of Planning may vary the floor area regulations to a total floor area not exceeding 33.3% of the gross floor area of the principal use.
- 2.2.7 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.6 above.
- 2.2.8 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in these districts are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio:

- (a) for uses not specifically listed as outright approval uses in section 2.1 of this schedule and that were existing as of December 12, 1995, must not exceed the floor space ratio of the building on site as of December 12, 1995, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 2.25, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant; and
- (b) is 0.75 for all other uses, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 2.25, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

##### 3.1.2 Building Form and Placement

Regulations		C-7	C-8
3.1.2.1	Maximum building height	12.2 m	
3.1.2.2	Minimum average front yard depth	3.1 m	not permitted
3.1.2.3	Side yard width	not required	
3.1.2.4	Minimum rear yard depth	3.1 m	
3.1.2.5	Minimum rear setback for any portion of a building:		
	(a) containing dwelling uses	7.6 m	
	(b) not containing dwelling uses but located above the first storey, except roof decks at the second storey level	7.6 m	



## Building Height

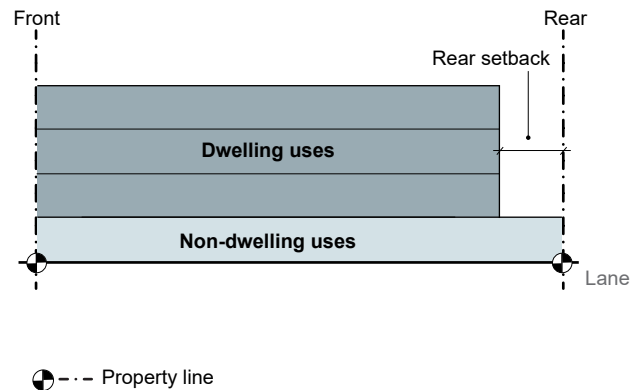
3.1.2.6 Despite the maximum building height in section 3.1.2.1 above, on sites with front yards or exterior side yards adjacent to an R district, with or without the intervention of a street, the maximum building height is 9.5 m for a distance of 4.6 m from the front or side property line adjacent to the R district.

3.1.2.7 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding:

- (a) 13.8 m with respect to any development;
- (b) 18.3 m to improve residential liveability; and
- (c) 24.4 m to facilitate the retention of heritage structures,

if the Director of Planning or Development Permit Board considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

**Diagram: Mixed-use residential building with non-dwelling uses on the first storey**



## Front Yard and Front Setback

3.1.2.8 For any parking area, a setback of 1.2 m from the front property line is required.

3.1.2.9 The Director of Planning may decrease the minimum average front yard depth in the C-7 district where the development does not contain dwelling uses, community care facilities or group residences within 2.0 m of street grade, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.1.2.10 In the C-8 district, the Director of Planning may permit:

- (a) a front yard or front setback where a pedestrian or shopping courtyard or other features benefitting pedestrian character are provided; or
- (b) a front setback to improve the liveability of dwelling uses, community care facilities or group residences above grade,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

## Side Yard and Side Setback

3.1.2.11 Despite the side yard requirement in section 3.1.2.3 above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

- 3.1.2.12 Despite the minimum side yard width in section 3.1.2.3, in the case of a corner site, the exterior side yard requirements are the same as the front yard requirements in section 3.1.2.2 above.
- 3.1.2.13 For any parking area on a corner site, a setback of 1.2 m from the side property line abutting the flanking street is required.

#### **Rear Yard and Rear Setback**

- 3.1.2.14 Despite the minimum rear yard depth or rear setback in sections 3.1.2.4 and 3.1.2.5 above, where the rear of a site abuts a lane, the required minimum rear yard depth or rear setback will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.15 The Director of Planning may decrease the minimum rear yard depth or rear setback to improve the liveability of dwelling uses, community care facilities or group residences, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines and the submission of any advisory group, property owner or tenant.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings, including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for parking space does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreational facilities and meeting rooms accessory to a dwelling use, to a maximum floor area of 10% of the total permitted floor area if, in the case of child day care facilities, the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood; and
- (e) 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 area above base surface for that unit.

4.1.3 The Director of Planning may permit enclosed residential balconies to be excluded in the computation of floor area, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or deck exclusions may not exceed 8% of the permitted residential floor area; and
- (b) no more than 50% of the excluded balcony floor area may be enclosed.

## 4.2 Horizontal Angle of Daylight

- 4.2.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.2.2 For the purposes of section 4.2.1 above, habitable room means any room except a bathroom or kitchen.
- 4.2.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.2.4 The plane or planes referred to in section 4.2.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.2.5 An obstruction referred to in section 4.2.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.2.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
  - (a) the Director of Planning considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 3.7 m.

## 4.3 Acoustics

- 4.3.1 In the C-7 district, an acoustical report in accordance with Section 10 of this by-law is not required for developments having only dwelling uses and not abutting West 12th Avenue or the CPR rail right-of-way.

## SCHEDULE Q

# FC-1

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit and encourage the development of a high-density mixed commercial use neighbourhood, including some dwelling and compatible industrial uses. For commercial development, a variety of small-scale retail and service uses are encouraged. Larger, more regional-oriented office and retail commercial uses are limited in size for individual sites.

The retention and upgrading of existing multi-unit residential buildings and the development of new residential units on upper floors of commercial buildings are encouraged. Similarly, the development of new hotels is encouraged, provided that these do not result in the conversion of existing residential units. New residential and hotel development will occur mostly to the west of Main Street, oriented to False Creek and the waterfront park system. Special design measures, however, will be necessary to mitigate the air and noise pollution problems, particularly adjacent to some existing industries and major traffic streets.

Higher building forms will be concentrated adjacent to the Main Street and Terminal Avenue area, with a transition to medium-scaled buildings around Thornton Park and adjacent to existing development on the northerly part of Main Street.

Without limitation, applicable Council policies and guidelines for consideration include the [East False Creek FC-1 Guidelines](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the FC-1 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Cultural and Recreational Uses</b>		
Arcade	Conditional	<a href="#">2.2.1</a>
Artist Studio	Conditional	<a href="#">2.2.1</a>
Arts and Culture Indoor Event	Outright	<a href="#">2.2.1</a>
Billiard Hall	Conditional	<a href="#">2.2.1</a>
Bingo Hall	Conditional	<a href="#">2.2.1</a>
Bowling Alley	Outright	<a href="#">2.2.1</a>
Casino – Class 1	Conditional	<a href="#">2.2.1</a>
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Outright	<a href="#">2.2.1</a>
Fitness Centre	Outright	<a href="#">2.2.1</a>
Hall	Outright	<a href="#">2.2.1</a>
Library	Outright	<a href="#">2.2.1</a>
Museum or Archives	Conditional	<a href="#">2.2.1</a>
Park or Playground	Conditional	
Rink	Outright	<a href="#">2.2.1</a>
Swimming Pool	Outright	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Theatre	Outright	2.2.1
Zoo or Botanical Garden	Conditional	2.2.1
<b>Dwelling Uses</b>		
Mixed-Use Residential Building	Conditional	2.2.2, 2.2.3, 2.2.4
Micro Dwelling	Conditional	2.2.2
Multiple Dwelling	Conditional	2.2.2, 2.2.5
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	2.2.2
Rooming House	Conditional	2.2.2, 2.2.5
Seniors Supportive or Assisted Housing	Conditional	2.2.2
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1
Child Day Care Facility	Conditional	2.2.1
Church	Conditional	2.2.1
Community Care Facility – Class B	Conditional	2.2.1
Detoxification Centre	Conditional	2.2.1
Group Residence	Conditional	2.2.1
Public Authority Use	Conditional	2.2.1
School – Elementary or Secondary	Conditional	2.2.1
School – University or College	Outright	2.2.1
<b>Manufacturing Uses</b>		
Clothing Manufacturing	Conditional	2.2.1
Jewellery Manufacturing	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class B	Conditional	2.2.1
Printing and Publishing	Conditional	2.2.1
<b>Office Uses</b>		
Financial Institution	Outright	2.2.1
General Office	Outright	2.2.1
Health Care Office	Conditional	2.2.1
Health Enhancement Centre	Conditional	2.2.1
<b>Parking Uses</b>		
Parking Uses	Conditional	

Use	Approval	Use-Specific Regulations
<b>Retail Uses</b>		
Cannabis Store	Outright	2.2.1
Farmers' Market	Conditional	2.2.5
Furniture or Appliance Store	Outright	2.2.1
Gasoline Station – Full Serve	Conditional	
Gasoline Station – Split Island	Conditional	
Grocery or Drug Store	Outright	2.2.1
Grocery Store with Liquor Store	Conditional	2.2.1
Liquor Store	Conditional	2.2.1
Pawnshop	Conditional	2.2.1
Public Bike Share	Conditional	
Retail Store	Outright	2.2.1
Secondhand Store	Conditional	2.2.1
Small-Scale Pharmacy	Conditional	2.2.1
Vehicle Dealer	Conditional	
<b>Service Uses</b>		
Animal Clinic	Conditional	2.2.1
Auction Hall	Outright	2.2.1
Barber Shop or Beauty Salon	Outright	2.2.1
Beauty and Wellness Centre	Outright	2.2.1
Bed and Breakfast Accommodation	Conditional	2.2.1
Cabaret	Conditional	2.2.1
Catering Establishment	Outright	2.2.1
Drive-Through Service	Conditional	
Funeral Home	Conditional	2.2.1
Hotel	Conditional	2.2.1, 2.2.2
Laboratory	Conditional	2.2.1
Laundromat or Dry Cleaning Establishment	Outright	2.2.1
Motor Vehicle Repair Shop	Conditional	2.2.1
Motor Vehicle Wash	Conditional	2.2.1
Neighbourhood Public House	Conditional	
Photofinishing or Photography Laboratory	Conditional	2.2.1
Photofinishing or Photography Studio	Outright	2.2.1
Print Shop	Outright	2.2.1



Use	Approval	Use-Specific Regulations
Production or Rehearsal Studio	Conditional	<a href="#">2.2.1</a>
Repair Shop – Class A	Conditional	<a href="#">2.2.1</a>
Repair Shop – Class B	Outright	<a href="#">2.2.1</a>
Restaurant – Class 1	Outright	
Restaurant – Class 2	Conditional	<a href="#">2.2.1</a>
Restaurant – Drive-In	Conditional	
School – Arts or Self-Improvement	Outright	<a href="#">2.2.1</a>
School – Business	Outright	<a href="#">2.2.1</a>
School – Vocational or Trade	Outright	<a href="#">2.2.1</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.1</a>
Sign Painting Shop	Outright	<a href="#">2.2.1</a>
Wedding Chapel	Conditional	<a href="#">2.2.1</a>
<b>Transportation and Storage Uses</b>		
Mini-Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Railway Station or Rail Yard	Conditional	<a href="#">2.2.1</a>
Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Taxicab or Limousine Station	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Conditional	<a href="#">2.2.1</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>Wholesale Uses</b>		
Lumber and Building Materials Establishment	Conditional	
Wholesaling – Class A	Conditional	<a href="#">2.2.1</a>
Wholesaling – Class B	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright use	Conditional	<a href="#">2.2.1</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 All outright approval uses listed in section 2.1 of this schedule, and all conditional approval uses listed in section 2.1 of this schedule that are commercial uses, must be carried on wholly within a completely enclosed building, other than the following:

- (a) display of flowers and vegetables;
- (b) drive-through service;
- (c) farmers' market;
- (d) gasoline station – full serve;
- (e) gasoline station – split island;
- (f) lumber and building material establishment;
- (g) neighbourhood public house;
- (h) parking and loading facilities;
- (i) public bike share;
- (j) restaurant – class 1;
- (k) restaurant – drive-in;
- (l) taxicab or limousine station; and
- (m) vehicle dealer,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this schedule.

2.2.2 The conversion or upgrading of existing dwelling uses to hotels or other uses is subject to all applicable Council policies and guidelines regarding the protection of existing tenants.

2.2.3 Mixed-use residential building, multiple dwelling and rooming house may be permitted if the Director of Planning considers the site suitable for dwelling use.

2.2.4 Any of the non-dwelling uses listed in section 2.1 of this schedule are permitted in a mixed-use residential building.

2.2.5 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

- 2.2.6 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height; and
  - (b) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.
- 2.2.7 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 5.00, except that if a development includes a dwelling use where all dwelling units are social housing, the floor space ratio is 6.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for dwelling uses, or 4.50 for dwelling uses where all dwelling units are social housing;
- (b) the maximum floor space ratio is 4.00 for hotel;
- (c) the maximum floor space ratio is 1.50 for office uses or detoxification centre;
- (d) the maximum floor space ratio is 1.00 for retail or service uses, other than hotel; and
- (e) the maximum floor space ratio is 3.00 for all other non-dwelling uses combined, or 4.00 where a development includes hotel with a floor space ratio of at least 1.00.

3.1.1.2 Despite the provisions of section 3.1.1.1 above, the Director of Planning or Development Permit Board may increase the permitted floor space ratio by a maximum of 10% for the conservation of heritage property if:

- (a) Council first approves a heritage designation by-law;
- (b) the development includes substantial retention of the existing structure and historically appropriate conservation treatments; and
- (c) the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

##### 3.1.2 Building Form and Placement

Regulations		FC-1
3.1.2.1	Maximum unit frontage for uses on the ground level	15.3 m
3.1.2.2	Maximum building height	22.9 m

Regulations	FC-1
3.1.2.3 Minimum front setback for sites:	
(a) on the west side of Main Street, south of Terminal Avenue	3.0 m
(b) on the south side of Terminal Avenue, from Main Street to Quebec Street	6.0 m

### **Building Height**

- 3.1.2.4 The Director of Planning or Development Permit Board may increase in the maximum building height to a height not exceeding 83.9 m if the Director of Planning or Development Permit Board considers:
- (a) overshadowing;
  - (b) view obstruction; and
  - (c) other environmental criteria set out in all applicable Council policies and guidelines.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings, both above and below ground level, measured to the extreme outer limits of the building, including accessory buildings.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above the base surface and where developed as off-street parking are located in an accessory building in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) elevator shafts, laundry rooms and entrance lobbies provided that the areas are ancillary to dwelling use;
- (e) social and recreational amenities and facilities as listed below, provided that the total area of such excluded facilities does not exceed the lesser of 20% of the permitted floor area or 1,000 m<sup>2</sup>, and that such facilities are open to and primarily for the use of residents, tenants and employees:
  - (i) saunas,
  - (ii) tennis courts,
  - (iii) swimming pools,
  - (iv) squash courts,
  - (v) gymnasiums and work out rooms,
  - (vi) games room and hobby rooms, and
  - (vii) other similar related indoor uses of a recreational nature which in the opinion of the Director of Planning contribute to social amenity; and

- (f) 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 area above base surface for that unit.

4.1.3 The Director of Planning may permit the following to be excluded from the computation of floor area:

- (a) enclosed residential balconies, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines and approves the design of any balcony enclosure, except that:
  - (i) the total area of all open and enclosed balcony or deck exclusions does not exceed 8% of the permitted residential floor area, and
  - (ii) no more than 50% of the excluded balcony floor area may be enclosed; and
- (b) interior public space, including atria and other similar spaces, if:
  - (i) the total excluded area does not exceed the lesser of 10% of the permitted floor area or 600 m<sup>2</sup>,
  - (ii) the excluded area is secured by covenant and right of way in favour of the City that set out public access and use, and
  - (iii) the Director of Planning considers the intent of this schedule all applicable Council policies and guidelines.

## 5 RELAXATIONS

5.1 The Director of Planning may relax the maximum unit frontage regulation in section [3.1.2.1](#) of this schedule if:

- (a) a pedestrian amenity area such as a courtyard or resting area is provided, or where pedestrian interest is otherwise maintained; and
- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

5.2 Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax the maximum floor space ratio or density for any 1 building that includes 1 or more of such facilities, and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates and in determining the amount of the increase in floor area or density that may be permitted, the Development Permit Board must consider:

- (a) the construction cost of the facility;
- (b) any costs to the developer of continuing maintenance required for the facility;
- (c) the rental value of the increased floor area;

- (d) the value of any authorized relaxation of other restrictions; and
- (e) the opinion of City Council.



## SCHEDULE R

# FC-2

## District Schedule

### 1 INTENT AND OVERVIEW

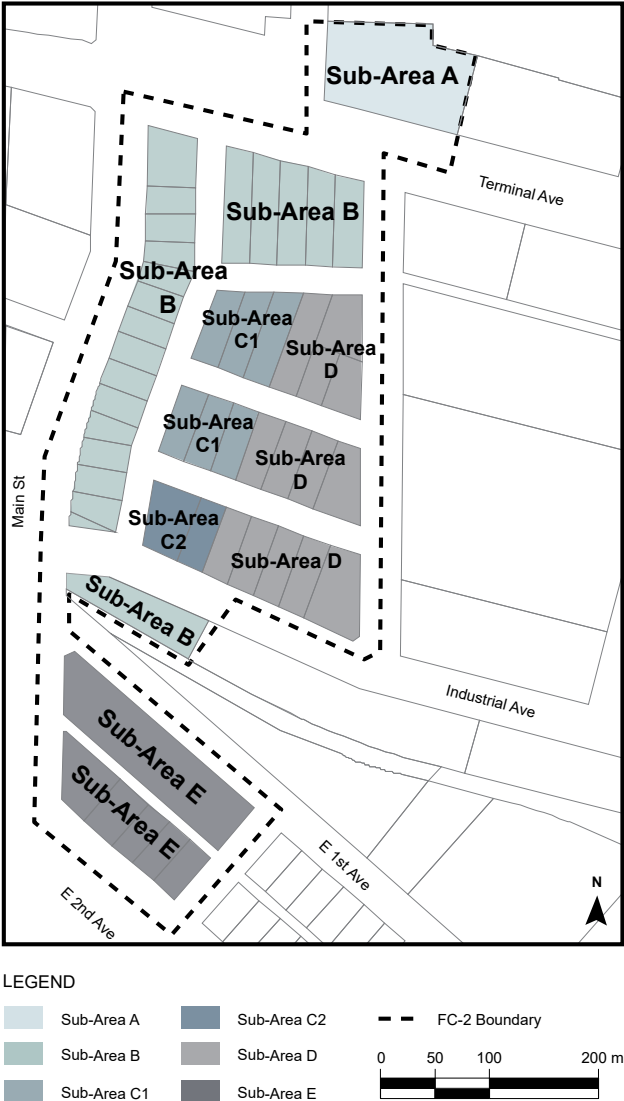
#### 1.1 Intent

The intent of this schedule is to permit and encourage the development of a high-density mixed-use neighbourhood, including some dwelling and compatible industrial uses, and job space to support a wide spectrum of economic uses representing the broader False Creek Flats economy. This includes the creative, cultural and food economy, industrial production, research and development, and employment intensification. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

The FC-2 district consists of 6 sub-areas identified as “sub-area A”, “sub-area B”, “sub-area C1”, sub-area C2”, “sub-area D” and “sub-area E” in [Map 1: Sub-Areas A, B, C1, C2, D and E in the FC-2 District](#) for the purpose of establishing permitted uses, floor area and building height.

Without limitation, applicable Council policies and guidelines for consideration include the [False Creek Flats Urban Design and Development Policies and Guidelines for FC-2 – The Innovation Hub](#).

Map 1: Sub-Areas A, B, C1, C2, D and E in the FC-2 District



1.2 Overview

The table below provides an overview of outright and conditional approval uses in the FC-2 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in sub-areas A and B	3.1
	All uses in sub-area C1	3.2
	All uses in sub-areas C2 and D	3.3
	All uses in sub-area E	3.4

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	<a href="#">2.2.1</a>
<b>Cultural and Recreational Uses</b>		
Artist Studio	Outright	<a href="#">2.2.2</a>
Arts and Culture Indoor Event	Outright	<a href="#">2.2.2</a>
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	<a href="#">2.2.1</a>
Fitness Centre	Conditional	<a href="#">2.2.1</a>
Hall	Conditional	<a href="#">2.2.1</a>
Park or Playground	Conditional	<a href="#">2.2.1</a>
Theatre	Outright	<a href="#">2.2.2</a>
<b>Dwelling Uses</b>		
Micro Dwelling, only in sub-areas B, C1, C2 and E	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
Mixed-Use Residential Building, only in sub-areas B, C1, C2 and E	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a> , <a href="#">2.2.4</a>
Residential Unit associated with and forming an integral part of an Artist Studio, only in sub-areas B, C1, C2 and E	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
Temporary Modular Housing, only in sub-areas B, C1, C2 and E	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>

Use	Approval	Use-Specific Regulations
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a>
Child Day Care Facility	Conditional	<a href="#">2.2.1</a>
Public Authority Use	Conditional	<a href="#">2.2.1</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a>
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	<a href="#">2.2.2</a>
Batteries Manufacturing	Conditional	<a href="#">2.2.1</a>
Brewing or Distilling	Conditional	<a href="#">2.2.1</a>
Clothing Manufacturing	Outright	<a href="#">2.2.2</a>
Creative Products Manufacturing	Outright	<a href="#">2.2.2</a>
Dairy Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Electrical Products or Appliances Manufacturing	Conditional	<a href="#">2.2.1</a>
Food or Beverage Products Manufacturing – Class A	Conditional	<a href="#">2.2.1</a>
Food or Beverage Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a>
Furniture or Fixtures Manufacturing	Outright	<a href="#">2.2.2</a>
Information Communication Technology Manufacturing	Outright	<a href="#">2.2.2</a>
Jewellery Manufacturing	Outright	<a href="#">2.2.2</a>
Leather Products Manufacturing	Outright	<a href="#">2.2.2</a>
Machinery or Equipment Manufacturing	Conditional	<a href="#">2.2.1</a>
Metal Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Miscellaneous Products Manufacturing – Class A	Conditional	<a href="#">2.2.1</a>
Miscellaneous Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a>
Motor Vehicle Parts Manufacturing	Conditional	<a href="#">2.2.1</a>
Non-Metallic Mineral Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Paper Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Plastic Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Printing or Publishing	Outright	<a href="#">2.2.2</a>
Rubber Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Shoes or Boots Manufacturing	Outright	<a href="#">2.2.2</a>
Textiles or Knit Goods Manufacturing	Outright	<a href="#">2.2.2</a>
Transportation Equipment Manufacturing	Conditional	<a href="#">2.2.1</a>
Wood Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a>
<b>Office Uses</b>		

Use	Approval	Use-Specific Regulations
Financial Institution	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
General Office	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a> , <a href="#">2.2.5</a>
Health Care Office, only in sub-areas A and E	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
<b>Parking Uses</b>		
Parking Uses	Conditional	<a href="#">2.2.1</a>
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>
Neighbourhood Grocery Store	Conditional	<a href="#">2.2.1</a>
Public Bike Share	Conditional	<a href="#">2.2.1</a>
Retail Store	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>
<b>Service Uses</b>		
Animal Clinic	Conditional	<a href="#">2.2.1</a>
Auction Hall	Conditional	<a href="#">2.2.1</a>
Catering Establishment	Outright	<a href="#">2.2.2</a>
Hotel	Conditional	<a href="#">2.2.1</a>
Laboratory	Outright	<a href="#">2.2.2</a>
Laundry or Cleaning Plant	Conditional	<a href="#">2.2.1</a>
Motor Vehicle Repair Shop	Conditional	<a href="#">2.2.1</a>
Neighbourhood Public House	Conditional	<a href="#">2.2.1</a>
Photofinishing or Photography Laboratory	Outright	<a href="#">2.2.2</a>
Photofinishing or Photography Studio	Outright	<a href="#">2.2.2</a>
Print Shop	Outright	<a href="#">2.2.2</a>
Production or Rehearsal Studio	Outright	<a href="#">2.2.2</a>
Repair Shop – Class A	Outright	<a href="#">2.2.2</a>
Repair Shop – Class B	Conditional	<a href="#">2.2.1</a>
Restaurant – Class 1	Outright	<a href="#">2.2.2</a>
Restaurant – Class 2	Conditional	<a href="#">2.2.1</a>
School – Vocational or Trade	Outright	<a href="#">2.2.2</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.1</a>
Sign Painting Shop	Outright	<a href="#">2.2.2</a>
Work Shop	Outright	<a href="#">2.2.2</a>
<b>Transportation and Storage Uses</b>		
Bulk Data Storage	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>

Use	Approval	Use-Specific Regulations
Cold Storage Plant	Conditional	<a href="#">2.2.1</a>
Packaging Plant	Conditional	<a href="#">2.2.1</a>
Railway Station or Rail Yard	Conditional	<a href="#">2.2.1</a>
Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Taxicab or Limousine Station	Conditional	<a href="#">2.2.1</a>
Truck Terminal or Courier Depot	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Outright	<a href="#">2.2.2</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>Wholesale Uses</b>		
Wholesaling – Class A	Conditional	<a href="#">2.2.1</a>
Wholesaling – Class B	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.8</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.9</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Any outright approval use listed in this section <a href="#">2.1</a> that does not comply with the applicable use-specific regulations in section <a href="#">2.2.2</a> of this schedule	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

### 2.2.1 Conditional approval uses listed in section [2.1](#) of this schedule:

- (a) that are commercial uses, must be carried on wholly within a completely enclosed building, other than the following:
  - (i) display of flowers, plants, fruits and vegetables,
  - (ii) farmers' market,
  - (iii) neighbourhood grocery store,

- (iv) neighbourhood public house,
- (v) park or playground,
- (vi) parking and loading facilities,
- (vii) parking uses,
- (viii) public bike share,
- (ix) restaurant – class 2,
- (x) retail store,
- (xi) transportation and storage uses, and
- (xii) urban farm – class B,

except that the Director of Planning may vary this regulation if appropriate measures are taken, to the satisfaction of the Director of Planning, to minimize any dangerous, injurious, noxious or otherwise objectionable impacts that could adversely affect the surrounding area and adjoining non-industrial districts;

- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: ammunition, explosives, fireworks, flares or matches; compressed gas, petroleum, coal tar products or derivatives; or radioactive materials;
- (c) must not involve the keeping of live animals, except for animal clinic;
- (d) may involve the storage of the following only if they are wholly within a completely enclosed building: animal oil or fat, fish, fish oil or meal, or vegetable oil; fertilizer; flammable liquids or solids; fungicides, herbicides or pesticides; grain, hops or sugar; lime; paints, oil shellac, turpentine or varnishes; rags or cotton waste; or toxic or corrosive chemicals or acids; and
- (e) may involve the storage of goods or materials only if they are wholly within a completely enclosed building, unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

#### 2.2.2 Outright approval uses listed in section 2.1 of this schedule:

- (a) other than cultural and recreational uses, production or rehearsal studio, and restaurant – class 1, must be carried on wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment that the Director of Planning considers similar to the foregoing;
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives; explosives, fireworks, ammunition, matches or flares; or radioactive material;
- (c) must not involve the keeping of live animals, except for laboratory; and

- (d) may involve the storage of the following only if they are wholly within a completely enclosed building: animal oil or fat, fish, fish oil or meal, or vegetable oil; fertilizer; flammable liquids or solids; fungicides, herbicides or pesticides; grain, hops or sugar; lime; paint, varnish, oil shellac or turpentine; rags or cotton waste; scrap or junk; or toxic or corrosive chemicals or acids.

2.2.3 Any of the non-dwelling uses listed in section 2.1 of this schedule are permitted in a mixed-use residential building.

2.2.4 Dwelling uses, office uses and bulk data storage are not permitted at grade, except for entrances.

2.2.5 In sub-areas B, C1, C2 and D, general office may not include the offices of accountants, lawyers, notary publics, or real estate, advertising, insurance, travel and ticket agencies.

2.2.6 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.7 Retail store is limited to:

- (a) the sale of art and hand-crafted products; and
- (b) limited service food establishment, which means the use of premises for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where:
  - (i) the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises,
  - (ii) customers may also purchase food for take-out, and
  - (iii) live entertainment is not available.

2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
  - (i) in the rear yard, and
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and



- (c) the total floor area of an accessory building, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.

2.2.9 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule are permitted if:

(a) accessory retail use:

- (i) is not combined with any wholesale use,
- (ii) has a floor area limited to the lesser of 33.3% of the gross floor area of the principal and accessory uses combined or 500 m<sup>2</sup>, and
- (iii) is separated from the floor area of other uses by a wall, unless the accessory retail use is associated with an artist studio; and

(b) all uses, other than accessory retail use, are not accessible to the public.

2.2.10 Any use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses in Sub-Areas A and B

All uses in sub-areas A and B of this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 In sub-area A, the maximum floor space ratio is 7.00, subject to the following allocations:

- (a) the maximum floor space ratio is 6.75 for office uses;
- (b) the maximum floor space ratio is 4.00 for hotel;
- (c) the maximum floor space ratio is 1.00 for retail uses or service uses, other than hotel, except that the floor area for:
  - (i) restaurant – class 1 must not exceed 300 m<sup>2</sup>, and
  - (ii) restaurant – class 2 must not exceed 300 m<sup>2</sup>; and
- (d) the maximum floor space ratio is 3.00 for all other uses combined,

provided that the Director of Planning or Development Permit Board considers: the relationship of the development with nearby residential areas; the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets, and existing views; the amount of open space, including plazas, and the impact of overall design on the general amenity of the area; the impact of the development on traffic in the area; the provision for pedestrian needs; and the intent of this schedule and all applicable Council policies and guidelines.

###### 3.1.1.2 In sub-area B, the maximum floor space ratio is:

- (a) 5.00 for non-dwelling uses, except that the floor area for:
  - (i) restaurant – class 1 must not exceed 300 m<sup>2</sup>, and
  - (ii) restaurant – class 2 must not exceed 300 m<sup>2</sup>; and
- (b) 3.00 for dwelling uses.

###### 3.1.1.3 Despite section 3.1.1.2 above, the Director of Planning or Development Permit Board may increase the permitted floor space ratio in sub-area B to a maximum of 6.50, provided that:

- (a) the floor space ratio for dwelling uses does not exceed 5.00; and
- (b) the Director of Planning or Development Permit Board considers: the relationship of the development with nearby residential areas; the height, bulk, location and overall design of the building and its

impact on the site, surrounding buildings and streets, and existing views; the amount of open space, including plazas, and the impact of overall design on the general amenity of the area; the impact of the development on traffic in the area; the provision for pedestrian needs; the design and liveability of any dwelling uses; and the intent of this schedule and all applicable Council policies and guidelines.

### 3.1.2 Building Form and Placement

Regulations		Sub-Areas A and B
3.1.2.1	Maximum building height	22.9 m
3.1.2.2	Minimum front yard depth	0.6 m
3.1.2.3	Side yard	not permitted
3.1.2.4	Minimum rear yard depth	0.6 m

### Building Height and Floor-to-Floor Height

- 3.1.2.5 The minimum floor-to-floor height of the first floor of a building is 6.0 m, except for buildings existing as of October 31, 2017.
- 3.1.2.6 The Director of Planning may decrease the minimum floor-to-floor height in section [3.1.2.5](#) above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.1.2.7 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 51.8 m if the Director of Planning or Development Permit Board considers:
- (a) the relationship of the development with nearby residential areas;
  - (b) the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets and existing views;
  - (c) the amount of open space, including plazas, and the impact of overall design on the general amenity of the area;
  - (d) the provision for pedestrian needs;
  - (e) the preservation of the character and general amenity desired for the area; and
  - (f) the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, neighbouring property owner or tenant.

### Front yard and front setback

- 3.1.2.8 A minimum front setback of 1.2 m is required for any parking area.

- 3.1.2.9 The Director of Planning may decrease the minimum front yard depth or front setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### **Side yard and side setback**

- 3.1.2.10 Despite section 3.1.2.3 above, in the case of a corner site, the exterior side yard width and side setback requirements are the same as the front yard depth and front setback requirements in sections 3.1.2.2 and 3.1.2.8 above.
- 3.1.2.11 The Director of Planning may decrease the minimum side yard width or side setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### **Rear yard**

- 3.1.2.12 The Director of Planning may decrease the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 3.2 All Uses in Sub-Area C1

All uses in sub-area C1 of this district are subject to the following regulations.

### 3.2.1 Density and Floor Area in Sub-Area C1

3.2.1.1 The maximum floor space ratio is 1.00 for non-dwelling uses, except that the floor area for:

- (a) restaurant – class 1 must not exceed 300 m<sup>2</sup>; and
- (b) restaurant – class 2 must not exceed 300 m<sup>2</sup>.

3.2.1.2 Despite section 3.2.1.1 above, the Director of Planning or Development Permit Board may increase the permitted floor space ratio to a maximum of 2.50, provided that:

- (a) the floor space ratio for non-dwelling uses does not exceed 1.50; and
- (b) the floor space ratio for dwelling uses does not exceed 1.00 and all dwelling uses are developed as social housing,

if the Director of Planning or Development Permit Board considers: the relationship of the development with nearby residential areas; the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets, and existing views; the amount of open space, including plazas, and the impact of overall design on the general amenity of the area; the impact of the development on traffic in the area; the provision for pedestrian needs; the design and liveability of any dwelling uses; and the intent of this schedule and all applicable Council policies and guidelines.

### 3.2.2 Building Form and Placement

Regulations	Sub-Area C1
3.2.2.1 Maximum building height	10.7 m
3.2.2.2 Minimum front yard depth	0.6 m
3.2.2.3 Side yard	not permitted
3.2.2.4 Minimum rear yard depth	0.6 m

#### Building Height and Floor-to-Floor Height

3.2.2.5 The minimum floor-to-floor height of the first floor of a building is 6.0 m, except for buildings existing as of October 31, 2017.

3.2.2.6 The Director of Planning may decrease the minimum floor-to-floor height in section 3.2.2.5 above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

- 3.2.2.7 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 18.3 m if the Director of Planning or Development Permit Board considers:
- (a) the relationship of the development with nearby residential areas;
  - (b) the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets and existing views;
  - (c) the amount of open space, including plazas, and the impact of overall design on the general amenity of the area;
  - (d) the provision for pedestrian needs;
  - (e) the preservation of the character and general amenity desired for the area; and
  - (f) the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, neighbouring property owner or tenant.

#### **Front yard and front setback**

- 3.2.2.8 A minimum front setback of 1.2 m is required for any parking area.
- 3.2.2.9 The Director of Planning may decrease the minimum front yard depth or front setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### **Side yard and side setback**

- 3.2.2.10 Despite section 3.2.2.3 above, in the case of a corner site, the exterior side yard width and side setback requirements are the same as the front yard depth and front setback requirements in sections 3.2.2.2 and 3.2.2.8 above.
- 3.2.2.11 The Director of Planning may decrease the minimum side yard width or side setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### **Rear yard**

- 3.2.2.12 The Director of Planning may decrease the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### 3.3 All Uses in Sub-Areas C2 and D

All uses in sub-areas C2 and D of this district are subject to the following regulations.

#### 3.3.1 Density and Floor Area

3.3.1.1 In sub-area C2, the maximum floor space ratio is 4.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for dwelling uses and all dwelling uses must be developed as social housing; and
- (b) the maximum floor space ratio is 1.00 for non-dwelling uses, except that the floor area for:
  - (i) restaurant – class 1 must not exceed 300 m<sup>2</sup>; and
  - (ii) restaurant – class 2 must not exceed 300 m<sup>2</sup>.

3.3.1.2 Despite section 3.3.1.1 above, the Director of Planning or Development Permit Board may increase the permitted floor space ratio in sub-area C2 to a maximum of 6.50, provided that:

- (a) the floor space ratio for dwelling uses does not exceed 5.00 and all dwelling uses are developed as social housing; and
- (b) the floor space ratio for non-dwelling uses does not exceed 1.50,

if the Director of Planning or Development Permit Board considers: the relationship of the development with nearby residential areas; the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets, and existing views; the amount of open space, including plazas, and the impact of overall design on the general amenity of the area; the impact of the development on traffic in the area; the provision for pedestrian needs; the design and liveability of any dwelling uses; and the intent of this schedule and all applicable Council policies and guidelines.

3.3.1.3 In sub-area D, the maximum floor space ratio is 3.00, except that the maximum permitted floor area for:

- (a) restaurant – class 1 must not exceed 300 m<sup>2</sup>; and
- (b) restaurant – class 2 must not exceed 300 m<sup>2</sup>.

3.3.1.4 Despite section 3.3.1.3 above, the Director of Planning or Development Permit Board may increase the permitted floor space ratio in sub-area D to a maximum of 7.50, provided that:

- (a) a minimum floor space ratio of 1.00 is included for any of the following uses combined:
  - (i) cultural and recreational uses, limited to artist studio – class B,
  - (ii) manufacturing uses, limited to:
    - (A) bakery products manufacturing,
    - (B) brewing or distilling,

- (C) clothing manufacturing,
  - (D) dairy products manufacturing,
  - (E) food or beverage products manufacturing – class B,
  - (F) furniture or fixtures manufacturing,
  - (G) jewellery manufacturing,
  - (H) leather products manufacturing,
  - (I) metal products manufacturing – class B,
  - (J) miscellaneous products manufacturing – class A,
  - (K) miscellaneous products manufacturing – class B,
  - (L) non-metallic mineral products manufacturing – class B,
  - (M) paper products manufacturing,
  - (N) plastic products manufacturing,
  - (O) printing or publishing,
  - (P) rubber products manufacturing,
  - (Q) shoes or boots manufacturing,
  - (R) textiles or knit goods manufacturing, and
  - (S) wood products manufacturing – class B,
- (iii) service uses, limited to catering establishment, motor vehicle repair shop, print shop, repair shop – class A, repair shop – class B, and sign painting shop, or
  - (iv) accessory uses customarily ancillary to any use listed in this section [3.3.1.4\(a\)](#); and
- (b) the Director of Planning or Development Permit Board considers the relationship of the development with nearby residential areas; the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets, and existing views; the amount of open space, including plazas, and the impact of overall design on the general amenity of the area; the impact of the development on traffic in the area; the provision for pedestrian needs; the design and liveability of any dwelling uses; and the intent of this schedule and all applicable Council policies and guidelines.

### 3.3.2 Building Form and Placement

Regulations	Sub-Areas C2 and D
3.3.2.1 Maximum building height	10.7 m



Regulations	Sub-Areas C2 and D
3.3.2.2 Minimum front yard depth	0.6 m
3.3.2.3 Side yard	not permitted
3.3.2.4 Minimum rear yard depth	0.6 m

### Building Height and Floor-to-Floor Height

- 3.3.2.5 The minimum floor-to-floor height of the first floor of a building is 6.0 m, except for buildings existing as of October 31, 2017.
- 3.3.2.6 The Director of Planning may decrease the minimum floor-to-floor height in section [3.3.2.5](#) above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.3.2.7 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 51.8 m if the Director of Planning or Development Permit Board considers:
- (a) the relationship of the development with nearby residential areas;
  - (b) the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets and existing views;
  - (c) the amount of open space, including plazas, and the impact of overall design on the general amenity of the area;
  - (d) the provision for pedestrian needs;
  - (e) the preservation of the character and general amenity desired for the area; and
  - (f) the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, neighbouring property owner or tenant.

### Front yard and front setback

- 3.3.2.8 A minimum front setback of 1.2 m is required for any parking area.
- 3.3.2.9 The Director of Planning may decrease the minimum front yard depth or front setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Side yard and side setback

- 3.3.2.10 Despite section [3.3.2.3](#) above, in the case of a corner site, the exterior side yard width and side setback requirements are the same as the front yard depth and front setback requirements in sections [3.3.2.2](#) and [3.3.2.8](#) above.

- 3.3.2.11 The Director of Planning may decrease the minimum side yard width or side setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Rear yard**

- 3.3.2.12 The Director of Planning may decrease the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### 3.4 All Uses in Sub-Area E

All uses in sub-area E of this district are subject to the following regulations.

#### 3.4.1 Density and Floor Area in Sub-Area E

##### 3.4.1.1 The maximum floor space ratio is 3.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for artist studio, manufacturing uses, outright approval service uses, parking uses, transportation and storage uses, utility and communication uses, and wholesale uses;
- (b) the maximum floor space ratio is 1.00 for creative products manufacturing; and
- (c) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
  - (i) general office or health care office combined must not exceed 33% of the total gross floor area of all principal and accessory uses combined, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 2.00 for general office or health care office if a minimum floor space ratio of 0.50 is provided for any of the following uses combined:
    - (A) cultural and recreational uses, limited to artist studio – class B,
    - (B) manufacturing uses, limited to bakery products manufacturing, brewing or distilling, clothing manufacturing, dairy products manufacturing, food or beverage products manufacturing – class B, jewellery manufacturing, leather products manufacturing, metal products manufacturing – class B, miscellaneous products manufacturing – class A, miscellaneous products manufacturing – class B, non-metallic mineral products manufacturing – class B, paper products manufacturing, printing or publishing, shoes or boots manufacturing, textiles or knit goods manufacturing, and wood products manufacturing – class B,
    - (C) service uses, limited to catering establishment, motor vehicle repair shop, print shop, and repair shop – class B, or
    - (D) accessory uses customarily ancillary to any use listed in this section [3.4.1.1\(c\)\(i\)](#),
  - (ii) retail uses must not exceed 1,000 m<sup>2</sup>,
  - (iii) restaurant – class 1 must not exceed 300 m<sup>2</sup>,
  - (iv) restaurant – class 2 must not exceed 300 m<sup>2</sup>, and
  - (v) a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

- 3.4.1.2 Despite section [3.4.1.1](#) above, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant, the Director of Planning may increase:
- (a) the permitted floor area for dwelling uses, provided that at least 50% of the residential floor area is developed as social housing;
  - (b) the permitted floor area for dwelling uses developed as secured market rental housing by 1 m<sup>2</sup> per amenity share provided to the City at no cost to the City; and
  - (c) the permitted floor area for dwelling uses developed as secured market rental housing, provided that a minimum of 35% of the dwelling units covering 35% of the floor space provided as secured market rental housing meet the rent requirements for each unit type set out in [Schedule H: Stipulated Rents at Initial Occupancy for Secured Market Rental Housing](#) of this by-law at the time of initial occupancy, and subject to the rental increases agreed upon in any Housing Agreement. Agreed upon rental increases will generally be in accordance with the increases permitted under section 22 of the Residential Tenancy Regulation, B.C. Reg. 477/2003,
- to a maximum additional floor space ratio of 3.50, in addition to the maximum permitted floor space ratio of 3.00 for non-dwelling uses, including the provision of a minimum floor space ratio of 0.50 combined for any uses listed in sections [3.4.1.1\(c\)\(i\)\(A\)](#), [3.4.1.1\(c\)\(i\)\(B\)](#), [3.4.1.1\(c\)\(i\)\(C\)](#) and [3.4.1.1\(c\)\(i\)\(D\)](#) above.

- 3.4.1.3 Despite section [3.4.1.2](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this schedule and this by-law.

#### 3.4.2 Building Form and Placement

Regulations		Sub-Area E
3.4.2.1	Maximum building height	18.3 m
3.4.2.2	Minimum front yard depth	0.6 m
3.4.2.3	Side yard	not permitted
3.4.2.4	Minimum rear yard depth	0.6 m

#### Building Height and Floor-to-Floor Height

- 3.4.2.5 The minimum floor-to-floor height of the first floor of a building is 6.0 m, except for buildings existing as of October 31, 2017.
- 3.4.2.6 The Director of Planning may decrease the minimum floor-to-floor height in section [3.4.2.5](#) above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.4.2.7 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 42.7 m if the Director of Planning or Development Permit Board considers:

- (a) the relationship of the development with nearby residential areas;
- (b) the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets and existing views;
- (c) the amount of open space, including plazas, and the impact of overall design on the general amenity of the area;
- (d) the provision for pedestrian needs;
- (e) the preservation of the character and general amenity desired for the area; and
- (f) the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, neighbouring property owner or tenant.

### **Front yard and front setback**

3.4.2.8 A minimum front setback of 1.2 m is required for any parking area.

3.4.2.9 The Director of Planning may decrease the minimum front yard depth or front setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### **Side yard and side setback**

3.4.2.10 Despite section 3.4.2.3 above, in the case of a corner site the exterior side yard width and side setback requirements are the same as the front yard depth and front setback requirements in sections 3.4.2.2 and 3.4.2.8 above.

3.4.2.11 The Director of Planning may decrease the minimum side yard width or side setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### **Rear yard**

3.4.2.12 The Director of Planning may decrease the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Amenity Shares

4.1.1 For the purposes of this schedule, amenity means community centre or neighbourhood house.

4.1.2 For the purposes of this schedule, the cost of an amenity share is the amount specified per m<sup>2</sup> in **Schedule F: Affordable Housing and Amenity Share Cost Schedule** of this by-law for the FC-2 zoning district.

### 4.2 Computation of Floor Area

4.2.1 Computation of floor area must include all floors of all buildings, both above and below ground level, measured to the extreme outer limits of the building, including accessory buildings.

4.2.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) 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 area above base surface for that unit; and
- (e) storage area associated with an artist studio – class B where the storage area is provided below base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio – class B.

4.2.3 The Director of Planning may permit the following to be excluded from the computation of floor area:

- (a) interior public space, including atria and other similar spaces, provided that:
  - (i) the excluded area must not exceed the lesser of 10% of the permitted floor area or 600 m<sup>2</sup>,
  - (ii) the excluded area must be secured by covenant and right-of-way in favour of the City that sets out public access and use, and
  - (iii) the Director of Planning considers all applicable Council policies and guidelines; and
- (b) amenity areas, including child day care facilities and non-profit recreation facilities, provided that:

- (i) the excluded area must not exceed the lesser of 20% of the permitted floor area or 1,000 m<sup>2</sup>, and
- (ii) in the case of a child day care facility, the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood.

## 4.3 Horizontal Angle of Daylight

- 4.3.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.3.2 For the purposes of section 4.3.1 above, habitable room means any room except a bathroom or kitchen.
- 4.3.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.3.4 The plane or planes referred to in section 4.3.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.3.5 An obstruction referred to in section 4.3.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.3.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
  - (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 3.7 m.

## SCHEDULE S

# HA-1 and HA-1A

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The Chinatown Historic Area is one of the city's original communities. It is a distinct community, which was established in response to the cultural and social needs of its Chinese population, primarily from Guangdong Province. The resulting "Chinatown Architecture" combined 19th century building patterns from Guangdong Province – which were influenced by early contact with European, primarily Portuguese and Italian, cultures – with the local adaptations of Victorian forms. The significant buildings of this period were built between the Great Fire of 1886 and the beginning of the Great Depression in 1929 and many are protected heritage properties. Chinatown has traditionally accommodated a variety of uses from retail to residential to light industrial with a degree of tolerance not found in all parts of the city.

The intent of this schedule is to encourage the preservation and rehabilitation of the significant early buildings of Chinatown, while recognizing that the evolving activities that make this district an asset to the city need to be accommodated contextually. The schedule may permit a range of uses provided that reasonable, but not rigorous, concerns for compatibility are met.

To achieve this intent, this schedule provides the basic development controls that regulate land uses and building form. The HA-1 district corresponds to the boundaries of the protected heritage properties and the National Historic Site on Pender Street and the HA-1A district is the remainder of Chinatown.

Without limitation, applicable Council policies and guidelines for consideration include the [Chinatown HA-1 Design Policies](#) and the [Chinatown HA-1A Design Policies](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the HA-1 and HA-1A districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section 2.1 of this schedule	3.1



## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Greenhouse	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Urban Farm – Class B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
<b>Cultural and Recreational Uses</b>		
Arcade	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a>
Artist Studio – Class A	Outright	<a href="#">2.2.1</a>
Artist Studio – Class B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Arts and Culture Indoor Event	Outright	<a href="#">2.2.1</a>
Billiard Hall	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Bingo Hall	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Bowling Alley	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.5</a>
Casino – Class 1	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Club	Outright	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Outright	<a href="#">2.2.1</a>
Fitness Centre	Outright	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Hall	Conditional	2.2.1, 2.2.2, 2.2.6
Library	Outright	2.2.1
Museum or Archives	Outright	2.2.1
Park or Playground	Conditional	2.2.2, 2.2.7
Rink	Conditional	2.2.1, 2.2.2, 2.2.3
Swimming Pool	Conditional	2.2.1, 2.2.2, 2.2.8
Theatre	Conditional	2.2.1, 2.2.2, 2.2.6
<b>Dwelling Uses</b>		
Dwelling Uses, other than Micro Dwelling and Seniors Supportive or Assisted Housing	Outright	2.2.9
Micro Dwelling	Conditional	2.2.2, 2.2.10
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B	Conditional	2.2.2, 2.2.10
Seniors Supportive or Assisted Housing	Conditional	2.2.2, 2.2.10
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1, 2.2.2, 2.2.11
Child Day Care Facility	Outright	2.2.1
Church	Outright	2.2.1
Community Care Facility – Class A	Outright	2.2.1
Hospital	Conditional	2.2.1, 2.2.2, 2.2.11
Public Authority Use	Conditional	2.2.1, 2.2.2, 2.2.11
School – Elementary or Secondary	Outright	2.2.1
School – University or College	Outright	2.2.1
Social Service Centre	Conditional	2.2.1, 2.2.2, 2.2.12
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	2.2.1
Clothing Manufacturing	Outright	2.2.1
Dairy Products Manufacturing	Conditional	2.2.1, 2.2.2, 2.2.13

Use	Approval	Use-Specific Regulations
Electrical Products or Appliances Manufacturing	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.13</a>
Food or Beverage Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.13</a>
Furniture or Fixtures Manufacturing	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.13</a>
Jewellery Manufacturing	Outright	<a href="#">2.2.1</a>
Leather Products Manufacturing	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.13</a>
Miscellaneous Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.13</a>
Non-Metallic Mineral Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.13</a>
Plastic Products Manufacturing	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.13</a>
Printing or Publishing	Outright	<a href="#">2.2.1</a>
Shoes or Boots Manufacturing	Outright	<a href="#">2.2.1</a>
Textiles or Knit Goods Manufacturing	Outright	<a href="#">2.2.1</a>
Tobacco Products Manufacturing	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.13</a>
Wood Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.13</a>
<b>Office Uses</b>		
Financial Institution	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.14</a>
General Office	Outright	<a href="#">2.2.1</a>
Health Care Office	Outright	<a href="#">2.2.1</a>
Health Enhancement Centre	Outright	<a href="#">2.2.1</a>
<b>Parking Uses</b>		
Parking Uses	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.15</a>
<b>Retail Uses</b>		
Cannabis Store	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Farmers' Market	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.16</a>
Furniture or Appliance Store	Outright	<a href="#">2.2.1</a>
Gasoline Station – Split Island, existing as of December 6, 1994	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.17</a>
Grocery or Drug Store	Outright	<a href="#">2.2.1</a>
Pawnshop	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.18</a>

Use	Approval	Use-Specific Regulations
Public Bike Share	Conditional	<a href="#">2.2.2</a>
Retail Store	Outright	<a href="#">2.2.1</a>
Secondhand Store	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.18</a>
Small-Scale Pharmacy	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Vehicle Dealer	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.19</a>
<b>Service Uses</b>		
Auction Hall	Outright	<a href="#">2.2.1</a>
Barber Shop or Beauty Salon	Outright	<a href="#">2.2.1</a>
Beauty and Wellness Centre	Outright	<a href="#">2.2.1</a>
Bed and Breakfast Accommodation	Outright	<a href="#">2.2.1</a>
Cabaret	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.20</a>
Catering Establishment	Outright	<a href="#">2.2.1</a>
Hotel	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.21</a>
Laboratory	Outright	<a href="#">2.2.1</a>
Laundromat or Dry Cleaning Establishment	Outright	<a href="#">2.2.1</a>
Laundry or Cleaning Plant	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.22</a>
Neighbourhood Public House	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.20</a>
Photofinishing or Photography Laboratory	Outright	<a href="#">2.2.1</a>
Photofinishing or Photography Studio	Outright	<a href="#">2.2.1</a>
Print Shop	Outright	<a href="#">2.2.1</a>
Production or Rehearsal Studio	Outright	<a href="#">2.2.1</a>
Repair Shop – Class B	Outright	<a href="#">2.2.1</a>
Restaurant – Class 1	Outright	
Restaurant – Class 2	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.20</a>
School – Arts or Self-Improvement	Outright	<a href="#">2.2.1</a>
School – Business	Outright	<a href="#">2.2.1</a>
School – Vocational or Trade	Outright	<a href="#">2.2.1</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Sign Painting Shop	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.23</a>
Wedding Chapel	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>

Use	Approval	Use-Specific Regulations
<b>Transportation and Storage Uses</b>		
Cold Storage Plant	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.15</a>
Mini-Storage Warehouse	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.15</a>
Packaging Plant	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.15</a>
Storage Warehouse	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.15</a>
Taxicab or Limousine Station	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.15</a>
Truck Terminal or Courier Depot	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.15</a>
<b>Utility and Communication Uses</b>		
Public Utility, existing as of December 6, 1994	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.24</a>
Radiocommunication Station	Outright	<a href="#">2.2.1</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.25</a>
<b>Wholesale Uses</b>		
Lumber and Building Materials Establishment	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.26</a>
Wholesaling – Class A	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.11</a>
Wholesaling – Class B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.11</a>
<b>uncategorized</b>		
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> , other than the sale of liquor accessory to a hotel	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.27</a>
Accessory Uses comprising the sale of liquor accessory to a hotel	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.10</a> , <a href="#">2.2.28</a>
Live-Work Use	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.29</a>

## 2.2 Use-Specific Regulations

- 2.2.1 All non-dwelling uses listed in section [2.1](#) of this schedule must be carried on wholly within a completely enclosed building, other than the following:

- (a) display of flowers, plants, fruits and vegetables;
- (b) gas station – split island;
- (c) farmers' market;
- (d) neighbourhood public house;
- (e) park or playground;
- (f) parking and loading facilities;
- (g) public bike share; and
- (h) restaurant and refreshment facilities,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation, the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

- 2.2.2 Conditional approval uses listed in section [2.1](#) of this schedule must not involve the bulk storage of: chemicals, paints or varnishes; cotton waste; fish, fish oil or meal; junk; petroleum, bitumen or tar products or derivatives, or similar flammable products or materials; rags; scrap; or vegetable oil or fat.
- 2.2.3 Greenhouse, billiard hall and rink may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses and size.
- 2.2.4 Arcade may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, size, noise control and hours of operation.
- 2.2.5 Bowling alley may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, size, and noise and vibration control.
- 2.2.6 Hall and theatre may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, noise control, size of liquor facilities, parking, and taxi and bus ingress and egress.
- 2.2.7 Park or playground may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to the continuity of pedestrian interest, social and policing impacts, and the durability of materials.

- 2.2.8 Swimming pool may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, noise control, parking, and taxi and bus ingress and egress.
- 2.2.9 Dwelling uses, other than micro dwelling and seniors supportive or assisted housing, are permitted as outright approval uses if:
- (a) residential unit associated with and forming an integral part of an artist studio is limited to artist studio – class A; and
  - (b) except for residential unit associated with and forming an integral part of an artist studio, a minimum of 25% of the total number of dwelling units contain 2 or more bedrooms, except that the Development Permit Board may vary this condition where dwelling uses are developed as 100% social housing.
- 2.2.10 All floors of a conditional approval dwelling use or live-work use must be at least 2.0 m above street grade along a fronting or flanking street, except for entrances.
- 2.2.11 Ambulance station, hospital, public authority use, wholesaling – class A and wholesaling – class B may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity and vehicular ingress and egress.
- 2.2.12 Social service centre may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity, and provision of services primarily for the occupants of dwelling uses within or immediately adjacent to the HA-1 and HA-1A districts.
- 2.2.13 Any manufacturing use that is a conditional approval use in section [2.1](#) of this schedule may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, location, safety, noise, vibrations, size and odours.
- 2.2.14 Financial institution is permitted as an outright approval use if it occupies a floor that is at least 3.0 m above grade or, in the case of a floor at or near grade, was in existence as of December 6, 1994.
- 2.2.15 Parking uses, cold storage plant, mini-storage warehouse, packaging plant, storage warehouse, taxicab or limousine station, and truck terminal or courier depot may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress and size.
- 2.2.16 Farmers' market may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

- 2.2.17 Gasoline station – split island, existing as of December 6, 1994, may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to pedestrian amenity and vehicular ingress and egress.
- 2.2.18 Pawnshop and secondhand store may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity, number existing, social and policing impacts, hours of operation and vehicular ingress and egress.
- 2.2.19 Vehicle dealer may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, size and impact on character of area.
- 2.2.20 Cabaret, neighbourhood public house and restaurant – class 2 may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, number existing, hours of operation, social and policing impacts and noise control.
- 2.2.21 Hotel may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to size of liquor facilities, noise control, parking, loading, and taxi and bus ingress and egress.
- 2.2.22 Laundry or cleaning plant may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, noise control and vehicular impacts.
- 2.2.23 Sign painting shop may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses.
- 2.2.24 Public utility, existing as of December 6, 1994, may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to pedestrian amenity and vehicular ingress and egress.
- 2.2.25 Recycling depot may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, size and hours of operation.
- 2.2.26 Lumber and building materials establishment may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress, safety, size and impact on character of area.
- 2.2.27 Accessory uses customarily ancillary to any use listed in section 2.1 of this schedule, other than the sale of liquor accessory to a hotel, are permitted as an outright approval use if:
- (a) the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal use, unless permitted as an outright approval use pursuant to section 2.1 of this schedule; and
  - (b) all accessory uses are located within the principal building.



- 2.2.28 Any other use that is not specifically listed and defined as a use in [Section 2](#) of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in section [2.1](#) of this schedule, having regard to the intent of this schedule.
- 2.2.29 Any development permit issued for live-work use must stipulate as permitted uses:
- (a) dwelling unit;
  - (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
  - (c) dwelling unit in combination with any use listed in [2.2.29\(b\)](#) above.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in these districts are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is:

(a) in the HA-1 district:

- (i) 4.80 for all uses combined,
- (ii) 2.95 for dwelling uses, provided that the floor space ratio for non-dwelling uses is at least 1.50; and

(b) in the HA-1A district:

- (i) 5.35 for all uses combined,
- (ii) 3.50 for dwelling uses, provided that the floor space ratio for non-dwelling uses is at least 1.50,

if the Director of Planning or Development Permit Board considers: the bulk, location, and overall design of the building and its impact on the site, surrounding buildings and streets; the relationship of the development to any designated heritage building; the design and liveability of any dwelling units; the impact of an addition on the heritage value of any designated heritage building or building listed on the Vancouver Heritage Register; the intent of this schedule and all applicable Council policies and guidelines; and the submission of any advisory group, property owner or tenant.

###### 3.1.1.2 The Development Permit Board may vary the maximum floor space ratio for dwelling uses in section [3.1.1.1](#) above, where the dwelling uses in the proposed development are developed as 100% social housing.

##### 3.1.2 Building Form and Placement

Regulations		HA-1	HA-1A
3.1.2.1	Maximum unit frontage for any ground floor shopfront	7.6 m	15.3 m
3.1.2.2	Maximum site width	15.3 m or the existing width of the lot as of October 15, 2018	22.9 m or the existing width of the lot as of October 15, 2018
3.1.2.3	Maximum building height	15.2 and 5 storeys	21.3 m and 6 storeys

Regulations		HA-1	HA-1A
3.1.2.4	Required front yard depth	0.45 m	
3.1.2.5	Side yard	not permitted	
3.1.2.6	Minimum rear yard depth and rear setback for portions of a building:		
	(a) containing non-dwelling uses only	1.0 m	
	(b) containing dwelling uses	7.0 m	

### Frontage

- 3.1.2.7 The Director of Planning may increase the maximum unit frontage if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines and the submission of any advisory group, property owner or tenant.

### Building Height

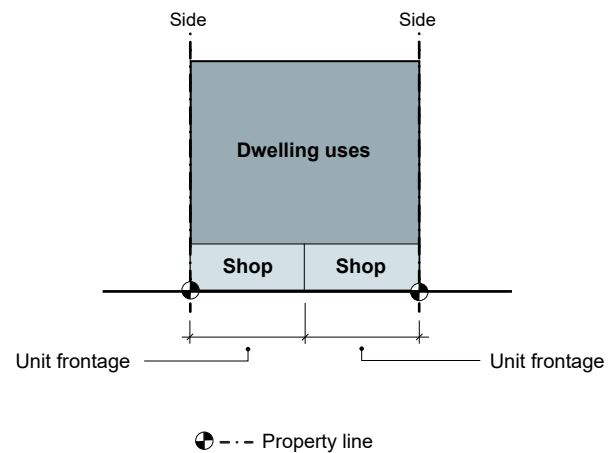
- 3.1.2.8 Subject to the considerations in section 3.1.2.9 below, the Director of Planning or Development Permit Board may increase the maximum building height:
- (a) in the HA-1 district, to a maximum of 22.8 m and 7 storeys; and
  - (b) in the HA-1A district, to a maximum of 27.4 m and 8 storeys,

provided that no portion below the third storey of a building is used for dwelling uses, except for entrances and amenity spaces that serve the residential portion.

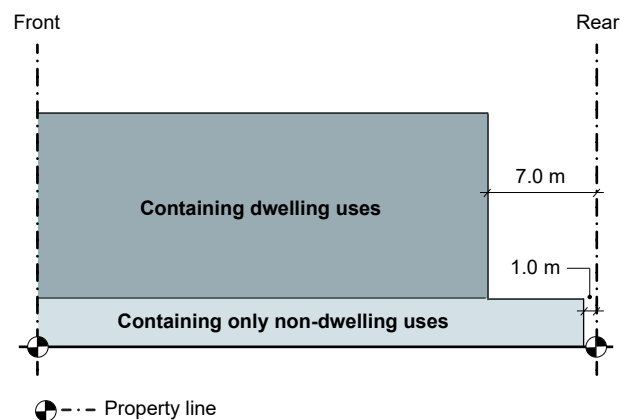
- 3.1.2.9 The Director of Planning or Development Permit Board may increase the maximum building height in accordance with section 3.1.2.8 above if the Director of Planning or Development Permit Board considers:

- (a) the bulk, location, and overall design of the building and its impact on the site, surrounding buildings and streets;

**Diagram: Unit frontage**



**Diagram: Rear yard and rear setback for a building containing only non-dwelling uses on the first floor**



- (b) the relationship of the development to any designated heritage building;
- (c) the design and liveability of any dwelling units;
- (d) the impact of an addition on the heritage value of any designated building that is listed on the Vancouver Heritage Register;
- (e) the intent of this schedule and all applicable Council policies and guidelines; and
- (f) the submission of any advisory group, property owner or tenant.

3.1.2.10 The Development Permit Board may vary the conditions for dwelling uses in section 3.1.2.8 above, where the dwelling uses in the proposed development are developed as 100% social housing.

3.1.2.11 The Director of Planning or Development Permit Board may exclude from the maximum building height:

- (a) building cornices and parapets to a maximum height of 2.2 m; and
- (b) vertical decorative elements such as flagpoles and finials,

if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

3.1.2.12 A mezzanine floor located above ground, but below the second storey, will not be counted as a storey if:

- (a) the floor area of the mezzanine does not exceed 60% of the site area; and
- (b) the habitable floor area does not contain a dwelling use, or any accessory uses that are ancillary to a dwelling use.

## **Front Yard**

3.1.2.13 Despite the required front yard depth in section 3.1.2.4 above, the following may project into the front yard:

- (a) architectural articulation on a building; or
- (b) decoration of the front facade of a building.

3.1.2.14 The Director of Planning or Development Permit Board may allow a portion of the building to be recessed above the second storey for the purposes of:

- (a) providing passageways to interior courtyards;
- (b) providing recessed balconies above the ground floor;
- (c) reducing the visual impact on the public realm of the uppermost storeys of the building, provided that the recess is at least 3.0 m behind the principal facade;
- (d) rooftop mechanical equipment;
- (e) increasing residential units' exposure to natural light; and

- (f) providing a covered area in front of a building entrance,

if the Director of Planning or Development Permit Board considers: the massing and overall design of the building and its impact on the site, surrounding buildings, block face and character of the area; the intent of this schedule and all applicable Council policies and guidelines; and the submission of any advisory group, property owner or tenant.

### **Side Yard and Side Setbacks**

3.1.2.15 Where a side property line abuts a street, lane or dedicated public park, the Director of Planning or Development Permit Board may allow portions of the building to be recessed from the side property line, at grade or above, for the purposes of:

- (a) providing passageways to interior courtyards;
- (b) providing recessed balconies above the ground floor;
- (c) reducing the visual impact on the public realm of the uppermost storeys of the building, provided that the recess is at least 3.0 m behind the principal facade;
- (d) rooftop mechanical equipment;
- (e) increasing dwelling units' exposure to natural light; and
- (f) providing a covered area in front of a building entrance,

if the Director of Planning or Development Permit Board considers: the massing and overall design of the building and its impact on the site, surrounding buildings, block face and character of the area; the intent of this schedule and all applicable Council policies and guidelines; and the submission of any advisory group, property owner or tenant.

3.1.2.16 The Director of Planning or Development Permit Board may allow setbacks for the purpose of creating a light well or providing open space at grade, provided that:

- (a) no portion is closer than 4.0 m to a street facade;
- (b) any window looking directly into the light well is set back a minimum of 3.0 m from an existing building or the maximum size building permitted on any adjacent site; and
- (c) the Director of Planning or Development Permit Board considers:
  - (i) the massing and overall design of the building and its impact on the site, surrounding buildings, block face and character of the area,
  - (ii) the intent of this schedule and all applicable Council policies and guidelines, and
  - (iii) the submission of any advisory group, property owner or tenant.

### **Rear Yard and Rear Setback**

- 3.1.2.17 The Director of Planning may decrease the minimum rear yard depth and rear setback if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors of all buildings, both above and below ground level, measured to the extreme outer limits of the building;
- (b) floor area, located at or above grade, that is used to access off-street parking and loading spaces in the form of an access ramp, elevator or uses which the Director of Planning or Development Permit Board considers similar to the foregoing; and
- (c) all interior residential floor area where the distance from a floor to the floor above, or where there is no floor above, the top of the roof structure, exceeds 3.7 m, to 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 excluded area does not exceed 1% of the permitted floor area.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning or Development Permit Board considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length; and
- (d) 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 area above base surface for that unit.

#### 4.1.3 The Director of Planning may permit the following to be excluded from the computation of floor area:

- (a) interior public space, including breezeways, courtyards and other similar spaces, if:
  - (i) the excluded area does not exceed 10% of the permitted floor area,
  - (ii) the excluded area is secured by covenant and right-of-way in favour of the City which sets out public access and use, and

- (iii) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (b) indoor amenity areas, including child day care facilities and non-profit recreation facilities, to a maximum floor area of the lesser of 10% of the total permitted floor area or 1,000 m<sup>2</sup>, if, in the case of child day care facilities, the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (c) floors used for off-street loading spaces located at base surface, to a maximum floor area of 26 m<sup>2</sup>, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
- (d) floors used for off-street parking of shared vehicles located at base surface, to a maximum floor space ratio of 0.07, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4.2 Side Width: Measurement

- 4.2.1 Site width must be measured along the front property line.

## 4.3 Rear Yard and Rear Setback: Measurement

- 4.3.1 Rear yard and rear setback must be measured from the rear property line across the full width of the building.

## 4.4 Horizontal Angle of Daylight

- 4.4.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.4.2 For the purposes of section 4.4.1 above, habitable room means any room except a bathroom or kitchen.
- 4.4.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 20.0 m.
- 4.4.4 The plane or planes referred to in section 4.4.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.4.5 An obstruction referred to in section 4.4.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.4.6 The Director of Planning may vary the horizontal angle of daylight requirement if:



- (a) the Director of Planning considers all applicable Council policies and guidelines;
- (b) the minimum distance of unobstructed view is at least 2.4 m; and
- (c) the building is listed on the Heritage Register or, in the opinion of the Director of Planning, the building has sufficient heritage value or heritage character to justify its conservation.

## 4.5 External Design

4.5.1 All new buildings and alterations or additions to existing buildings require the approval of the Director of Planning or Development Permit Board for the design of buildings or alterations to elevations facing streets, lanes, and adjacent buildings. The Director of Planning or Development Permit Board may approve the design of such buildings, alterations or additions provided that consideration is given to:

- (a) the impact of new visible exterior surfaces on the architectural and historically significant characteristics of the existing building on site or adjacent buildings;
- (b) the extent to which the alterations to existing buildings are consistent with documented evidence of the original design or an earlier exterior treatment of historical significance to the building;
- (c) whether the alterations to historically significant characteristics of an existing building are necessary to accommodate a change of use permitted in the schedule;
- (d) whether the alterations to historically significant characteristics of an existing building are necessary to advance public health and safety;
- (e) the intent of this schedule and all applicable Council policies and guidelines; and
- (f) the submission of any advisory group, property owner or tenant.

## 5 RELAXATIONS

5.1 The Development Permit Board may relax the conditions for dwelling uses in section [2.2.9](#) of this schedule for:

- (a) the conservation of a building listed on the Vancouver Heritage Register or a building that, in the opinion of the Director of Planning, has sufficient heritage value or heritage character to justify its conservation; or
- (b) the renovation of existing low cost housing units for persons receiving assistance with the intent to maintain these units with the same tenure.

5.2 Subject to the requirements in section [5.3](#) below, the Director of Planning or Development Permit Board may relax the floor space ratio regulations of section [3.1.1.1\(b\)](#) of this schedule, for the HA-1A district, where, due to conditions peculiar either to the site or the proposed development, literal enforcement would result in unnecessary hardship in the following cases:

- (a) the retention of a designated heritage building or a building listed on the Vancouver Heritage Register;

- (b) development on a site constrained by adjacent buildings listed on the Vancouver Heritage Register; or
- (c) development on a site smaller than 374 m<sup>2</sup>, or on a site with a site depth that is less than 37.2 m.

5.3 The Director of Planning or Development Permit Board may relax the floor area regulations of section **3.1.1.1(b)** of this schedule, for the HA-1A district, in accordance with section **5.2** above, provided that:

- (a) the maximum height does not exceed 21.3 m;
- (b) the maximum floor space ratio for all uses combined does not exceed 4.40;
- (c) the maximum floor space ratio for dwelling uses does not exceed 3.25;
- (d) the minimum floor space ratio for non-dwelling uses is at least 0.80; and
- (e) the Director of Planning or Development Permit Board considers:
  - (i) the bulk, location, and overall design of the building and its impact on the site, surrounding buildings and streets,
  - (ii) the relationship of the development to any designated heritage building,
  - (iii) the design and liveability of any dwelling units,
  - (iv) the impact of an addition on the heritage value of any designated heritage building or building listed on the Vancouver Heritage Register,
  - (v) the intent of this schedule and all applicable Council policies and guidelines, and
  - (vi) the submission of any advisory group, property owner or tenant.

## SCHEDULE T

# HA-2

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The Gastown Historic Area is the site of the old Granville Townsite, and it is from this area that the City of Vancouver developed and grew. The intent of this schedule is to recognize the area's special status and to ensure the maintenance of Gastown's "turn of the century" historical and architectural character.

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the the HA-2 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	2.2.1
<b>Cultural and Recreational Uses</b>		
Artist Studio	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.2, 2.2.3, 2.2.4
Fitness Centre	Conditional	2.2.1
Hall	Conditional	2.2.1
Library	Conditional	2.2.1
Museum or Archives	Conditional	2.2.1
Park or Playground	Conditional	2.2.1
Swimming Pool	Conditional	2.2.1
Theatre	Conditional	2.2.1
Zoo or Botanical Garden	Conditional	2.2.1
<b>Dwelling Uses</b>		
Dwelling Uses	Conditional	
<b>Institutional Uses</b>		
Child Day Care Facility	Conditional	2.2.1
Church	Conditional	2.2.1
Public Authority Use	Conditional	2.2.1
School – Elementary or Secondary	Conditional	2.2.1
School – University or College	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Conditional	2.2.1
Clothing Manufacturing	Conditional	2.2.1
Jewellery Manufacturing	Conditional	2.2.1
<b>Office Uses</b>		
Office Uses	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
<b>Parking Uses</b>		
Parking Uses	Conditional	
<b>Retail Uses</b>		
Cannabis Store	Conditional	<a href="#">2.2.1</a>
Farmers' Market	Conditional	<a href="#">2.2.5</a>
Furniture or Appliance Store	Conditional	<a href="#">2.2.1</a>
Grocery or Drug Store	Outright	<a href="#">2.2.2, 2.2.3, 2.2.4</a>
Grocery or Drug Store, not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Grocery Store with Liquor Store	Conditional	<a href="#">2.2.1</a>
Liquor Store	Conditional	<a href="#">2.2.1</a>
Public Bike Share	Conditional	
Retail Store	Outright	<a href="#">2.2.2, 2.2.3, 2.2.4</a>
Retail Store, not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Small-Scale Pharmacy	Conditional	<a href="#">2.2.1</a>
Vehicle Dealer	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Auction Hall	Conditional	<a href="#">2.2.1</a>
Barber Shop or Beauty Salon	Conditional	<a href="#">2.2.1</a>
Beauty and Wellness Centre	Conditional	<a href="#">2.2.1</a>
Bed and Breakfast Accommodation	Conditional	<a href="#">2.2.1</a>
Cabaret	Conditional	<a href="#">2.2.1</a>
Catering Establishment	Conditional	<a href="#">2.2.1</a>
Hotel	Conditional	<a href="#">2.2.1</a>
Laundromat or Dry Cleaning Establishment	Conditional	<a href="#">2.2.1</a>
Laundry or Cleaning Plant	Conditional	<a href="#">2.2.1</a>
Neighbourhood Public House	Conditional	
Photofinishing or Photography Laboratory	Conditional	<a href="#">2.2.1</a>
Photofinishing or Photography Studio	Conditional	<a href="#">2.2.1</a>
Print Shop	Conditional	<a href="#">2.2.1</a>
Production or Rehearsal Studio	Conditional	<a href="#">2.2.1</a>
Repair Shop – Class B	Conditional	<a href="#">2.2.1</a>
Restaurant – Class 1	Outright	<a href="#">2.2.3, 2.2.4</a>

Use	Approval	Use-Specific Regulations
Restaurant – Class 1, not permitted as an outright approval use	Conditional	
Restaurant – Class 2	Conditional	
School – Arts or Self-Improvement	Conditional	2.2.1
School – Business	Conditional	2.2.1
School – Vocational or Trade	Conditional	2.2.1
Short Term Rental Accommodation	Conditional	2.2.1
Sign Painting Shop	Conditional	2.2.1
Wedding Chapel	Conditional	2.2.1
Utility and Communication Uses		
Public Utility	Conditional	2.2.1
Wholesale Uses		
Lumber and Building Materials Establishment	Conditional	2.2.1
Wholesaling – Class A	Conditional	2.2.1
Wholesaling – Class B	Conditional	2.2.1
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section 2.1	Conditional	2.2.1
Accessory Uses, customarily ancillary to any use listed in this section 2.1	Conditional	2.2.1
Any other use that is not specifically listed and defined as a use in Section 2 of this by-law	Conditional	2.2.1, 2.2.6
Deposition or extraction of material, which alters the configuration of the land	Conditional	2.2.1
Live-Work Use	Conditional	2.2.1, 2.2.7

## 2.2 Use-Specific Regulations

2.2.1 All non-dwelling conditional approval uses listed in section 2.1 of this schedule must be carried on wholly within a completely enclosed building, other than the following:

- (a) display of flowers, plants, fruits and vegetables;
- (b) farmers' market;
- (c) neighbourhood public house;
- (d) parking and loading facilities;
- (e) public bike share; and

(f) restaurant,

except that the Director of Planning may vary these conditions for restaurant and refreshment facilities and retail uses, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group.

2.2.2 All non-dwelling outright approval uses listed in section 2.1 of this schedule must be carried on wholly within a completely enclosed building, other than the following:

- (a) display of flowers, plants, fruits and vegetables;
- (b) parking and loading facilities; and
- (c) restaurant and refreshment facilities,

except that the Director of Planning may vary these conditions for restaurant and refreshment facilities and retail uses, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group.

2.2.3 For outright approval uses, despite the provisions of Section 4 of this by-law, any and all proposed alterations or changes to the exterior treatment or appearance of any building or structure or change of use requires the approval of the Director of Planning after consultation with any Council approved advisory group for the area.

2.2.4 All outright approval uses are limited to:

- (a) the ground floor only, which does not include a basement;
- (b) a maximum gross floor area of 500 m<sup>2</sup>; and
- (c) a maximum frontage of 10.7 m.

2.2.5 Farmers' market may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.6 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.

2.2.7 For live-work use, any development permit issued must stipulate as permitted uses:

- (a) dwelling unit;

- (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
- (c) dwelling unit in combination with any use listed in [2.2.7\(b\)](#) above.



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 There is no maximum floor space ratio in this district.

##### 3.1.2 Building Form and Placement

Regulations		HA-2
3.1.2.1	Minimum building height	12.2 m
3.1.2.2	Maximum building height	22.9 m

#### **Building Height**

3.1.2.3 The Director of Planning or Development Permit Board may increase or decrease the maximum or minimum building height if the Director of Planning or Development Permit Board consults with any Council approved advisory group for the area and considers:

- (a) the height, bulk and location of the building and its impact on the site, surrounding buildings and streets, and existing views;
- (b) the impact of overall design on the general amenity of the area; and
- (c) the intent of this schedule.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Horizontal Angle of Daylight

- 4.1.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.1.2 For the purposes of section 4.1.1 above, habitable room means any room except a bathroom or kitchen.
- 4.1.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.1.4 The plane or planes referred to in section 4.1.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.1.5 An obstruction referred to in section 4.1.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.1.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
  - (a) the Director of Planning considers all applicable Council policies and guidelines;
  - (b) the minimum distance of unobstructed view is at least 2.4 m; and
  - (c) the building is listed on the Heritage Register or, in the opinion of the Director of Planning, the building has sufficient heritage value or heritage character to justify its conservation.

## SCHEDULE U

# HA-3

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The Yaletown Historic Area is a compact warehouse district developed in the early 1900s. Its special character is created by the collection of buildings, constructed of heavy timber, brick and concrete, and the narrow streets. The massing of buildings, built property line to property line, together with the similarities of style and exterior finishes give Yaletown its unique, homogeneous character.

The intent of this schedule is to encourage the conversion and renovation of existing warehouse buildings and the construction of compatible new buildings, to produce a more contemporary mix of commercial, industrial and dwelling uses, and to introduce more activity-oriented uses into this area. Emphasis is placed on requiring the external design of buildings to follow the proportions, rhythm and details of the predominant circa 1900 architectural features, whether renovating or constructing a new building.

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the HA-3 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section 2.1 of this schedule	3.1

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including Section 2, Section 10 and Section 11, and compliance with the regulations of this schedule including section 2.2.

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm - Class B	Conditional	2.2.1, 2.2.2
<b>Cultural and Recreational Uses</b>		
Arcade	Conditional	2.2.1, 2.2.2, 2.2.3
Artist Studio – Class A	Outright	2.2.1, 2.2.2, 2.2.4
Artist Studio – Class B	Conditional	2.2.1, 2.2.2
Arts and Culture Indoor Event	Outright	2.2.1, 2.2.2, 2.2.4
Billiard Hall	Outright	2.2.1, 2.2.2, 2.2.4
Bowling Alley	Outright	2.2.1, 2.2.2, 2.2.4
Club	Outright	2.2.1, 2.2.2, 2.2.4
Community Centre or Neighbourhood House	Outright	2.2.1, 2.2.2, 2.2.4
Fitness Centre	Outright	2.2.1, 2.2.2, 2.2.4
Hall	Outright	2.2.1, 2.2.2, 2.2.4
Library	Outright	2.2.1, 2.2.2, 2.2.4
Museum or Archives	Outright	2.2.1, 2.2.2, 2.2.4
Park or Playground	Conditional	2.2.2, 2.2.5

Use	Approval	Use-Specific Regulations
Rink	Outright	2.2.1, 2.2.2, 2.2.4
Swimming Pool	Outright	2.2.1, 2.2.2, 2.2.4
Theatre	Outright	2.2.1, 2.2.2, 2.2.4
Zoo or Botanical Garden	Conditional	2.2.1, 2.2.2, 2.2.6
<b>Dwelling Uses</b>		
Dwelling Uses, other than Seniors Supportive or Assisted Housing	Outright	2.2.2, 2.2.4, 2.2.7
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B	Conditional	2.2.2
Seniors Supportive or Assisted Housing	Conditional	2.2.2
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1, 2.2.2, 2.2.8
Child Day Care Facility	Conditional	2.2.1, 2.2.2, 2.2.9
Church	Outright	2.2.1, 2.2.2, 2.2.4
Community Care Facility – Class B	Conditional	2.2.1, 2.2.2
Detoxification Centre	Conditional	2.2.1, 2.2.2, 2.2.9
Group Residence	Conditional	2.2.1, 2.2.2
Hospital	Conditional	2.2.1, 2.2.2, 2.2.10
Public Authority Use	Conditional	2.2.1, 2.2.2, 2.2.11
School – Elementary or Secondary	Conditional	2.2.1, 2.2.2, 2.2.12
School – University or College	Outright	2.2.1, 2.2.2, 2.2.4
Social Service Centre	Outright	2.2.1, 2.2.2, 2.2.4
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	2.2.1, 2.2.2, 2.2.4
Chemicals or Chemical Products Manufacturing – Class B	Outright	2.2.1, 2.2.2, 2.2.4

Use	Approval	Use-Specific Regulations
Clothing Manufacturing	Outright	2.2.1, 2.2.2, 2.2.4
Dairy Products Manufacturing	Outright	2.2.1, 2.2.2, 2.2.4
Electrical Products or Appliances Manufacturing	Outright	2.2.1, 2.2.2, 2.2.4
Food or Beverage Products Manufacturing – Class B	Outright	2.2.1, 2.2.2, 2.2.4
Furniture or Fixtures Manufacturing	Outright	2.2.1, 2.2.2, 2.2.4
Jewellery Manufacturing	Outright	2.2.1, 2.2.2, 2.2.4
Leather Products Manufacturing	Outright	2.2.1, 2.2.2, 2.2.4
Metal Products Manufacturing – Class B	Outright	2.2.1, 2.2.2, 2.2.4
Miscellaneous Products Manufacturing – Class B	Outright	2.2.1, 2.2.2, 2.2.4
Paper Products Manufacturing	Outright	2.2.1, 2.2.2, 2.2.4
Plastic Products Manufacturing	Outright	2.2.1, 2.2.2, 2.2.4
Printing or Publishing	Outright	2.2.1, 2.2.2, 2.2.4
Shoes or Boots Manufacturing	Outright	2.2.1, 2.2.2, 2.2.4
Textiles or Knit Goods Manufacturing	Outright	2.2.1, 2.2.2, 2.2.4
Tobacco Products Manufacturing	Outright	2.2.1, 2.2.2, 2.2.4
Wood Products Manufacturing – Class B	Outright	2.2.1, 2.2.2, 2.2.4
<b>Office Uses</b>		
Office Uses	Outright	2.2.1, 2.2.2, 2.2.4
<b>Parking Uses</b>		
Parking Uses	Outright	2.2.2, 2.2.4
<b>Retail Uses</b>		
Cannabis Store	Conditional	2.2.1, 2.2.2
Farmers' Market	Conditional	2.2.2, 2.2.13

Use	Approval	Use-Specific Regulations
Furniture or Appliance Store	Outright	2.2.1, 2.2.2, 2.2.4
Grocery or Drug Store	Outright	2.2.2, 2.2.4
Grocery Store with Liquor Store	Conditional	2.2.1, 2.2.2, 2.2.3
Liquor Store	Conditional	2.2.1, 2.2.2, 2.2.3
Pawnshop	Conditional	2.2.1, 2.2.2, 2.2.14
Public Bike Share	Conditional	2.2.2
Retail Store	Outright	2.2.2, 2.2.4
Secondhand Store	Conditional	2.2.1, 2.2.2, 2.2.14
Small-Scale Pharmacy	Conditional	2.2.1, 2.2.2
Vehicle Dealer	Outright	2.2.1, 2.2.2, 2.2.4
<b>Service Uses</b>		
Auction Hall	Conditional	2.2.1, 2.2.2
Barber Shop or Beauty Salon	Outright	2.2.1, 2.2.2, 2.2.4
Beauty and Wellness Centre	Outright	2.2.1, 2.2.2, 2.2.4
Bed and Breakfast Accommodation	Conditional	2.2.1, 2.2.2
Catering Establishment	Outright	2.2.1, 2.2.2, 2.2.4
Hotel	Outright	2.2.1, 2.2.2, 2.2.4
Laboratory	Outright	2.2.1, 2.2.2, 2.2.4
Laundromat or Dry Cleaning Establishment	Outright	2.2.1, 2.2.2, 2.2.4
Neighbourhood Public House	Conditional	2.2.2, 2.2.15
Photofinishing or Photography Studio	Outright	2.2.1, 2.2.2, 2.2.4
Print Shop	Outright	2.2.1, 2.2.2, 2.2.4
Production or Rehearsal Studio	Outright	2.2.1, 2.2.2, 2.2.4
Repair Shop – Class A	Outright	2.2.1, 2.2.2, 2.2.4

Use	Approval	Use-Specific Regulations
Repair Shop – Class B	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a>
Restaurant – Class 1	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.4</a>
Restaurant – Class 2	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.15</a>
School – Arts or Self-Improvement	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a>
School – Business	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a>
School – Vocational or Trade	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Sign Painting Shop	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a>
Wedding Chapel	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
<b>Transportation and Storage Uses</b>		
Mini-Storage Warehouse	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Packaging Plant	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a>
Storage Warehouse	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.11</a>
Radiocommunication Station	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a>
<b>Wholesale Uses</b>		
Lumber and Building Materials Establishment	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a>
Wholesaling – Class A	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a>
Wholesaling – Class B	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a>
<b>uncategorized</b>		
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> , other than the sale of liquor accessory to a hotel	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.4</a> , <a href="#">2.2.16</a>
Accessory Uses comprising the sale of liquor accessory to a hotel	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.17</a>



## 2.2 Use-Specific Regulations

- 2.2.1 All non-dwelling uses listed in section 2.1 of this schedule must be carried on wholly within a completely enclosed building, other than the following:
- (a) grocery store or drug store;
  - (b) farmers' market;
  - (c) neighbourhood public house;
  - (d) park or playground;
  - (e) parking and loading facilities;
  - (f) public bike share;
  - (g) restaurant – class 1; and
  - (h) retail store.
- 2.2.2 No use listed in section 2.1 of this schedule may involve the bulk storage of: compressed gas; cotton waste; explosives; fertilizer; fish, fish oil or meal; industrial chemicals; paints, varnishes; junk; lime; matches; petroleum, bitumen or tar products or derivatives, or other similar flammable products or materials; rags; scrap; or vegetable oil or fat.
- 2.2.3 Arcade, grocery store with liquor store, and liquor store may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses.
- 2.2.4 For outright approval uses, no portion of a parking garage at the level of a street, sidewalk or loading dock may be used for parking, except for vehicular access points or driveways, for a depth of at least 9.1 m from any building face, and this setback area may only be developed with commercial or industrial uses.
- 2.2.5 Park or playground may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to safety and the impact on the character of the area.
- 2.2.6 Zoo or botanical garden may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to the impact on the character of the area.
- 2.2.7 Dwelling uses, other than seniors supportive or assisted housing, are permitted as outright approval uses if:
- (a) residential unit associated with and forming an integral part of an artist studio is limited to artist studio – class A; and
  - (b) no portion of the first storey of a building is used for residential purposes, except for entrances to the residential portion and accessory uses to the residential portion including storage, locker and laundry areas, and communal recreation facilities.

- 2.2.8 Ambulance station may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to vehicular circulation and accessibility.
- 2.2.9 Child day care facility and detoxification centre may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to location and safety.
- 2.2.10 Hospital may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking and vehicular circulation and accessibility.
- 2.2.11 Public authority use and public utility may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to the category of the facility.
- 2.2.12 School – elementary or secondary may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to safety for children.
- 2.2.13 Farmers' market may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.14 Pawnshop and secondhand store may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, pedestrian amenity, number existing, social and policing impacts, hours of operation and vehicular ingress and egress.
- 2.2.15 Neighbourhood public house and restaurant class – 2 may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking, vehicular circulation and compatibility with surrounding uses.
- 2.2.16 Accessory uses customarily ancillary to any of the uses listed in section 2.1 of this schedule, other than the sale of liquor accessory to a hotel, are permitted as an outright approval use if:
- (a) the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal use, unless permitted as an outright approval use pursuant to section 2.1 of this schedule; and
  - (b) all accessory uses are located within the principal building.
- 2.2.17 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 5.00, except that:

- (a) for a building existing on June 10, 1986, the floor space ratio must not exceed the greater of 5.00 or the floor space ratio existing on June 10, 1986;
- (b) the floor space ratio for dwelling uses must not exceed 3.00, and for the purposes of this section [3.1.1.1\(b\)](#), where there is a residential unit associated with and forming an integral part of an artist studio, the artist studio is also considered a dwelling use; and
- (c) the floor space ratio for non-dwelling uses must be at least 1.50 in the case of:
  - (i) new construction,
  - (ii) an addition to an existing building that increases the residential floor area: or
  - (iii) a change of use in an existing building that increases the residential floor area.

3.1.1.2 For the purposes of calculating floor space ratio in section [3.1.1.1](#) above, each square metre of parking garage above grade counts as 0.7 m<sup>2</sup>.

##### 3.1.2 Building Form and Placement

Regulations		HA-3
3.1.2.1	Maximum building height	the greater of 21.4 m or the building height existing on June 10, 1986
3.1.2.2	Front yard	not permitted
3.1.2.3	Side yard	not permitted
3.1.2.4	Rear yard	not permitted

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings, both above and below ground level, measured to the extreme outer limits of the buildings.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) areas of floors used for accessory off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
- (d) elevator shafts, lockers, common laundry rooms and entrance lobbies, ancillary storage located below grade and basements or cellars in existing buildings;
- (e) amenity areas, including child day care facilities, recreation facilities and meeting rooms, provided that the areas are open to and primarily for the use of residents and employees, to a maximum area not exceeding the lesser of 20% of the total permitted floor area or 1,000 m<sup>2</sup>; and
- (f) 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 area above base surface for that unit.

### 4.2 Horizontal Angle of Daylight

4.2.1 Each habitable room must have at least 1 window on an exterior wall of a building.

4.2.2 For the purposes of section 4.2.1 above, habitable room means any room except a bathroom or kitchen.

4.2.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.2.4 The plane or planes referred to in section 4.2.3 above must be measured horizontally from the centre of the bottom of each window.

4.2.5 An obstruction referred to in section 4.2.3 above means:

- (a) any part of the same building excluding permitted projections; or
- (b) the largest building permitted on any adjoining site.

- 4.2.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers all applicable Council policies and guidelines;
  - (b) the minimum distance of unobstructed view is at least 2.4 m; and
  - (c) the building is listed on the Heritage Register or, in the opinion of the Director of Planning, the building has sufficient heritage value or heritage character to justify its conservation.

## 4.3 External Design

### 4.3.1 Building facades must be characterized by the following:

- (a) exterior finishing materials of masonry, excluding tile and concrete block, except that lintels, window components, and architectural features may be of other materials, as determined by the Director of Planning;
- (b) 1 natural earth-tone colour or white as the main colour, with lintels, window components and architectural features which may be of 1 other colour compatible with the main colour and existing streetscape character or of other colours, as determined by the Director of Planning; and
- (c) the lower 4 storeys must be built to the property line while the remaining storeys may terrace back from the property lines.

### 4.3.2 Windows must be characterized by the following:

- (a) wood frames or alternatives of a compatible frame profile, in terms of width and thickness, resulting in a similar visual appearance;
- (b) consistent window elements repeated on each facade, where each element must comprise several glass panes in character with the existing pattern, except that the main floor may have a differing pattern of repetition;
- (c) where balconies are provided, the doors must maintain the same spacing pattern as the windows on that facade;
- (d) for renovations or additions to buildings existing on or before June 10, 1986, new windows must approximately replicate existing windows on that building;
- (e) for new construction, windows must approximately replicate windows existing as of June 10, 1986 on any 1 of the buildings in this district listed in the Vancouver Heritage Register; and
- (f) any proposals varying from the above, as may be determined by the Director of Planning.

### 4.3.3 Roofs must be flat except that shallow-pitched roofs may be permitted, as may be determined by the Director of Planning.

### 4.3.4 Mechanical equipment must be enclosed and set back so as not to be visible from street level.

- 4.3.5 Balconies on external walls must be recessed.
- 4.3.6 Main building entrances must be accentuated by any 1 of or combination of the following:
- (a) awnings made of fabric or metal;
  - (b) planters;
  - (c) lighting; or
  - (d) any proposals varying from the above, as may be determined by the Director of Planning.
- 4.3.7 Decorative architectural elements may be required to be retained on renovations or additions and may be required to be provided on new construction including any 1 or more of the following:
- (a) window and door decoration;
  - (b) parapets;
  - (c) cornices; or
  - (d) any proposals varying from the above, as may be determined by the Director of Planning.

## SCHEDULE V

# I-1

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The primary intent of this schedule is to permit light industrial uses, including advanced technology industry and industry with a significant amount of research and development activity, that are generally compatible with one another and with adjoining residential or commercial districts. Commercial uses, including office and retail uses, which are compatible with or complementary to light industrial uses, are also permitted, subject to the limitations in this schedule.

Without limitation, applicable Council policies and guidelines for consideration include the [Mount Pleasant I-1 Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the I-1 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	2.2.1
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Outright	2.2.2
Artist Studio – Class B	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.2
Club	Outright	2.2.2
Theatre	Conditional	2.2.1
<b>Dwelling Uses</b>		
Dwelling Unit	Conditional	2.2.1, 2.2.3
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B	Conditional	2.2.1, 2.2.4
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1
Church	Outright	2.2.2
Public Authority Use	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	2.2.2
Batteries Manufacturing	Outright	2.2.2
Brewing or Distilling	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class A	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class B	Outright	2.2.2
Clothing Manufacturing	Outright	2.2.2
Dairy Products Manufacturing	Outright	2.2.2
Electrical Products or Appliances Manufacturing	Outright	2.2.2



Use	Approval	Use-Specific Regulations
Food or Beverage Products Manufacturing – Class A	Conditional	2.2.1
Food or Beverage Products Manufacturing – Class B	Outright	2.2.2
Furniture or Fixtures Manufacturing	Outright	2.2.2
Ice Manufacturing	Outright	2.2.2
Information Communication Technology Manufacturing	Outright	2.2.2
Jewellery Manufacturing	Outright	2.2.2
Leather Products Manufacturing	Outright	2.2.2
Linoleum or Coated Fabrics Manufacturing	Conditional	2.2.1
Machinery or Equipment Manufacturing	Conditional	2.2.1
Metal Products Manufacturing – Class B	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class A	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class B	Outright	2.2.2
Motor Vehicle Parts Manufacturing	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class A	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class B	Outright	2.2.2
Paper Products Manufacturing	Outright	2.2.2
Plastic Products Manufacturing	Outright	2.2.2
Printing or Publishing	Outright	2.2.2
Rubber Manufacturing	Conditional	2.2.1
Rubber Products Manufacturing	Outright	2.2.2
Shoes or Boots Manufacturing	Outright	2.2.2
Textiles or Knit Goods Manufacturing	Conditional	2.2.1
Tobacco Products Manufacturing	Outright	2.2.2
Transportation Equipment Manufacturing	Conditional	2.2.1
Vegetable Oil Manufacturing	Conditional	2.2.1
Wood Products Manufacturing – Class B	Outright	2.2.2
<b>Office Uses</b>		
General Office	Conditional	2.2.1
Health Care Office	Conditional	2.2.1
Health Enhancement Centre	Conditional	2.2.1
<b>Parking Uses</b>		
Parking Uses	Conditional	2.2.1
<b>Retail Uses</b>		
Farmers' Market	Conditional	2.2.1, 2.2.5

Use	Approval	Use-Specific Regulations
Gasoline Station – Full Serve	Outright	<a href="#">2.2.2</a>
Public Bike Share	Conditional	<a href="#">2.2.1</a>
Vehicle Dealer	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Animal Clinic	Outright	<a href="#">2.2.2</a>
Auction Hall	Conditional	<a href="#">2.2.1</a>
Barber Shop or Beauty Salon	Conditional	<a href="#">2.2.1</a>
Catering Establishment	Outright	<a href="#">2.2.2</a>
Laboratory	Outright	<a href="#">2.2.2</a>
Laundromat or Dry Cleaning Establishment	Conditional	<a href="#">2.2.1</a>
Laundry or Cleaning Plant	Outright	<a href="#">2.2.2</a>
Motor Vehicle Repair Shop	Outright	<a href="#">2.2.2</a>
Motor Vehicle Wash	Outright	<a href="#">2.2.2</a>
Neighbourhood Public House	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>
Photofinishing or Photography Laboratory	Outright	<a href="#">2.2.2</a>
Photofinishing or Photography Studio	Conditional	<a href="#">2.2.1</a>
Print Shop	Conditional	<a href="#">2.2.1</a>
Production or Rehearsal Studio	Outright	<a href="#">2.2.2</a>
Repair Shop – Class A	Outright	<a href="#">2.2.2</a>
Repair Shop – Class B	Conditional	<a href="#">2.2.1</a>
Restaurant – Class 1	Conditional	<a href="#">2.2.1</a>
Restaurant – Class 2	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>
School – Arts or Self-Improvement	Conditional	<a href="#">2.2.1</a>
School – Business	Conditional	<a href="#">2.2.1</a>
School – Vocational or Trade	Outright	<a href="#">2.2.2</a>
Sign Painting Shop	Outright	<a href="#">2.2.2</a>
Work Shop	Outright	<a href="#">2.2.2</a>
<b>Transportation and Storage Uses</b>		
Aircraft Landing Place	Conditional	<a href="#">2.2.1</a>
Cold Storage Plant	Outright	<a href="#">2.2.2</a>
Mini-Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Packaging Plant	Outright	<a href="#">2.2.2</a>
Storage Warehouse	Outright	<a href="#">2.2.2</a>
Storage Yard	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Taxicab or Limousine Station	Conditional	<a href="#">2.2.1</a>
Truck Terminal or Courier Depot	Conditional	<a href="#">2.2.1</a>
Weighing or Inspection Station	Conditional	<a href="#">2.2.1</a>
Works Yard	Conditional	<a href="#">2.2.1</a>
Utility and Communication Uses		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Outright	<a href="#">2.2.2</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
Wholesale Uses		
Cardlock Fuel Station	Conditional	<a href="#">2.2.1</a>
Lumber and Building Materials Establishment	Outright	<a href="#">2.2.2</a>
Wholesaling – Class A	Outright	<a href="#">2.2.2</a>
Wholesaling – Class B	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.8</a>
Wholesaling – Class B, not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a> , other than accessory retail use in combination with outright approval wholesale uses listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use or otherwise permitted as a conditional approval use	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Any other use that is not specifically listed in this section <a href="#">2.1</a> but that was a legally conforming use existing as of October 25, 1988	Conditional	<a href="#">2.2.1</a>
Any outright approval use listed in this section <a href="#">2.1</a> that does not comply with section <a href="#">2.2.2</a> of this schedule	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

### 2.2.1 Conditional approval uses listed in section 2.1 of this schedule:

- (a) except for cardlock fuel station, vehicle dealer, and transportation and storage uses, must be carried on wholly within a completely enclosed building, unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts;
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives, except for cardlock fuel station; explosives, fireworks, ammunition, matches, or flares; radioactive material; or rags or cotton waste;
- (c) may involve the storage of the following only if they are wholly within a completely enclosed building: fish, fish oil or meal, animal oil or fat, or vegetable oil; fungicides, herbicides or pesticides; grain, hops or sugar; paint, varnish, oil shellac or turpentine; scrap; or toxic or corrosive chemicals or acids; and
- (d) may involve the storage of goods or materials only if they are wholly within a completely enclosed building, unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

### 2.2.2 Outright approval uses listed in section 2.1 of this schedule:

- (a) except for gasoline station – full serve and lumber and building materials establishment, must be carried on wholly within a completely enclosed building, except for heating and mechanical equipment, off-street parking and loading, or other facilities or equipment that the Director of Planning considers similar to the foregoing; and
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives, except for gasoline station – full serve; explosives, fireworks, ammunition, matches, or flares; radioactive material; or rags or cotton waste.

### 2.2.3 Dwelling unit may be permitted if:

- (a) it is in combination with any use listed in section 2.1 of this schedule and:
  - (i) it is for a caretaker or other person similarly employed, and
  - (ii) such dwelling unit is considered to be essential to the operation of the business or establishment; or
- (b) if it existed as of and was used continuously since October 25, 1988 provided that any additions are limited to the lesser of 10% of the existing floor area or 37 m<sup>2</sup>.

### 2.2.4 Residential unit associated with and forming an integral part of an artist studio, limited to artist studio – class B, may be permitted if:

- (a) the change of use applies to floor area existing as of February 26, 2013; and

- (b) additions are limited to a maximum of 10% of the existing floor area.
- 2.2.5 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.6 Neighbourhood public house must not be located within 300.0 m of an existing neighbourhood public house.
- 2.2.7 Restaurant – class 2 must not be located within 200.0 m of an existing restaurant – class 2.
- 2.2.8 Wholesaling Class – B is permitted as an outright approval use if the floor area does not exceed 1,000 m<sup>2</sup>.
- 2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:
    - (i) in the rear yard, and
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) the total floor area of an accessory building, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.
- 2.2.10 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule, other than accessory retail use in combination with outright approval wholesale uses listed in section 2.1 of this schedule, are permitted if:
- (a) the total floor area of all accessory uses, except any portion of a lounge use accessory to brewing and distilling located outside the principal building, does not exceed 33.3% of the gross floor area of the principal and accessory uses combined, unless the accessory use is permitted as an outright approval use pursuant to section 2.1 of this schedule; and
  - (b) the floor area in accessory retail use, other than accessory retail use associated with an artist studio, is separated from the floor area of all other uses by a wall, and the other uses are not accessible to the public.

- 2.2.11 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.10 above.
- 2.2.12 Accessory uses customarily ancillary to any use listed in section 2.1 of this schedule that do not comply with section 2.2.10 above, may be permitted as a conditional approval use, except that accessory retail use may only be permitted in combination with manufacturing uses.
- 2.2.13 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 3.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for manufacturing uses, transportation and storage uses, utility and communication uses, and wholesale uses;
- (b) the maximum floor space ratio for service uses is:
  - (i) 3.00 for catering establishment, laboratory, laundry or cleaning plant, motor vehicle repair shop, photofinishing or photography laboratory, production or rehearsal studio, repair shop – class A, sign painting shop, and work shop, and
  - (ii) 1.00 for animal clinic, auction hall, barber shop or beauty salon, laundromat or dry cleaning establishment, photofinishing or photography studio, print shop, repair shop – class B, school – arts or self-improvement, school – business, and school – vocational or trade;
- (c) the maximum floor space ratio is 1.00 for office uses, except that the Director of Planning may permit additional floor area for office uses to a maximum additional floor space ratio of 1.00, if an equal amount of floor area on the ground floor is used for a use listed in section [3.1.1.1\(a\)](#) or [3.1.1.1\(b\)\(i\)](#) above; and
- (d) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
  - (i) retail uses, including accessory retail use, must not exceed 1,000 m<sup>2</sup>,
  - (ii) neighbourhood public house must not exceed 500 m<sup>2</sup>, of which at least 25% must be used for brewing or distilling,
  - (iii) restaurant – class 1 must not exceed 150 m<sup>2</sup>,
  - (iv) restaurant – class 2 must not exceed 300 m<sup>2</sup>, and
  - (v) a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

### 3.1.2 Building Form and Placement

Regulations		I-1
3.1.2.1	Maximum building height	18.3 m
3.1.2.2	Minimum side yard width for a side yard that:	
	(a) adjoins a site located in an R district, without the intervention of a lane	1.5 m
	(b) does not adjoin a site located in an R district	not required
3.1.2.3	Minimum rear yard depth	3.1 m

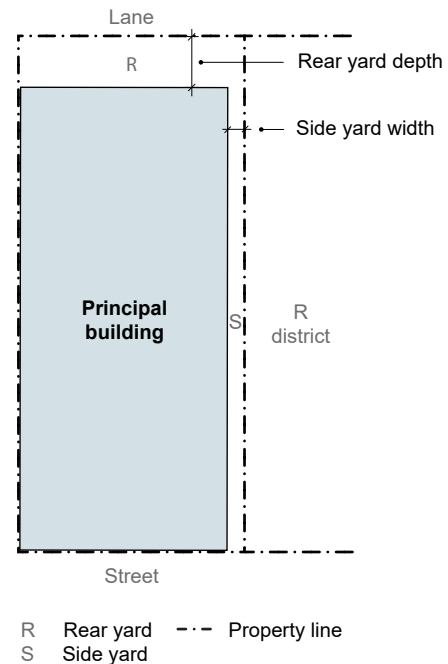
#### Side Yard

- 3.1.2.4 Despite the minimum side yard width in section 3.1.2.2(b) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

#### Rear Yard

- 3.1.2.5 Despite the minimum rear yard depth in section 3.1.2.3 above, where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.6 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required.

**Diagram: Building placement for principal building**





## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a dwelling use to a maximum floor area of 10% of the total permitted floor area; and
- (e) storage area associated with an artist studio – class B where the area is provided below the base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio – class B.

## SCHEDULE W

# I-1A

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The primary intent of this schedule is to permit light industrial uses, including those with a significant amount of research and development activity, that are generally compatible with one another and with adjoining residential or commercial districts. Complementary commercial uses, including office and retail, with a particular focus on digital entertainment and information communication technology use, are also permitted, subject to the limitations in this schedule.

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the I-1A district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section 2.1 of this schedule	3.1

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including Section 2, Section 10 and Section 11, and compliance with the regulations of this schedule including section 2.2.

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	2.2.1
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Outright	2.2.2
Artist Studio – Class B	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.2
Club	Outright	2.2.2
Theatre	Conditional	2.2.1
<b>Dwelling Uses</b>		
Dwelling Unit	Conditional	2.2.1, 2.2.3
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B	Conditional	2.2.1, 2.2.4
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1
Church	Outright	2.2.2
Public Authority Use	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	2.2.2
Batteries Manufacturing	Outright	2.2.2
Brewing or Distilling	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class A	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class B	Outright	2.2.2
Clothing Manufacturing	Outright	2.2.2
Dairy Products Manufacturing	Outright	2.2.2
Electrical Products or Appliances Manufacturing	Outright	2.2.2
Food or Beverage Products Manufacturing – Class A	Conditional	2.2.1
Food or Beverage Products Manufacturing – Class B	Outright	2.2.2
Furniture or Fixtures Manufacturing	Outright	2.2.2

Use	Approval	Use-Specific Regulations
Ice Manufacturing	Outright	2.2.2
Information Communication Technology Manufacturing	Outright	2.2.2
Jewellery Manufacturing	Outright	2.2.2
Leather Products Manufacturing	Outright	2.2.2
Linoleum or Coated Fabrics Manufacturing	Conditional	2.2.1
Machinery or Equipment Manufacturing	Conditional	2.2.1
Metal Products Manufacturing – Class B	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class A	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class B	Outright	2.2.2
Motor Vehicle Parts Manufacturing	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class A	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class B	Outright	2.2.2
Paper Products Manufacturing	Outright	2.2.2
Plastic Products Manufacturing	Outright	2.2.2
Printing or Publishing	Outright	2.2.2
Rubber Manufacturing	Conditional	2.2.1
Rubber Products Manufacturing	Outright	2.2.2
Shoes or Boots Manufacturing	Outright	2.2.2
Textiles or Knit Goods Manufacturing	Conditional	2.2.1
Tobacco Products Manufacturing	Outright	2.2.2
Transportation Equipment Manufacturing	Conditional	2.2.1
Vegetable Oil Manufacturing	Conditional	2.2.1
Wood Products Manufacturing – Class B	Outright	2.2.2
<b>Office Uses</b>		
General Office	Conditional	2.2.1
Health Enhancement Centre	Conditional	2.2.1
<b>Parking Uses</b>		
Parking Uses	Conditional	2.2.1
<b>Retail Uses</b>		
Farmers' Market	Conditional	2.2.1, 2.2.5
Gasoline Station – Full Serve	Outright	2.2.2
Public Bike Share	Conditional	2.2.1
Vehicle Dealer	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
<b>Service Uses</b>		
Animal Clinic	Outright	2.2.2
Auction Hall	Conditional	2.2.1
Barber Shop or Beauty Salon	Conditional	2.2.1
Catering Establishment	Outright	2.2.2
Laboratory	Outright	2.2.2
Laundromat or Dry Cleaning Establishment	Conditional	2.2.1
Laundry or Cleaning Plant	Outright	2.2.2
Motor Vehicle Repair Shop	Outright	2.2.2
Motor Vehicle Wash	Outright	2.2.2
Neighbourhood Public House	Conditional	2.2.1, 2.2.6
Photofinishing or Photography Laboratory	Outright	2.2.2
Photofinishing or Photography Studio	Conditional	2.2.1
Print Shop	Conditional	2.2.1
Production or Rehearsal Studio	Outright	2.2.2
Repair Shop – Class A	Outright	2.2.2
Repair Shop – Class B	Conditional	2.2.1
Restaurant – Class 1	Conditional	2.2.1
Restaurant – Class 2	Conditional	2.2.1, 2.2.7
School – Arts or Self-Improvement	Conditional	2.2.1
School – Business	Conditional	2.2.1
School – Vocational or Trade	Outright	2.2.2
Sign Painting Shop	Outright	2.2.2
Work Shop	Outright	2.2.2
<b>Transportation and Storage Uses</b>		
Aircraft Landing Place	Conditional	2.2.1
Cold Storage Plant	Outright	2.2.2
Packaging Plant	Outright	2.2.2
Storage Warehouse	Outright	2.2.2
Storage Yard	Conditional	2.2.1
Taxicab or Limousine Station	Conditional	2.2.1
Truck Terminal or Courier Depot	Conditional	2.2.1
Weighing or Inspection Station	Conditional	2.2.1
Works Yard	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Outright	<a href="#">2.2.2</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>Wholesale Uses</b>		
Cardlock Fuel Station	Conditional	<a href="#">2.2.1</a>
Lumber and Building Materials Establishment	Outright	<a href="#">2.2.2</a>
Wholesaling – Class A	Outright	<a href="#">2.2.2</a>
Wholesaling – Class B	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.8</a>
Wholesaling – Class B, not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a> , other than accessory retail use in combination with outright approval wholesale uses listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use or otherwise permitted as a conditional approval use	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Any other use that is not specifically listed in this section <a href="#">2.1</a> but that was a legally conforming use existing as of October 25, 1988	Conditional	<a href="#">2.2.1</a>
Any outright approval use listed in this section <a href="#">2.1</a> that does not comply with section <a href="#">2.2.2</a> of this schedule	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

### 2.2.1 Conditional approval uses listed in section [2.1](#) of this schedule:

- (a) except for cardlock fuel station, vehicle dealer and transportation and storage uses, must be carried on wholly within a completely enclosed building, unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise

objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts;

- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives, except for a cardlock fuel station; explosives, fireworks, ammunition, matches, or flares; radioactive material; or rags or cotton waste;
- (c) may involve the storage of the following only if they are wholly within a completely enclosed building: fish, fish oil or meal, animal oil or fat, or vegetable oil; fungicides, herbicides or pesticides; grain, hops or sugar; paint, varnish, oil shellac or turpentine; scrap; or toxic or corrosive chemicals or acids; and
- (d) may involve the storage of goods or materials only if they are wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

2.2.2 Outright approval uses listed in section 2.1:

- (a) except for gasoline station – full serve and lumber and building materials establishment, must be carried on wholly within a completely enclosed building, except for heating and mechanical equipment, off-street parking and loading, or other facilities or equipment that the Director of Planning considers similar to the foregoing; and
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives, except for a gasoline station – full serve; explosives, fireworks, ammunition, matches, or flares; radioactive material; or rags or cotton waste.

2.2.3 Dwelling unit may be permitted in combination with any use listed in section 2.1 of this schedule if:

- (a) it is for a caretaker or other person similarly employed; and
- (b) such dwelling unit is considered to be essential to the operation of the business or establishment.

2.2.4 Residential unit associated with and forming an integral part of an artist studio, limited to artist studio – class B, may be permitted if:

- (a) the change of use applies to floor area existing as of May 2, 2017; and
- (b) additions are limited to a maximum of 10% of the existing floor area.

2.2.5 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.6 Neighbourhood public house must not be located within 300.0 m of an existing neighbourhood public house.

2.2.7 Restaurant – class 2 must not be located within 200.0 m of an existing restaurant – class 2.

- 2.2.8 Wholesaling class – B is permitted as an outright approval use if the floor area does not exceed 1,000 m<sup>2</sup>.
- 2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:
    - (i) in the rear yard, and
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) the total floor area of an accessory building, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.
- 2.2.10 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule, other than accessory retail use in combination with outright approval wholesale uses listed in section 2.1 of this schedule, are permitted if:
- (a) the total floor area of all accessory uses, except any portion of a lounge use accessory to brewing and distilling located outside the principal building, does not exceed 33.3% of the gross floor area of the principal and accessory uses combined, unless the accessory use is permitted as an outright approval use pursuant to section 2.1 of this schedule; and
  - (b) the floor area in accessory retail use, other than accessory retail use associated with an artist studio, is separated from the floor area of all other uses by a wall, and the other uses are not accessible to the public.
- 2.2.11 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions of section 2.2.10 above.
- 2.2.12 Accessory uses customarily ancillary to any use listed in section 2.1 of this schedule that do not comply with section 2.2.10 above, may be permitted as a conditional approval use, except that accessory retail use may only be permitted in combination with manufacturing uses.
- 2.2.13 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

##### 3.1.1.1 The maximum floor space ratio is 3.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for manufacturing uses, transportation and storage uses, utility and communication uses, and wholesale uses;
- (b) the maximum floor space ratio for service uses is:
  - (i) 3.00 for catering establishment, laboratory, laundry or cleaning plant, motor vehicle repair shop, photofinishing or photography laboratory, production or rehearsal studio, repair shop – class A, sign painting shop, and work shop, and
  - (ii) 1.00 for animal clinic, auction hall, barber shop or beauty salon, laundromat or dry cleaning establishment, photofinishing or photography studio, print shop, repair shop – class B, school – arts or self-improvement, school – business, and school – vocational or trade;
- (c) the maximum floor space ratio is 1.00 for general office, except that the Director of Planning may permit additional floor area for general office to a maximum additional floor space ratio of 1.00, if an equal amount of floor area on the ground floor is used for a use listed in section [3.1.1.1\(a\)](#) or [3.1.1.1\(b\)\(i\)](#) above; and
- (d) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
  - (i) retail uses, including accessory retail use, must not exceed 1,000 m<sup>2</sup>,
  - (ii) neighbourhood public house must not exceed 500 m<sup>2</sup>, of which at least 25% must be used for brewing or distilling,
  - (iii) restaurant – class 1 must not exceed 150 m<sup>2</sup>,
  - (iv) restaurant – class 2 must not exceed 300 m<sup>2</sup>, and
  - (v) a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

##### 3.1.1.2 Despite section [3.1.1.1](#) above, the Director of Planning may increase the permitted floor area by 1 m<sup>2</sup> per amenity share provided to the City at no cost to the City, to a maximum additional floor space ratio of 2.00, for:

(a) uses listed in section **3.1.1.1(a)** or **3.1.1.1(b)(i)** above; and

(b) digital entertainment and information communication technology,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.1.1.3 Despite section **3.1.1.2** above, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this schedule and this by-law.

### 3.1.2 Building Form and Placement

Regulations	I-1A
3.1.2.1 Maximum building height	33.5 m
3.1.2.2 Minimum building setbacks:	
(a) from the property line adjacent to Quebec Street	1.50 m
(b) from the property line adjacent to 3rd Avenue	0.65 m
(c) from the property line adjacent to 4th Avenue	0.65 m
(d) from the property line adjacent to 5th Avenue	0.65 m
(e) from the property line adjacent to the north-south lane, running between 2nd Avenue and 5th Avenue	3.00 m
(f) from any property line adjacent to an east-west lane	0.60 m
(g) for properties on the south side of 2nd Avenue	31.70 m measured from the property line adjacent to the north side of the dedicated street

### Building Height and Floor-to-Floor Height

3.1.2.3 The floor-to-floor height of the first floor of a building must measure at least 5.35 m, except for buildings existing as of May 2, 2017.

3.1.2.4 Despite the maximum building height in section **3.1.2.1** above, the height of a building must not exceed 18.3 m for:

(a) a depth of 6.1 m, measured from a property line adjacent to Quebec Street;

(b) a depth of 4.5 m, measured from a property line adjacent to 2nd Avenue, 3rd Avenue, 4th Avenue or 5th Avenue; and

- (c) a depth of 9.1 m measured from the property line adjacent to the north-south lane running between 2nd Avenue and 5th Avenue.

3.1.2.5 Despite the maximum building height in section 3.1.2.1 above, the floor area of any storey located above 18.3 m in height must not exceed 65% of the floor area of the largest storey at or below 18.3 m.

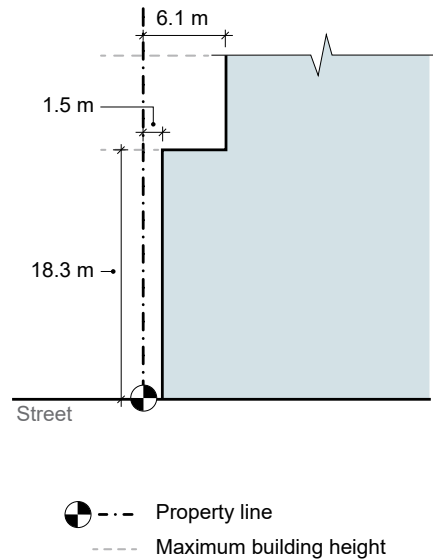
3.1.2.6 The Director of Planning may vary the height requirements as follows:

- (a) a building existing as of May 2, 2017, may have a maximum building height of 35.0 m; and
- (b) any floor above 18.3 m may be permitted to extend into the required upper floor setback as follows:
  - (i) on Quebec Street, the width of the building may extend up to 3.0 m into the required 6.1 m upper floor setback for up to 33.3% of the width of a building fronting the street, and
  - (ii) on 2nd Avenue, 3rd Avenue, 4th Avenue and 5th Avenue, the 4.5 m upper floor setback may be reduced for up to 33.3% of the width of a building fronting the street,

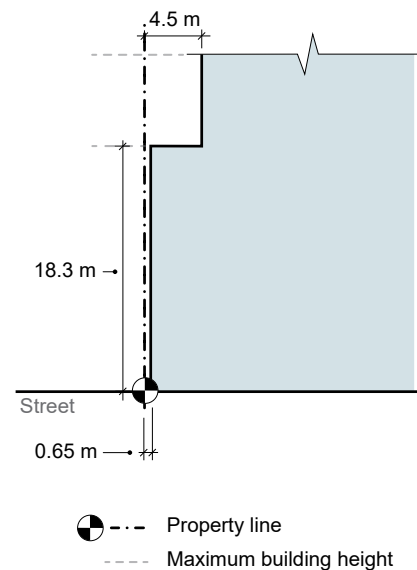
except that:

- (iii) the floor area of any storey located above 18.3 m in height must not exceed 80% of the floor area of the largest permitted storey located at or below 18.3 m, and
- (iv) the building must not encroach into the ground floor setbacks required in section 3.1.2.2 above.

**Diagram: Building height limit along Quebec street**



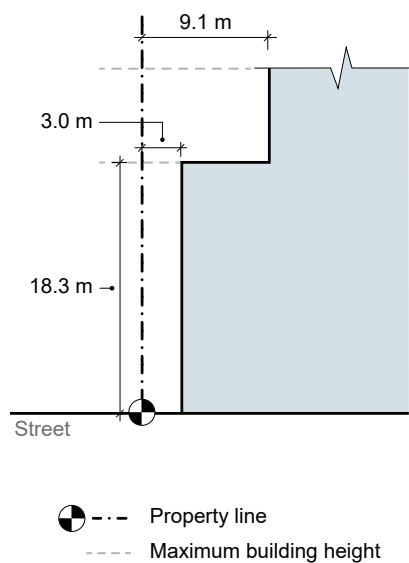
**Diagram: Building height limit along 3rd Avenue, 4th Avenue and 5th Avenues**



## Building Setbacks

- 3.1.2.7 Despite the minimum building setbacks in section 3.1.2.2 above, no setbacks are required for buildings existing as of May 2, 2017.

**Diagram: Building height limit at north-south lane between 2nd Avenue and 5th Avenue**



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Amenity Shares

4.1.1 For the purposes of this schedule, an amenity means a child day care facility.

4.1.2 For the purposes of this schedule, the cost of an amenity share is the amount specified per m<sup>2</sup> in **Schedule F: Affordable Housing and Amenity Share Cost Schedule** of this by-law for the I-1A zoning district.

### 4.2 Computation of Floor Area

4.2.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.2.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length; and
- (d) storage area associated with an artist studio – class B where the area is provided below the base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio – class B.

4.2.3 The Director of Planning may vary the computation of floor area exclusions in section 4.2.2 above for accessory amenity areas, including child day care facilities and recreation facilities, to a maximum of 10% of the total permitted floor area.

## SCHEDULE X

# I-1B

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The primary intent of this schedule is to permit light industrial uses, including those with a significant amount of research and development activity, that are generally compatible with one another and with adjoining residential or commercial districts. Complementary commercial uses, including office and retail, with a particular focus on digital entertainment and information communication technology use, are also permitted, subject to the limitations in this schedule.

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the I-1B district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section 2.1 of this schedule	3.1

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including Section 2, Section 10 and Section 11, and compliance with the regulations of this schedule including section 2.2.

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	2.2.1
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Outright	2.2.2
Artist Studio – Class B	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.2
Club	Outright	2.2.2
Theatre	Conditional	2.2.1
<b>Dwelling Uses</b>		
Dwelling Unit	Conditional	2.2.1, 2.2.3
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B	Conditional	2.2.1, 2.2.4
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1
Church	Outright	2.2.2
Public Authority Use	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	2.2.2
Batteries Manufacturing	Outright	2.2.2
Brewing or Distilling	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class A	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class B	Outright	2.2.2
Clothing Manufacturing	Outright	2.2.2
Dairy Products Manufacturing	Outright	2.2.2
Electrical Products or Appliances Manufacturing	Outright	2.2.2
Food or Beverage Products Manufacturing – Class A	Conditional	2.2.1
Food or Beverage Products Manufacturing – Class B	Outright	2.2.2
Furniture or Fixtures Manufacturing	Outright	2.2.2

Use	Approval	Use-Specific Regulations
Ice Manufacturing	Outright	2.2.2
Information Communication Technology Manufacturing	Outright	2.2.2
Jewellery Manufacturing	Outright	2.2.2
Leather Products Manufacturing	Outright	2.2.2
Linoleum or Coated Fabrics Manufacturing	Conditional	2.2.1
Machinery or Equipment Manufacturing	Conditional	2.2.1
Metal Products Manufacturing – Class B	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class A	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class B	Outright	2.2.2
Motor Vehicle Parts Manufacturing	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class A	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class B	Outright	2.2.2
Paper Products Manufacturing	Outright	2.2.2
Plastic Products Manufacturing	Outright	2.2.2
Printing or Publishing	Outright	2.2.2
Rubber Manufacturing	Conditional	2.2.1
Rubber Products Manufacturing	Outright	2.2.2
Shoes or Boots Manufacturing	Outright	2.2.2
Textiles or Knit Goods Manufacturing	Conditional	2.2.1
Tobacco Products Manufacturing	Outright	2.2.2
Transportation Equipment Manufacturing	Conditional	2.2.1
Vegetable Oil Manufacturing	Conditional	2.2.1
Wood Products Manufacturing – Class B	Outright	2.2.2
<b>Office Uses</b>		
General Office	Conditional	2.2.1
Health Enhancement Centre	Conditional	2.2.1
<b>Parking Uses</b>		
Parking Uses	Conditional	2.2.1
<b>Retail Uses</b>		
Farmers' Market	Conditional	2.2.1, 2.2.5
Gasoline Station – Full Serve	Outright	2.2.2
Public Bike Share	Conditional	2.2.1
Vehicle Dealer	Conditional	2.2.1



Use	Approval	Use-Specific Regulations
<b>Service Uses</b>		
Animal Clinic	Outright	2.2.2
Auction Hall	Conditional	2.2.1
Barber Shop or Beauty Salon	Conditional	2.2.1
Catering Establishment	Outright	2.2.2
Laboratory	Outright	2.2.2
Laundromat or Dry Cleaning Establishment	Conditional	2.2.1
Laundry or Cleaning Plant	Outright	2.2.2
Motor Vehicle Repair Shop	Outright	2.2.2
Motor Vehicle Wash	Outright	2.2.2
Neighbourhood Public House	Conditional	2.2.1, 2.2.6
Photofinishing or Photography Laboratory	Outright	2.2.2
Photofinishing or Photography Studio	Conditional	2.2.1
Print Shop	Conditional	2.2.1
Production or Rehearsal Studio	Outright	2.2.2
Repair Shop – Class A	Outright	2.2.2
Repair Shop – Class B	Conditional	2.2.1
Restaurant – Class 1	Conditional	2.2.1
Restaurant – Class 2	Conditional	2.2.1, 2.2.7
School – Arts or Self-Improvement	Conditional	2.2.1
School – Business	Conditional	2.2.1
School – Vocational or Trade	Outright	2.2.2
Sign Painting Shop	Outright	2.2.2
Work Shop	Outright	2.2.2
<b>Transportation and Storage Uses</b>		
Aircraft Landing Place	Conditional	2.2.1
Cold Storage Plant	Outright	2.2.2
Packaging Plant	Outright	2.2.2
Storage Warehouse	Outright	2.2.2
Storage Yard	Conditional	2.2.1
Taxicab or Limousine Station	Conditional	2.2.1
Truck Terminal or Courier Depot	Conditional	2.2.1
Weighing or Inspection Station	Conditional	2.2.1
Works Yard	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Outright	<a href="#">2.2.2</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>Wholesale Uses</b>		
Cardlock Fuel Station	Conditional	<a href="#">2.2.1</a>
Lumber and Building Materials Establishment	Outright	<a href="#">2.2.2</a>
Wholesaling – Class A	Outright	<a href="#">2.2.2</a>
Wholesaling – Class B	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.8</a>
Wholesaling – Class B, not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a> , other than accessory retail use in combination with outright approval wholesale uses listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use or otherwise permitted as a conditional approval use	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Any other use that is not specifically listed in this section <a href="#">2.1</a> but that was a legally conforming use existing as of October 25, 1988	Conditional	<a href="#">2.2.1</a>
Any outright approval use listed in this section <a href="#">2.1</a> that does not comply with section <a href="#">2.2.2</a> of this schedule	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

### 2.2.1 Conditional approval uses listed in section [2.1](#) of this schedule:

- (a) except for cardlock fuel station, vehicle dealer and transportation and storage uses, must be carried on wholly within a completely enclosed building, unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise

objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts;

- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives, except for a cardlock fuel station; explosives, fireworks, ammunition, matches, or flares; radioactive material; or rags or cotton waste;
- (c) may involve the storage of the following only if they are wholly within a completely enclosed building: fish, fish oil or meal, animal oil or fat, or vegetable oil; fungicides, herbicides or pesticides; grain, hops or sugar; paint, varnish, oil shellac or turpentine; scrap; or toxic or corrosive chemicals or acids; and
- (d) may involve the storage of goods or materials only if they are wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

2.2.2 Outright approval uses listed in section 2.1 of this schedule:

- (a) except for gasoline station – full serve and lumber and building materials establishment, must be carried on wholly within a completely enclosed building, except for heating and mechanical equipment, off-street parking and loading, or other facilities or equipment that the Director of Planning considers similar to the foregoing; and
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives, except for gasoline station – full serve; explosives, fireworks, ammunition, matches, or flares; radioactive material; or rags or cotton waste.

2.2.3 Dwelling unit may be permitted in combination with any use listed in section 2.1 of this schedule if:

- (a) it is for a caretaker or other person similarly employed; and
- (b) such dwelling unit is considered to be essential to the operation of the business or establishment.

2.2.4 Residential unit associated with and forming an integral part of an artist studio, limited to artist studio – class B, may be permitted if:

- (a) the change of use applies to floor area existing as of May 2, 2017; and
- (b) additions are limited to a maximum of 10% of the existing floor area.

2.2.5 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.6 Neighbourhood public house must not be located within 300.0 m of an existing neighbourhood public house.

2.2.7 Restaurant – class 2 must not be located within 200.0 m of an existing restaurant – class 2.

- 2.2.8 Wholesaling class – B is permitted as an outright approval use if the floor area does not exceed 1,000 m<sup>2</sup>.
- 2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:
    - (i) in the rear yard, and
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) the total floor area of an accessory building, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.
- 2.2.10 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule, other than accessory retail use in combination with outright approval wholesale uses listed in section 2.1 of this schedule, are permitted if:
- (a) the total floor area of all accessory uses, except any portion of a lounge use accessory to brewing and distilling located outside the principal building, does not exceed 33.3% of the gross floor area of the principal and accessory uses combined, unless the accessory use is permitted as an outright approval use pursuant to section 2.1 of this schedule; and
  - (b) the floor area in accessory retail use, other than accessory retail use associated with an artist studio, is separated from the floor area of all other uses by a wall, and the other uses are not accessible to the public.
- 2.2.11 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.10 above.
- 2.2.12 Accessory uses customarily ancillary to any use listed in section 2.1 of this schedule that do not comply with section 2.2.10 above, may be permitted as a conditional approval use, except that accessory retail use may only be permitted in combination with manufacturing uses.
- 2.2.13 Any other use that is not specifically listed in and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

##### 3.1.1.1 The maximum floor space ratio is 3.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for manufacturing uses, transportation and storage uses, utility and communication uses, and wholesale uses;
- (b) the maximum floor space ratio for service uses is:
  - (i) 3.00 for catering establishment, laboratory, laundry or cleaning plant, motor vehicle repair shop, photofinishing or photography laboratory, production or rehearsal studio, repair shop – class A, sign painting shop, and work shop, and
  - (ii) 1.00 for animal clinic, auction hall, barber shop or beauty salon, laundromat or dry cleaning establishment, photofinishing or photography studio, print shop, repair shop – class B, school – arts or self-improvement, school – business, and school – vocational or trade;
- (c) the maximum floor space ratio is 1.00 for general office, except that the Director of Planning may permit additional floor area for general office to a maximum additional floor space ratio of 1.00, if an equal amount of floor area on the ground floor is used for a use listed in sections [3.1.1.1\(a\)](#) or [3.1.1.1\(b\)\(i\)](#) above; and
- (d) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
  - (i) retail uses, including accessory retail use, must not exceed 1,000 m<sup>2</sup>,
  - (ii) neighbourhood public house must not exceed 500 m<sup>2</sup>, of which at least 25% must be used for brewing or distilling,
  - (iii) restaurant – class 1 must not exceed 150 m<sup>2</sup>,
  - (iv) restaurant – class 2 must not exceed 300 m<sup>2</sup>, and
  - (v) a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

##### 3.1.1.2 Despite section [3.1.1.1](#) above, the Director of Planning may increase the permitted floor area by 1 m<sup>2</sup> per amenity share (level 1) provided to the City at no cost to the City, to a maximum additional floor space ratio of 2.00, for:

(a) uses listed in section 3.1.1.1(a) or 3.1.1.1(b)(i) above; and

(b) digital entertainment and information communication technology,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.1.1.3 Despite sections 3.1.1.1 and 3.1.1.2 above, the Director of Planning may increase the permitted floor area by 1 m<sup>2</sup> per amenity share (level 2) provided to the City at no cost to the City, to a maximum additional floor space ratio of 1.00, for:

(a) uses listed in section 3.1.1.1(a) or 3.1.1.1(b)(i) above; and

(b) digital entertainment and information communication technology,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.1.1.4 Despite sections 3.1.1.2 and 3.1.1.3 above, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this schedule and this by-law.

### 3.1.2 Building Form and Placement

Regulations		I-1B
3.1.2.1	Minimum building height	38.0 m
3.1.2.2	Minimum building setbacks:	
	(a) from the property line adjacent to Quebec Street	1.50 m
	(b) from the property line adjacent to 5th Avenue	0.65 m
	(c) from the property line adjacent to 6th Avenue	0.65 m
	(d) from the property line adjacent to the north-south lane, running between 5th Avenue and 6th Avenue	3.00 m
	(e) from any property line adjacent to an east-west lane	0.60 m

### Building Height and Floor-to-Floor Height

3.1.2.3 The floor-to-floor height of the first floor of a building must measure at least 5.35 m, except for buildings existing as of May 2, 2017.

3.1.2.4 Despite the maximum building height in section 3.1.2.1 above, the height of a building must not exceed 18.3 m for:

- (a) a depth of 6.1 m, measured from a property line adjacent to Quebec Street;
- (b) a depth of 4.5 m, measured from a property line adjacent to 5th Avenue or 6th Avenue; and
- (c) a depth of 9.1 m, measured from the property line adjacent to the north-south lane running between 5th Avenue and 6th Avenue.

3.1.2.5 Despite the maximum building height in section 3.1.2.1 above, the floor area of any storey located above 18.3 m in height must not exceed 65% of the floor area of the largest storey at or below 18.3 m.

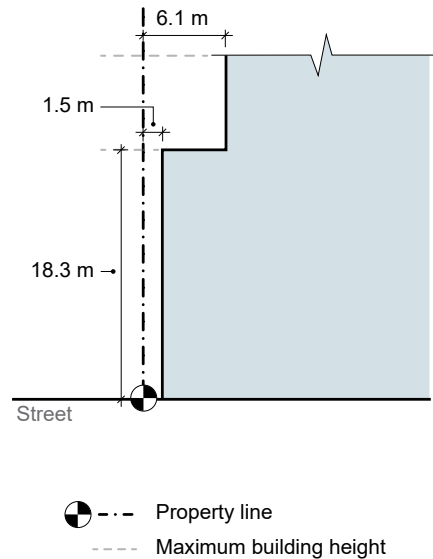
3.1.2.6 The Director of Planning may vary the height requirements to permit any floor above 18.3 m to extend into the required upper floor setback as follows:

- (a) on Quebec Street, the width of the building may extend up to 3.0 m into the required 6.1 m upper floor setback for up to 33.3% of the width of a building fronting the street; and
- (b) on 5th Avenue and 6th Avenue, the 4.5 m upper floor setback may be reduced for up to 33.3% of the width of a building fronting the street,

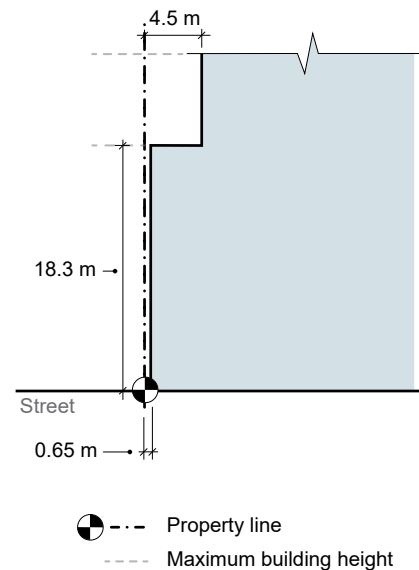
except that:

- (c) the floor area of any storey located above 18.3 m in height must not exceed 80% of the floor area of the largest permitted storey located at or below 18.3 m; and
- (d) the building must not encroach into the ground floor setbacks required in section 3.1.2.2 above.

**Diagram: Building height limit along Quebec Street**



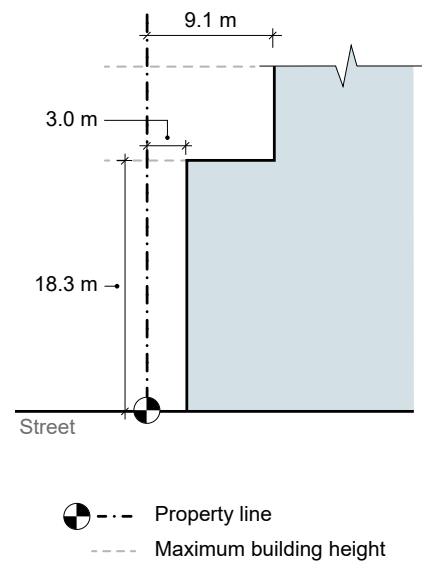
**Diagram: Building height limit along 5th Avenue and 6th Avenue**



## Building Setbacks

- 3.1.2.7 Despite the minimum building setbacks in section 3.1.2.2 above, no setbacks are required for buildings existing as of May 2, 2017.

**Diagram: Building height limit at north-south Lane between 5th Avenue and 6th Avenue**





## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Amenity Shares

#### 4.1.1 For the purposes of this schedule:

- (a) an amenity (level 1) means a child day care facility;
- (b) an amenity (level 2) means a:
  - (i) child day care facility,
  - (ii) community centre or neighbourhood house,
  - (iii) library,
  - (iv) museum or archives,
  - (v) park or playground,
  - (vi) rink,
  - (vii) social service centre, and
  - (viii) swimming pool; and
- (c) amenity (level 2) shares are subject to the following allocations:
  - (i) 14% must be allocated to a child day care facility, and
  - (ii) 86% must be allocated to any amenity (level 2) use listed in section **4.1.1(b)** above.

#### 4.1.2 For the purposes of this schedule, the cost of an amenity share (level 1) is the amount specified per m<sup>2</sup> for an amenity share (level 1) in **Schedule F: Affordable Housing and Amenity Share Cost Schedule** of this by-law for the I-1B zoning district.

#### 4.1.3 For the purposes of this schedule, the cost of an amenity share (level 2) is the amount specified per m<sup>2</sup> for an amenity share (level 2) in **Schedule F: Affordable Housing and Amenity Share Cost Schedule** of this by-law for the I-1B zoning district.

### 4.2 Computation of Floor Area

#### 4.2.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.2.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length; and
- (d) storage area associated with an artist studio – class B where the area is provided below the base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio – class B.

4.2.3 The Director of Planning may vary the computation of floor area exclusions in section 4.2.2 above for accessory amenity areas, including child day care facilities and recreation facilities, to a maximum of 10% of the total permitted floor area.

## SCHEDULE Y

# I-1C

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The primary intent of this schedule is to encourage employment-intensive light industrial uses on lower levels with compatible office and service uses above. Limited retail uses at grade are permitted to activate the street frontage, subject to the limitations in this schedule. The uses, building height, density, and form in this schedule provide a transition between adjoining residential, commercial and light industrial districts. Applications must demonstrate that industrial uses comprise a minimum of 33.3% of the net floor area, including all other uses combined.

Without limitation, applicable Council policies and guidelines for consideration include the [Mount Pleasant Employment-Intensive Light Industrial Rezoning Policy and Guidelines \(I-1C\)](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the I-1C district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district, by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	2.2.1
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Outright	2.2.2
Artist Studio – Class B	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.2
Club	Outright	2.2.2
Fitness Centre	Conditional	2.2.1
Park or Playground	Conditional	2.2.1
Theatre	Conditional	2.2.1
<b>Dwelling Uses</b>		
Dwelling Unit	Conditional	2.2.1, 2.2.3
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1
Child Day Care Facility	Conditional	2.2.1
Church	Outright	2.2.2
Public Authority Use	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	2.2.2
Batteries Manufacturing	Outright	2.2.2
Brewing or Distilling	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class A	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class B	Outright	2.2.2
Clothing Manufacturing	Outright	2.2.2
Dairy Products Manufacturing	Outright	2.2.2

Use	Approval	Use-Specific Regulations
Electrical Products or Appliances Manufacturing	Outright	2.2.2
Food or Beverage Products Manufacturing – Class A	Conditional	2.2.1
Food or Beverage Products Manufacturing – Class B	Outright	2.2.2
Furniture or Fixtures Manufacturing	Outright	2.2.2
Ice Manufacturing	Outright	2.2.2
Information Communication Technology Manufacturing	Outright	2.2.2
Jewellery Manufacturing	Outright	2.2.2
Leather Products Manufacturing	Outright	2.2.2
Linoleum or Coated Fabrics Manufacturing	Conditional	2.2.1
Machinery or Equipment Manufacturing	Conditional	2.2.1
Metal Products Manufacturing – Class B	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class A	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class B	Outright	2.2.2
Motor Vehicle Parts Manufacturing	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class A	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class B	Outright	2.2.2
Paper Products Manufacturing	Outright	2.2.2
Plastic Products Manufacturing	Outright	2.2.2
Printing or Publishing	Outright	2.2.2
Rubber Manufacturing	Conditional	2.2.1
Rubber Products Manufacturing	Outright	2.2.2
Shoes or Boots Manufacturing	Outright	2.2.2
Textiles or Knit Goods Manufacturing	Conditional	2.2.1
Tobacco Products Manufacturing	Outright	2.2.2
Transportation Equipment Manufacturing	Conditional	2.2.1
Vegetable Oil Manufacturing	Conditional	2.2.1
Wood Products Manufacturing – Class B	Outright	2.2.2
<b>Office Uses</b>		
Financial Institution	Conditional	2.2.1
General Office	Conditional	2.2.1
Health Care Office	Conditional	2.2.1
Health Enhancement Centre	Conditional	2.2.1
<b>Parking Uses</b>		
Parking Uses	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
Furniture or Appliance Store	Conditional	<a href="#">2.2.1</a>
Grocery or Drug Store	Conditional	<a href="#">2.2.1</a>
Public Bike Share	Conditional	<a href="#">2.2.1</a>
Retail Store	Conditional	<a href="#">2.2.1</a>
Secondhand Store	Conditional	<a href="#">2.2.1</a>
Vehicle Dealer	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Animal Clinic	Outright	<a href="#">2.2.2</a>
Auction Hall	Conditional	<a href="#">2.2.1</a>
Barber Shop or Beauty Salon	Conditional	<a href="#">2.2.1</a>
Beauty and Wellness Centre	Conditional	<a href="#">2.2.1</a>
Catering Establishment	Outright	<a href="#">2.2.2</a>
Laboratory	Outright	<a href="#">2.2.2</a>
Laundromat or Dry Cleaning Establishment	Conditional	<a href="#">2.2.1</a>
Laundry or Cleaning Plant	Outright	<a href="#">2.2.2</a>
Motor Vehicle Repair Shop	Outright	<a href="#">2.2.2</a>
Motor Vehicle Wash	Outright	<a href="#">2.2.2</a>
Neighbourhood Public House	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.5</a>
Photofinishing or Photography Laboratory	Outright	<a href="#">2.2.2</a>
Photofinishing or Photography Studio	Conditional	<a href="#">2.2.1</a>
Print Shop	Conditional	<a href="#">2.2.1</a>
Production or Rehearsal Studio	Outright	<a href="#">2.2.2</a>
Repair Shop – Class A	Outright	<a href="#">2.2.2</a>
Repair Shop – Class B	Outright	<a href="#">2.2.2</a>
Restaurant – Class 1	Conditional	<a href="#">2.2.1</a>
Restaurant – Class 2	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>
School – Arts or Self-Improvement	Conditional	<a href="#">2.2.1</a>
School – Business	Conditional	<a href="#">2.2.1</a>
School – Vocational or Trade	Outright	<a href="#">2.2.2</a>
Sign Painting Shop	Outright	<a href="#">2.2.2</a>
Work Shop	Outright	<a href="#">2.2.2</a>

Use	Approval	Use-Specific Regulations
<b>Transportation and Storage Uses</b>		
Aircraft Landing Place	Conditional	<a href="#">2.2.1</a>
Bulk Data Storage	Conditional	<a href="#">2.2.1</a>
Cold Storage Plant	Outright	<a href="#">2.2.2</a>
Packaging Plant	Outright	<a href="#">2.2.2</a>
Storage Warehouse	Outright	<a href="#">2.2.2</a>
Taxicab or Limousine Station	Conditional	<a href="#">2.2.1</a>
Truck Terminal or Courier Depot	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Outright	<a href="#">2.2.2</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>Wholesale Uses</b>		
Lumber and Building Materials Establishment	Outright	<a href="#">2.2.2</a>
Wholesaling – Class A	Outright	<a href="#">2.2.2</a>
Wholesaling – Class B	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.7</a>
Wholesaling – Class B, not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.8</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a> , other than accessory retail use in combination with outright approval wholesale uses listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.9</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use or otherwise permitted as a conditional approval use	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Any outright approval use listed in this section <a href="#">2.1</a> that does not comply with section <a href="#">2.2.2</a> of this schedule	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

2.2.1 Conditional approval uses listed in section 2.1 of this schedule:

- (a) except for park or playground and aircraft landing place, must be carried on wholly within a completely enclosed building, unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts;
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives; explosives, fireworks, ammunition, matches or flares; radioactive material; or rags or cotton waste;
- (c) may involve the storage of the following only if they are wholly within a completely enclosed building: fish, fish oil or meal, animal oil or fat, or vegetable oil; fungicides, herbicides or pesticides; grain, hops or sugar; paint, varnish, oil shellac or turpentine; scrap; or toxic or corrosive chemicals or acids; and
- (d) may involve the storage of goods or materials only if they are wholly within a completely enclosed building, unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

2.2.2 Outright approval uses listed in section 2.1 of this schedule:

- (a) must be carried on wholly within a completely enclosed building, except for heating and mechanical equipment, off-street parking and loading, or other facilities or equipment that the Director of Planning considers similar to the foregoing; and
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives; explosives, fireworks, ammunition, matches or flares; radioactive material; or rags or cotton waste.

2.2.3 Dwelling unit may be permitted in combination with any use listed in section 2.1 of this schedule if:

- (a) it is for a caretaker or other person similarly employed; and
- (b) such dwelling unit is considered to be essential to the operation of the business or establishment.

2.2.4 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.5 Neighbourhood public house must not be located within 300.0 m of an existing neighbourhood public house.

2.2.6 Restaurant – class 2 must not be located within 200.0 m of an existing restaurant – class 2.

2.2.7 Wholesaling class – B is permitted as an outright approval use if the floor area does not exceed 1,000 m<sup>2</sup>.



- 2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:
    - (i) in the rear yard, and
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) the total floor area of an accessory building, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.
- 2.2.9 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule, other than accessory retail use in combination with outright approval wholesale uses listed in section 2.1 of this schedule, are permitted if:
- (a) the total floor area of all accessory uses, except any portion of a lounge use accessory to brewing and distilling located outside the principal building, does not exceed 33.3% of the gross floor area of the principal and accessory uses combined, unless the accessory use is permitted as an outright approval use pursuant to section 2.1 of this schedule; and
  - (b) the floor area in accessory retail use, other than accessory retail use associated with an artist studio, is separated from the floor area of all other uses by a wall, and the other uses are not accessible to the public.
- 2.2.10 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.9 above.
- 2.2.11 Accessory uses customarily ancillary to any use listed in section 2.1 of this schedule that do not comply with section 2.2.9 above, may be permitted as a conditional approval use, except that accessory retail use may only be permitted in combination with manufacturing uses.
- 2.2.12 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 6.00, subject to the following allocations:

- (a) the maximum floor space ratio is 6.00 for:
  - (i) manufacturing uses,
  - (ii) transportation and storage uses,
  - (iii) utility and communication uses,
  - (iv) wholesale uses, and
  - (v) service uses limited to: catering establishment, laboratory, laundry or cleaning plant, motor vehicle repair shop, photofinishing or photography laboratory, production or rehearsal studio, repair shop – class A, repair shop – class B, sign painting shop, and work shop;
- (b) the maximum floor space ratio is 4.00 for office uses;
- (c) the maximum floor space ratio is 1.00 for all services uses not listed in section 3.1.1.1(a)(v) above;
- (d) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
  - (i) retail uses, including accessory retail use, must not exceed 1,000 m<sup>2</sup>,
  - (ii) neighbourhood public house must not exceed 500 m<sup>2</sup>, of which at least 25% must be used for brewing or distilling,
  - (iii) restaurant – class 1 must not exceed 150 m<sup>2</sup>,
  - (iv) restaurant – class 2 must not exceed 300 m<sup>2</sup>, and
  - (v) a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building; and
- (e) the total floor area of all uses listed in section 3.1.1.1(a) above must not be less than 33.3% of the net floor area.

### 3.1.2 Building Form and Placement

Regulations	I-1C
3.1.2.1 Maximum building height	46.5 m
3.1.2.2 Minimum building setbacks:	
(a) from the property line adjacent to a north-south street	1.50 m
(b) from the property line adjacent to 3rd Avenue	0.65 m
(c) from the property line adjacent to 4th Avenue	0.65 m
(d) from any property line adjacent to a lane	0.60 m

#### Building Height and Floor-to-Floor Height

3.1.2.3 The floor-to-floor height of:

- (a) the first floor of a building must measure at least 6.1 m; and
- (b) the second floor of a building must measure at least 5.35 m.

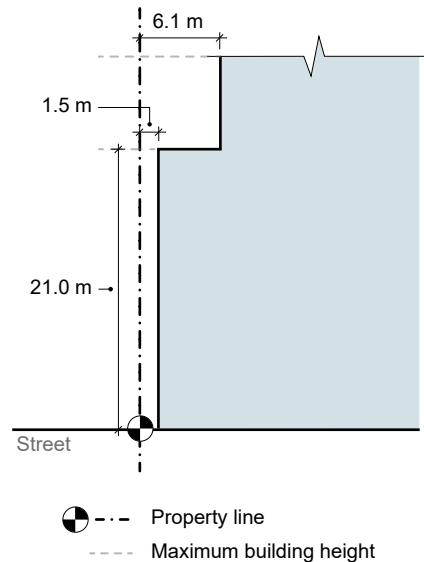
3.1.2.4 Despite the maximum building height in section 3.1.2.1 above, the height of a building must not exceed 21.0 m for:

- (a) a depth of 6.1 m, measured from a property line adjacent to a north-south street; and
- (b) a depth of 4.5 m, measured from a property line adjacent to 2nd Avenue, 3rd Avenue or 4th Avenue.

3.1.2.5 The Director of Planning may vary the height requirements to permit any floor above 21.0 m to extend into the required upper floor setback as follows:

- (a) on north-south streets, the width of the building may extend up to 3.0 m into the required 6.1 m upper floor setback for up to 33.3% of the width of a building fronting on 2nd Avenue; and
- (b) on 2nd Avenue, 3rd Avenue or 4th Avenue, the 4.5 m upper floor setback may be reduced for up to 33.3% of the width of a building fronting the street,

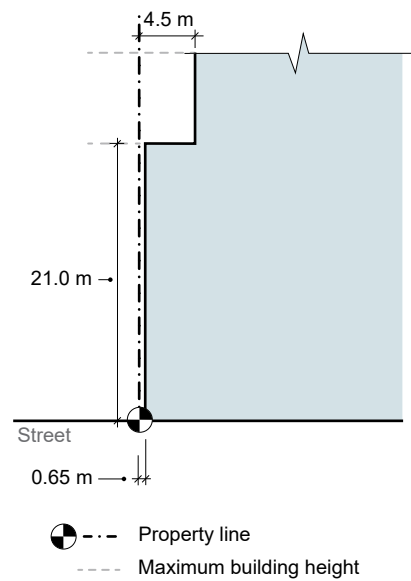
**Diagram: Building height for building portions along north-south streets**



except that the building must not encroach into the ground floor setbacks as specified in section 3.1.2.2 above.

- 3.1.2.6 For the provision of rooftop access and amenity spaces, the Director of Planning may increase the maximum building height up to 1 additional storey, to a maximum overall building height not exceeding 50.3 m.

**Diagram: Building height for building portions along 3rd and 4th avenues**



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length; and
- (d) storage area associated with an artist studio – class B where the area is provided below the base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio – class B.

4.1.3 The Director of Planning may vary the computation of floor area exclusions in section 4.1.2 above for accessory amenity areas, including child day care facilities and recreation facilities, to a maximum of 10% of the total permitted floor area.

## SCHEDULE Z

# I-2

## District Schedule

### 1 INTENT AND OVERVIEW

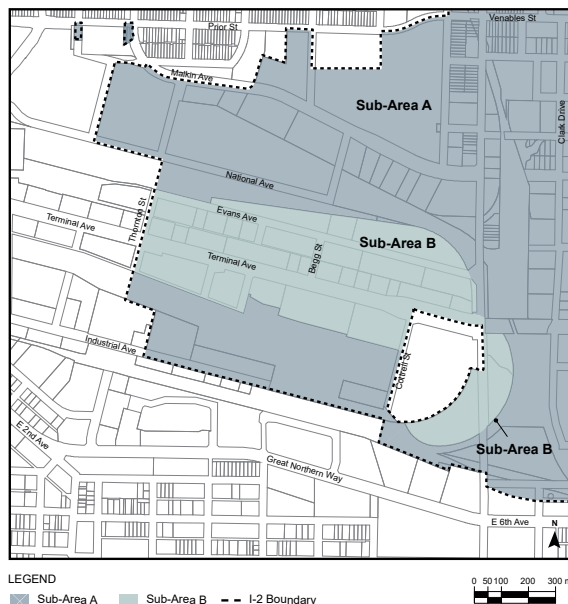
#### 1.1 Intent

The intent of this schedule is to permit industrial and similar uses that are generally incompatible with residential land use but are beneficial in that they provide industrial and service employment opportunities or serve a useful or necessary function in the city. It is not the intent to permit uses that are potentially dangerous or environmentally incompatible when situated near residential districts.

Within the False Creek Flats, the area bounded by Prior Street, Clark Drive, Great Northern Way and Main Street includes 2 sub-areas identified as “sub-area A” and “sub-area B” in [Map 1: Sub-Area A and Sub-Area B in the I-2 District](#), for the purpose of establishing permitted uses, setbacks, building height, floor area, and building width and depth.

Without limitation, applicable Council policies and guidelines for consideration include the [False Creek Flats Urban Design Policies and Guidelines for I-2 and I-3](#) and [Non-Industrial Uses \(I-2 and M-2\) Policies and Guidelines](#).

**Map 1: Sub-Area A and Sub-Area B in the I-2 District**



## 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the I-2 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in areas other than sub-area B	<a href="#">3.1</a>
	All uses in sub-area B	<a href="#">3.2</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	<a href="#">2.2.1</a>
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Outright	<a href="#">2.2.2</a>
Artist Studio – Class B, provided that the use must not be combined with a Residential Unit	Outright	<a href="#">2.2.2</a>
Artist Studio – Class B, not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Arts and Culture Indoor Event	Outright	<a href="#">2.2.2</a>

Use	Approval	Use-Specific Regulations
Community Centre or Neighbourhood House	Conditional	<a href="#">2.2.1</a>
Marina	Conditional	<a href="#">2.2.1</a>
Park or Playground	Conditional	<a href="#">2.2.1</a>
<b>Dwelling Uses</b>		
Dwelling Unit, but not in sub-area A or B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B and not in sub-area A or B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a>
Child Day Care Facility	Conditional	<a href="#">2.2.1</a>
Public Authority Use	Conditional	<a href="#">2.2.1</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a>
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	<a href="#">2.2.2</a>
Batteries Manufacturing	Outright	<a href="#">2.2.2</a>
Brewing or Distilling	Conditional	<a href="#">2.2.1</a>
Chemicals or Chemical Products Manufacturing – Class A	Conditional	<a href="#">2.2.1</a>
Chemicals or Chemical Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a>
Clothing Manufacturing	Outright	<a href="#">2.2.2</a>
Creative Products Manufacturing, only in sub-area B	Conditional	<a href="#">2.2.1</a>
Dairy Products Manufacturing	Outright	<a href="#">2.2.2</a>
Electrical Products or Appliances Manufacturing	Outright	<a href="#">2.2.2</a>
Food or Beverage Products Manufacturing – Class A	Conditional	<a href="#">2.2.1</a>
Food or Beverage Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a>
Furniture or Fixtures Manufacturing	Outright	<a href="#">2.2.2</a>
Ice Manufacturing	Outright	<a href="#">2.2.2</a>
Information Communication Technology Manufacturing	Outright	<a href="#">2.2.2</a>
Jewellery Manufacturing	Outright	<a href="#">2.2.2</a>
Leather Products Manufacturing	Outright	<a href="#">2.2.2</a>
Linoleum or Coated Fabrics Manufacturing	Conditional	<a href="#">2.2.1</a>
Machinery or Equipment Manufacturing	Outright	<a href="#">2.2.2</a>
Metal Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a>
Miscellaneous Products Manufacturing – Class A	Conditional	<a href="#">2.2.1</a>



Use	Approval	Use-Specific Regulations
Miscellaneous Products Manufacturing – Class B	Outright	2.2.2
Motor Vehicle Parts Manufacturing	Outright	2.2.2
Non-Metallic Mineral Products Manufacturing – Class A	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class B	Outright	2.2.2
Paper Manufacturing	Conditional	2.2.1
Paper Products Manufacturing	Outright	2.2.2
Plastic Products Manufacturing	Outright	2.2.2
Printing or Publishing	Outright	2.2.2
Rubber Manufacturing	Conditional	2.2.1
Rubber Products Manufacturing	Outright	2.2.2
Shoes or Boots Manufacturing	Outright	2.2.2
Textiles or Knit Goods Manufacturing	Outright	2.2.2
Tobacco Products Manufacturing	Outright	2.2.2
Transportation Equipment Manufacturing	Outright	2.2.2
Vegetable Oil Manufacturing	Conditional	2.2.1
Wood Products Manufacturing – Class B	Outright	2.2.2
<b>Office Uses</b>		
General Office	Conditional	2.2.1, 2.2.5
<b>Parking Uses</b>		
Parking Uses	Conditional	2.2.1
<b>Retail Uses</b>		
Farmers' Market	Conditional	2.2.1, 2.2.6
Furniture or Appliance Store	Conditional	2.2.1
Gasoline Station – Full Serve, but not in sub-area A or B	Outright	2.2.2
Gasoline Station – Split Island	Conditional	2.2.1
Public Bike Share	Conditional	2.2.1
Retail Store	Conditional	2.2.1, 2.2.7
Vehicle Dealer, but not in sub-area A	Conditional	2.2.1
<b>Service Uses</b>		
Animal Clinic	Outright	2.2.2
Auction Hall	Conditional	2.2.1
Catering Establishment	Outright	2.2.2
Funeral Home	Conditional	2.2.1
Laboratory	Outright	2.2.2

Use	Approval	Use-Specific Regulations
Laundromat or Dry Cleaning Establishment	Conditional	2.2.1
Laundry or Cleaning Plant	Outright	2.2.2
Motor Vehicle Repair Shop	Outright	2.2.2
Motor Vehicle Wash	Outright	2.2.2
Photofinishing or Photography Laboratory	Outright	2.2.2
Photofinishing or Photography Studio, only in sub-area A or B	Outright	2.2.2
Photofinishing or Photography Studio	Conditional	2.2.1
Print Shop	Conditional	2.2.1
Production or Rehearsal Studio	Outright	2.2.2
Repair Shop – Class A	Outright	2.2.2
Repair Shop – Class B	Conditional	2.2.1
Restaurant – Class 1	Conditional	2.2.1
School – Vocational or Trade	Outright	2.2.2
Sign Painting Shop	Outright	2.2.2
Work Shop	Outright	2.2.2
<b>Transportation and Storage Uses</b>		
Aircraft Landing Place	Conditional	2.2.1
Booming Ground	Conditional	2.2.1, 2.2.8
Bulk Data Storage	Conditional	2.2.1
Cold Storage Plant	Outright	2.2.2
Marine Terminal or Berth	Conditional	2.2.1
Mini-Storage Warehouse, but not in sub-area A or B	Conditional	2.2.1
Railway Station or Rail Yard	Conditional	2.2.1
Packaging Plant	Outright	2.2.2
Storage Warehouse	Outright	2.2.2
Storage Yard	Conditional	2.2.1
Taxicab or Limousine Station	Conditional	2.2.1
Truck Terminal or Courier Depot	Conditional	2.2.1
Weighing or Inspection Station	Conditional	2.2.1
Works Yard	Conditional	2.2.1
<b>Utility and Communication Uses</b>		
Public Utility	Outright	2.2.2, 2.2.9
Public Utility, not permitted as an outright approval use	Conditional	2.2.1
Radiocommunication Station	Outright	2.2.2

Use	Approval	Use-Specific Regulations
Recycling Depot	Conditional	<a href="#">2.2.1</a>
Waste Disposal Facility	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
<b>Wholesale Uses</b>		
Cardlock Fuel Station	Conditional	<a href="#">2.2.1</a>
Junk Yard or Shop, existing as of November 26, 1996	Conditional	<a href="#">2.2.1</a>
Lumber and Building Materials Establishment	Conditional	<a href="#">2.2.1</a>
Wholesaling – Class A	Outright	<a href="#">2.2.2</a>
Wholesaling – Class B	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.11</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a> , other than accessory retail use in combination with outright approval wholesale uses listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.12</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Any outright approval use listed in this section <a href="#">2.1</a> that does not comply with section <a href="#">2.2.2</a> of this schedule	Conditional	<a href="#">2.2.1</a>
Deposition or extraction of material, which alters the configuration of the land	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

### 2.2.1 Conditional approval uses listed in section [2.1](#) of this schedule:

- (a) except for transportation and storage uses listed in section [2.1](#) of this schedule, must not involve the bulk storage, pending ultimate distribution off-site, of: ammunition, explosives, fireworks, flares or matches; coal tar products or derivatives; compressed gas or petroleum, except for gasoline station – split island; or radioactive material;
- (b) must not involve the keeping of live animals, except for retail store;
- (c) may involve the bulk storage of the following only if they are wholly within a completely enclosed building or suitably contained for distribution off-site: animal oil or fat, fish, fish oil or meal, or vegetable oil; fertilizer; flammable liquids or solids; fungicides, herbicides or pesticides; grain, hops

or sugar; lime; paint, varnish, oil shellac or turpentine; rags or cotton waste; or toxic or corrosive chemicals or acids; and

- (d) may involve the storage of goods or materials only if they are wholly within a completely enclosed building, unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

2.2.2 Outright approval uses listed in section 2.1 of this schedule:

- (a) must not involve the bulk storage, pending ultimate distribution off-site, of: coal tar products or derivatives; compressed gas or petroleum, except for gasoline station – full serve; explosives, fireworks, ammunition, matches, or flares; or radioactive material;
- (b) must not involve the keeping of live animals, live poultry or other fowl, except for animal clinic or laboratory;
- (c) may involve the bulk storage of the following only if they are wholly within a completely enclosed building: fertilizer; fish, fish oil or meal, animal oil or fat, or vegetable oil; flammable liquids or solids; fungicides, herbicides or pesticides; grain, hops or sugar; lime; paint, varnish, oil shellac or turpentine; rags or cotton waste; scrap or junk; or toxic or corrosive chemicals or acids; and
- (d) except for gasoline station – full serve, may involve the storage of goods or materials only if they are wholly within a completely enclosed building.

2.2.3 Dwelling unit may be permitted in combination with any use listed in section 2.1 of this schedule if:

- (a) it is for a caretaker or other person similarly employed; and
- (b) such dwelling unit is considered to be essential to the operation of the business or establishment.

2.2.4 Residential unit associated with and forming an integral part of an artist studio, limited to artist studio – class B, may be permitted if:

- (a) the change of use applies to floor area existing as of February 26, 2013; and
- (b) additions are limited to a maximum of 10% of the existing floor area.

2.2.5 General office may not include the offices of accountants, lawyers, notary publics, or real estate, advertising, insurance, travel and ticket agencies.

2.2.6 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.7 Retail store is limited to:

- (a) convenience store in combination with a gasoline station – full serve or gasoline station – split island;

- (b) retail store for the renting of merchandise in which the exclusive use of at least 50% of the floor area is for the storage of inventory; and
- (c) limited service food establishment, which means the use of premises for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where:
  - (i) the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises,
  - (ii) customers may also purchase food for take-out, and
  - (iii) live entertainment is not available.

2.2.8 Bulk data storage is not permitted at the ground floor, except for entrances.

2.2.9 Public utility is permitted as an outright approval use if it is located on a site that is at least 61.0 m from any R district.

2.2.10 Waste disposal facility is limited to the transfer, sorting or recycling of refuse or garbage.

2.2.11 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in building height; and
- (b) the total floor area of an accessory building, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.

2.2.12 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule, other than accessory retail use in combination with outright approval wholesale uses listed in section 2.1 of this schedule, are permitted if:

- (a) the total floor area of all accessory uses does not exceed 33.3% of the gross floor area of the principal and accessory uses combined, unless the accessory use is permitted as an outright approval use pursuant to section 2.1 of this schedule; and
- (b) the floor area in accessory retail use, other than accessory retail use associated with an artist studio, is separated from the floor area of all other uses by a wall, and the other uses are not accessible to the public.

- 2.2.13 Any other use that is not specifically listed and defined as a use in [Section 2](#) of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in [section 2.1](#) of this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses in Areas Other than Sub-Area B

All uses in all areas of this district, other than sub-area B, are subject to the following regulations.

##### 3.1.1 Density and Floor Area

##### 3.1.1.1 The maximum floor space ratio is 3.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for manufacturing uses, transportation and storage uses, utility and communication uses, wholesale uses and, in sub-area A, artist studio – class B;
- (b) the maximum floor space ratio for service uses is:
  - (i) 3.00 for laboratory, laundry or cleaning plant, production or rehearsal studio, repair shop – class A, and work shop, and
  - (ii) 1.00 for each of the following uses: catering establishment, motor vehicle repair shop, photofinishing or photography laboratory, and sign painting shop; and
- (c) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
  - (i) retail uses, including accessory retail use but not including vehicle dealer, must not exceed 1,000 m<sup>2</sup>, except that in sub-area A the floor area for accessory retail must not exceed 500 m<sup>2</sup>,
  - (ii) general office must not exceed the greater of 235 m<sup>2</sup> or 33.3% of the total gross floor area of all principal and accessory uses combined,
  - (iii) convenience store in combination with a gasoline station – full serve or gasoline station – split island must not exceed 200 m<sup>2</sup> per site,
  - (iv) restaurant – class 1 must not exceed 300 m<sup>2</sup>, and
  - (v) a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

##### 3.1.1.2 Despite section 3.1.1.1(c) above, the Director of Planning may increase the permitted floor area for manufacturer's agent or import broker or similar uses subject to the maximum floor space ratio in section 3.1.1.1(c), if the Director of Planning considers:

- (a) the extent to which building design conforms to industrial standards for wholesale uses, including but not limited to consideration for loading bays, large truck access, freight elevators, ceiling heights, corridor and door widths, and load bearing surfaces; and
- (b) the intent of this schedule and all applicable Council policies and guidelines.

### 3.1.2 Building Form and Placement

Regulations	All Areas Except for Sub-Area B
3.1.2.1 Maximum building height	18.3 m
3.1.2.2 Minimum side yard width for a side yard that:	
(a) adjoins a site located in any RM district, without the intervention of a lane	1.5 m
(b) adjoins a site located in any RS, RT or RA district, without the intervention of a lane	0.9 m
(c) does not adjoin a site located in an R district	not required
3.1.2.3 Minimum rear yard depth	3.1 m

#### Building Height and Floor-to-Floor Height

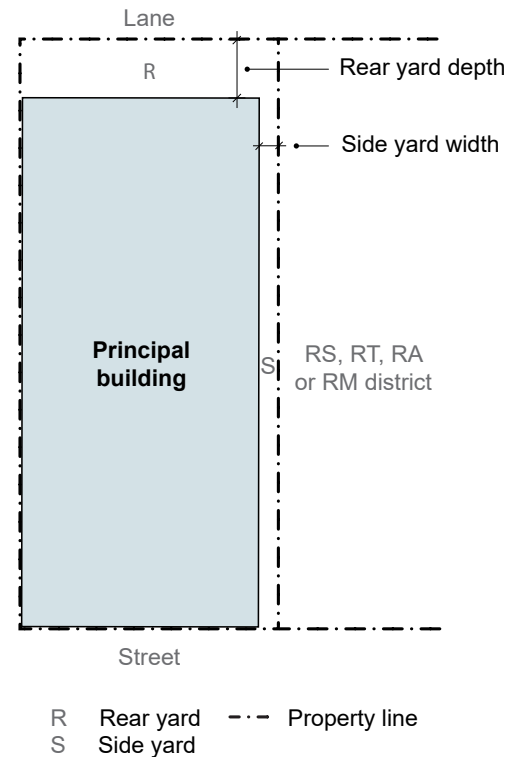
3.1.2.4 In sub-area A, except for buildings existing as of October 31, 2017:

- (a) the floor-to-floor height of the first floor of a building must measure at least 6.0 m; and
- (b) the floor-to-floor height of any floor above the first floor of a building must measure at least 4.0 m.

3.1.2.5 The Director of Planning or Development Permit Board, may increase the maximum building height to a height not exceeding 30.5 m if the Director of Planning or Development Permit Board considers:

- (a) the relationship of the development with nearby residential districts;
- (b) the impact of the height, bulk and siting of the building on daylight access and visual privacy of developments in nearby residential districts; and
- (c) the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

**Diagram: Building placement for principal building**





### **Side Yard**

- 3.1.2.6 Despite the minimum side yard width in section 3.1.2.2(c) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

### **Rear Yard**

- 3.1.2.7 Despite the minimum rear yard depth in section 3.1.2.3 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.8 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that:
- (a) the site is located within an area where rear access to the site and adjacent sites is not likely to be required; and
  - (b) the site is sufficiently large to provide adequate open space.

## 3.2 All Uses in Sub-Area B

All uses in sub-area B of this district are subject to the following regulations.

### 3.2.1 Density and Floor Area

#### 3.2.1.1 The maximum floor space ratio is 3.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for manufacturing uses, transportation and storage uses, utility and communication uses, wholesale uses and artist studio – class B;
- (b) the maximum floor space ratio for service uses is:
  - (i) 3.00 for laboratory, laundry or cleaning plant, production or rehearsal studio, repair shop – class A and work shop, and
  - (ii) 1.00 for each of the following uses: catering establishment, motor vehicle repair shop, photofinishing or photography laboratory, sign painting shop, and creative products manufacturing;
- (c) the maximum floor space ratio is 1.00 for vehicle dealer, subject to the provision of a minimum floor space ratio of 2.00 of uses listed in sections [3.2.1.1\(a\)](#) and [3.2.1.1\(b\)\(i\)](#) above, which must include a minimum floor space ratio of 1.00 for any of the following uses combined:
  - (i) cultural and recreational uses, limited to artist studio – class B,
  - (ii) manufacturing uses, limited to:
    - (A) bakery products manufacturing,
    - (B) brewing or distilling,
    - (C) chemicals or chemical products manufacturing – class B,
    - (D) clothing manufacturing,
    - (E) dairy products manufacturing,
    - (F) food or beverage products manufacturing – class B,
    - (G) furniture or fixtures manufacturing,
    - (H) jewellery manufacturing,
    - (I) leather products manufacturing,
    - (J) metal products manufacturing – class B,
    - (K) miscellaneous products manufacturing – class A,
    - (L) miscellaneous products manufacturing – class B,
    - (M) non-metallic mineral products manufacturing – class B,

- (N) paper products manufacturing,
  - (O) plastic products manufacturing,
  - (P) printing or publishing,
  - (Q) rubber products manufacturing,
  - (R) shoes or boots manufacturing,
  - (S) textiles or knit goods manufacturing, and
  - (T) wood products manufacturing – class B,
- (iii) service uses, limited to:
- (A) catering establishment,
  - (B) motor vehicle repair shop,
  - (C) print shop,
  - (D) repair shop – class A,
  - (E) repair shop – class B, and
  - (F) sign painting shop, or
- (iv) accessory uses customarily ancillary to any use permitted in this section [3.2.1.1\(c\)](#); and
- (d) the maximum floor space ratio is 1.00 for all other uses combined:
- (i) the floor area for all retail uses, including accessory retail but not including vehicle dealer, must not exceed 1,000 m<sup>2</sup>, except that the floor area for accessory retail must not exceed 500 m<sup>2</sup>,
  - (ii) the floor area for general office must not exceed the greater of 235 m<sup>2</sup> or 33.3% of the total gross floor area of all principal and accessory uses combined,
  - (iii) the floor area for convenience store in combination with a gasoline station – full serve or gasoline station – split island must not exceed 200 m<sup>2</sup> per site,
  - (iv) the floor area for restaurant – class 1 must not exceed 300 m<sup>2</sup>, and
  - (v) the floor area for a lounge use accessory to brewing or distilling must not exceed,
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

3.2.1.2 Despite section [3.2.1.1\(d\)\(iii\)](#) above, the Director of Planning may increase the permitted floor area for manufacturer's agent or import broker or similar uses, subject to the maximum floor space ratio in section [3.2.1.1\(d\)](#) above, if the Director of Planning considers:

- (i) the extent to which building design conforms to industrial standards for wholesale uses, including but not limited to consideration for loading bays, large truck access, freight elevators, ceiling heights, corridor and door widths, and load bearing surfaces, and
- (ii) the intent of this schedule and all applicable Council policies and guidelines.

3.2.1.3 The Director of Planning or Development Permit Board, may increase the total maximum floor space ratio to 4.00, which may include up to 3.00 floor space ratio of creative products manufacturing, if the Director of Planning or Development Permit Board considers:

- (a) the provision of a minimum floor space ratio of 1.00 combined for any uses listed in section [3.2.1.1\(c\)](#) above;
- (b) the height, bulk, massing, location and overall design of the building and its impact on the site, surrounding buildings and streets;
- (c) the provision of public open space, landscape, and the impacts of overall design on the general amenity of the area;
- (d) the impact of the development on traffic in the area;
- (e) the provision for pedestrian needs; and
- (f) the intent of this schedule and all applicable Council policies and guidelines.

### 3.2.2 Building Form and Placement

Regulations	Sub-Area B
3.2.2.1 Maximum building height	18.3 m
3.2.2.2 Minimum front yard depth	0.6 m
3.2.2.3 Minimum front setback for portions of buildings with a height:	
(a) exceeding 18.3 m and not exceeding 30.5 m	3.7 m
(b) exceeding 30.5 m	6.1 m
3.2.2.4 Minimum side yard width	7.6 m
3.2.2.5 Minimum side setback for portions of buildings with a height:	
(a) exceeding 18.3 m and not exceeding 30.5 m	10.7 m
(b) exceeding 30.5 m	12.2 m
3.2.2.6 Minimum rear yard depth	3.1 m

3.2.2.7	Maximum building depth	61.0 m
3.2.2.8	Maximum building width	61.0 m

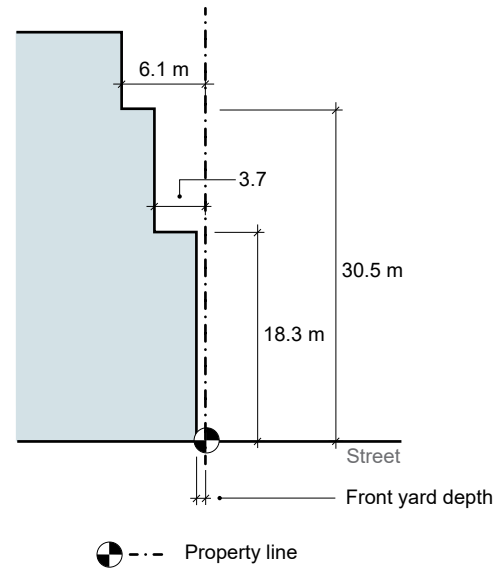
### Building Height and Floor-to-Floor Height

- 3.2.2.9 Except for buildings existing as of October 31, 2017:
- (a) the floor-to-floor height of the first floor of a building must measure at least 6.0 m; and
  - (b) the floor-to-floor height of any floor above the first floor of a building must measure at least 4.0 m.

3.2.2.10 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 36.5 m if the Director of Planning or Development Permit Board considers:

- (a) the provision of a minimum floor space ratio of 1.00 combined for any uses listed in section [3.2.1.1\(c\)](#) above;
- (b) the height, bulk, massing, location and overall design of the building and its impact on the site, surrounding buildings and streets;
- (c) the provision of public open space, landscape, and the impacts of overall design on the general amenity of the area;
- (d) the impact of the development on traffic in the area;
- (e) the provision for pedestrian needs; and
- (f) the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Front Setback in Sub-Area B**



### Front Yard and Front Setback

3.2.2.11 Despite the minimum front setback in section [3.2.2.3](#) above:

- (a) the minimum front setback, measured from the front property line, of any parking area is 1.2 m; and
- (b) open roof decks may intrude into the setback.

3.2.2.12 The Director of Planning may decrease:

- (a) the minimum front yard depth for portions of the building; or
- (b) the minimum front setback for portions of the building,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Side Yard and Side Setback

3.2.2.13 Despite the minimum side yard width in section 3.2.2.4 above and the minimum side setback in section 3.2.2.5 above, on a corner site, the exterior side yard and side setback requirements are the same as the front yard and front setback requirements in this section 3.2.

3.2.2.14 The Director of Planning may decrease:

- (a) the minimum side yard width; or
- (b) the minimum side setback,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Rear Yard

3.2.2.15 Despite the minimum rear yard depth in section 3.2.2.6 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

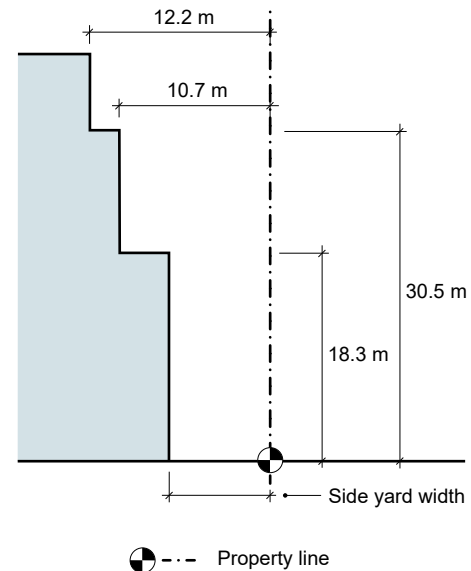
3.2.2.16 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that:

- (a) the site is located within an area where rear access to the site and adjacent sites is not likely to be required; and
- (b) the site is sufficiently large to provide adequate open space.

### Building Depth and Building Width

3.2.2.17 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may increase:

**Diagram: Side Yard Width and Side Setback in Sub-Area B**



- (a) the maximum building depth where a functional need is demonstrated; or
- (b) the maximum building width where a functional need is demonstrated.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

- 4.1.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.
- 4.1.2 Computation of floor area must exclude:
- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
  - (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
    - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
    - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
  - (d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, provided that:
    - (i) the total area being excluded does not exceed the lesser of 20% of the permitted floor space or 100 m<sup>2</sup>, and
    - (ii) in the case of a child day care facility, the Director of Planning is satisfied that there is a need for a child day care facility in the building or in the immediate neighbourhood; and
  - (e) storage area associated with an artist studio – class B where the area is provided below the base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio – class B.

### 4.2 Yards and Setbacks: Measurement

- 4.2.1 For the purposes of calculating the minimum front setback, the height of portions of buildings will be measured from a plane formed by the lines extending horizontally back from the property line at grade.
- 4.2.2 Despite [Section 10](#) of this by-law, eaves and gutters or other projections, which the Director of Planning considers similar to the foregoing, may project into the minimum side yards to a maximum of 1.0 m measured horizontally.



#### 4.3 Building Depth and Building Width: Measurement

4.3.1 Building depth is measured in a straight line parallel to the side property line, from the front exterior wall to the rear exterior wall at street grade.

4.3.2 Building width is measured in a straight line parallel to the front property line, from the 2 side exterior walls at grade.

#### 4.4 Daylight Access and Visual Privacy

4.4.1 For the purposes of section [3.1.2.5\(b\)](#) of this schedule:

(a) daylight access can be adequately maintained if there is no shadow impact at 10 a.m., noon and 2 p.m. on September 21 and March 21; and

(b) visual privacy can be achieved by separating building facades by 24.4 m.

## SCHEDULE AA

# I-3

## District Schedule

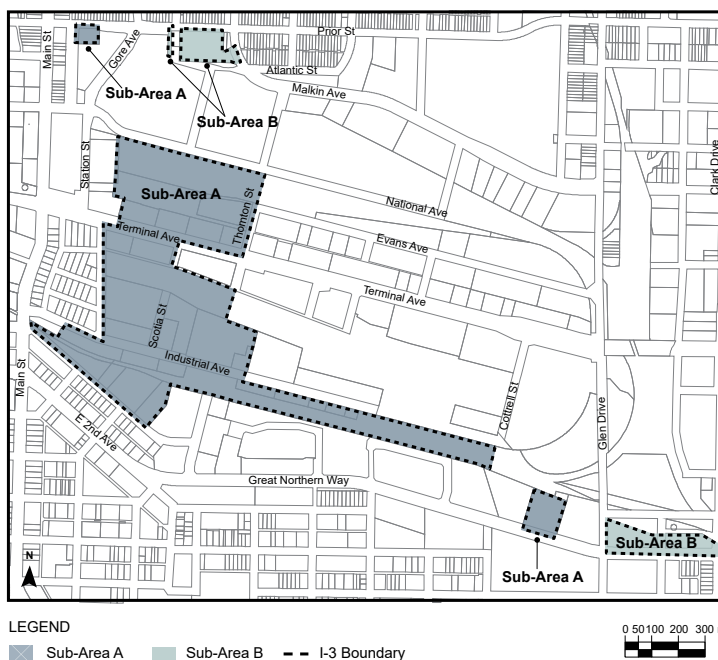
### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit high technology industry, creative products manufacturing, digital entertainment, information and communication technology, and related industry with a significant amount of research and development activity. It is also the intent to permit light industrial uses that are generally compatible with high technology and other industrial uses, and with adjoining residential or commercial districts. Health care offices are encouraged in the area around the St. Paul's Hospital site.

The I-3 district consists of 2 sub-areas, identified as “sub-area A” and “sub-area B” in [Map 1: I-3 District Sub-Areas](#), for the purpose of establishing permitted uses, floor area, building height, yards and setbacks, and building depth and width.

**Map 1: I-3 District Sub-Areas**



## 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the I-3 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in sub-area A	<a href="#">3.1</a>
	All uses in sub-area B	<a href="#">3.2</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	<a href="#">2.2.1</a>
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Outright	<a href="#">2.2.2</a>
Artist Studio – Class B, only in sub-area A	Outright	<a href="#">2.2.2</a>
Artist Studio – Class B	Conditional	<a href="#">2.2.1</a>
Arts and Culture Indoor Event	Outright	<a href="#">2.2.2</a>

Use	Approval	Use-Specific Regulations
Community Centre or Neighbourhood House	Conditional	<a href="#">2.2.1</a>
Fitness Centre	Conditional	<a href="#">2.2.1</a>
Hall	Conditional	<a href="#">2.2.1</a>
Marina	Conditional	<a href="#">2.2.1</a>
Park or Playground	Conditional	<a href="#">2.2.1</a>
<b>Dwelling Uses</b>		
Dwelling Unit, only in sub-area B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B and only in sub-area B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a>
Child Day Care Facility	Conditional	<a href="#">2.2.1</a>
Public Authority Use	Conditional	<a href="#">2.2.1</a>
School – University or College	Conditional	<a href="#">2.2.1</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a>
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Batteries Manufacturing	Conditional	<a href="#">2.2.1</a>
Brewing or Distilling	Conditional	<a href="#">2.2.1</a>
Chemicals or Chemical Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Clothing Manufacturing	Conditional	<a href="#">2.2.1</a>
Creative Products Manufacturing, only in sub-area A	Conditional	<a href="#">2.2.1</a>
Dairy Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Electrical Products or Appliances Manufacturing	Outright	<a href="#">2.2.2</a>
Food or Beverage Products Manufacturing – Class A, existing as of July 20, 1999	Conditional	<a href="#">2.2.1</a>
Food or Beverage Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Furniture or Fixtures Manufacturing	Conditional	<a href="#">2.2.1</a>
Ice Manufacturing	Conditional	<a href="#">2.2.1</a>
Information Communication Technology Manufacturing	Outright	<a href="#">2.2.2</a>
Jewellery Manufacturing	Conditional	<a href="#">2.2.1</a>
Leather Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Machinery or Equipment Manufacturing	Conditional	<a href="#">2.2.1</a>
Metal Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Miscellaneous Products Manufacturing – Class A	Conditional	<a href="#">2.2.1</a>
Miscellaneous Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a>
Motor Vehicle Parts Manufacturing	Conditional	<a href="#">2.2.1</a>
Non-Metallic Mineral Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Paper Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Plastic Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Printing or Publishing	Outright	<a href="#">2.2.2</a>
Rubber Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Shoes or Boots Manufacturing	Conditional	<a href="#">2.2.1</a>
Textiles or Knit Goods Manufacturing	Conditional	<a href="#">2.2.1</a>
Tobacco Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Transportation Equipment Manufacturing	Conditional	<a href="#">2.2.1</a>
Wood Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
<b>Office Uses</b>		
General Office, limited to digital entertainment and information communication	Outright	<a href="#">2.2.2</a>
General Office, not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.5</a> , <a href="#">2.2.6</a>
Health Care Office, only in sub-area A	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>
<b>Parking Uses</b>		
Parking Uses	Conditional	<a href="#">2.2.1</a>
<b>Retail Uses</b>		
Drug Store, only in sub-area A on sites adjacent to Great Northern Way	Conditional	<a href="#">2.2.1</a>
Farmers' Market	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>
Gasoline Station – Full Serve, only in sub-area B	Conditional	<a href="#">2.2.1</a>
Gasoline Station – Split Island, only in sub-area B	Conditional	<a href="#">2.2.1</a>
Neighbourhood Grocery Store, only in sub-area A on sites adjacent to Great Northern Way	Conditional	<a href="#">2.2.1</a>
Public Bike Share	Conditional	<a href="#">2.2.1</a>
Retail Store, only in sub-area A	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
Vehicle Dealer, only in sub-area B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.9</a>
<b>Service Uses</b>		
Animal Clinic	Conditional	<a href="#">2.2.1</a>
Catering Establishment	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Laboratory	Outright	2.2.2
Laundry or Cleaning Plant	Conditional	2.2.1
Motor Vehicle Repair Shop	Conditional	2.2.1
Motor Vehicle Wash	Conditional	2.2.1
Photofinishing or Photography Laboratory	Outright	2.2.2
Photofinishing or Photography Studio	Conditional	2.2.1
Print Shop	Conditional	2.2.1
Production or Rehearsal Studio	Outright	2.2.2
Repair Shop – Class A	Conditional	2.2.1
Repair Shop – Class B	Conditional	2.2.1
Restaurant – Class 1	Conditional	2.2.1, 2.2.10
Restaurant – Class 2, only in sub-area A	Conditional	2.2.1, 2.2.10
School – Arts or Self-Improvement	Conditional	2.2.1
School – Business	Conditional	2.2.1
School – Vocational or Trade	Conditional	2.2.1
Sign Painting Shop	Conditional	2.2.1
Work Shop	Outright	2.2.2
<b>Transportation and Storage Uses</b>		
Aircraft Landing Place	Conditional	2.2.1
Bulk Data Storage, only in sub-area A	Conditional	2.2.1, 2.2.11
Cold Storage Plant	Conditional	2.2.1
Marine Terminal or Berth	Conditional	2.2.1
Mini-Storage Warehouse, only in sub-area B	Conditional	2.2.1
Packaging Plant	Conditional	2.2.1
Railway Station or Rail Yard	Conditional	2.2.1
Storage Warehouse	Conditional	2.2.1
Taxicab or Limousine Station	Conditional	2.2.1
Truck Terminal or Courier Depot	Conditional	2.2.1
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	2.2.1
Radiocommunication Station	Outright	2.2.2
Recycling Depot	Conditional	2.2.1
<b>Wholesale Uses</b>		
Wholesaling – Class A	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
Wholesaling – Class B	Conditional	<a href="#">2.2.1</a>
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.12</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.13</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.14</a>
Any outright approval use listed in this section <a href="#">2.1</a> that does not comply with section <a href="#">2.2.2</a> of this schedule	Conditional	<a href="#">2.2.1</a>
Deposition or extraction of material, which alters the configuration of the land	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

### 2.2.1 Conditional approval uses listed in section [2.1](#) of this schedule:

- (a) except for gasoline station, parking uses, transportation and storage uses, and vehicle dealer, must be carried on wholly within a completely enclosed building, unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts;
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: coal tar products or derivatives; compressed gas or petroleum, except for gasoline station – full serve and gasoline station – split island; explosives, fireworks, ammunition, matches or flares; or radioactive material;
- (c) must not involve the keeping of live animals, except for animal clinic;
- (d) may involve the storage of the following only if they are wholly within a completely enclosed building: fish, fish oil or meal, animal oil or fat, or vegetable oil; fertilizer; flammable liquids or solids; fungicides, herbicides or pesticides; grain, hops or sugar; lime; paint, varnish, oil shellac or turpentine; rags or cotton waste; or toxic or corrosive chemicals or acids; and
- (e) may involve the storage of goods or materials only if they are wholly within a completely enclosed building, unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

- 2.2.2 Outright approval uses listed in section 2.1 of this schedule:
- (a) except for production or rehearsal studio, must be carried on wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment which the Director of Planning considers similar to the foregoing;
  - (b) must not involve the bulk storage, pending ultimate distribution off-site, of: coal tar products or derivatives; compressed gas or petroleum; explosives, fireworks, ammunition, matches, or flares; or radioactive material;
  - (c) must not involve the keeping of live animals, except for laboratory; and
  - (d) may involve the storage of the following only if they are wholly within a completely enclosed building: fertilizer; fish, fish oil or meal, animal oil or fat, or vegetable oil; flammable liquids or solids; fungicides, herbicides or pesticides; grain, hops or sugar; lime; paint, varnish, oil shellac or turpentine; rags or cotton waste; scrap or junk; or toxic or corrosive chemicals or acids.
- 2.2.3 In sub-area B, dwelling unit may be permitted in combination with any use listed in section 2.1 of this schedule if:
- (a) it is for a caretaker or other person similarly employed; and
  - (b) such dwelling unit is considered to be essential to the operation of the business or establishment.
- 2.2.4 In sub-area B, residential unit associated with and forming an integral part of an artist studio, limited to artist studio – class B, may be permitted if:
- (a) the change of use applies to floor area existing as of February 26, 2013; and
  - (b) additions are limited to a maximum of 10% of the existing floor area.
- 2.2.5 General office that is not permitted as an outright approval use may not include the offices of accountants, lawyers and notary publics, or real estate, advertising, insurance, travel and ticket agencies.
- 2.2.6 General office that is not permitted as an outright approval use and health care office are not permitted at the ground floor, except for entrances.
- 2.2.7 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.8 Retail store is limited to limited service food establishment, which means the use of premises for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where:
- (a) the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises;
  - (b) customers may also purchase food for take-out; and



(c) live entertainment is not available.

2.2.9 Vehicle dealer is limited to the rental of motor vehicles.

2.2.10 Restaurant class – 1 or restaurant class – 2 may be permitted if the total floor area does not exceed 300 m<sup>2</sup>.

2.2.11 Bulk data storage is not permitted at the ground floor, except for entrances.

2.2.12 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

(a) no accessory building exceeds 3.7 m in height, measured to:

(i) the highest point of a flat roof,

(ii) the deck line of a mansard roof, or

(iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

(b) all accessory buildings are located:

(i) in the rear yard, and

(ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and

(c) the total floor area of an accessory building, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.

2.2.13 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule are permitted if:

(a) the total floor area of all accessory uses does not exceed 33.3% of the gross floor area of the principal and accessory uses combined, unless the accessory use is permitted as an outright approval use pursuant to section 2.1 of this schedule; and

(b) the floor area in accessory retail use, other than accessory retail use associated with an artist studio, is separated from the floor area in all other uses by a wall, and the other uses are not accessible to the public.

2.2.14 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses in Sub-Area A

All uses in sub-area A of this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

##### 3.1.1.1 The maximum floor space ratio is 3.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for artist studio, manufacturing uses, office uses permitted as outright approval uses, parking uses, service uses permitted as outright approval uses, transportation and storage uses, utility and communication uses, and wholesale uses; and
- (b) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
  - (i) retail uses, including accessory retail use, must not exceed 1,000 m<sup>2</sup>,
  - (ii) office uses permitted as conditional approval uses must not exceed 33% of the total gross floor area of all principal and accessory uses combined, and
  - (iii) a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

##### 3.1.1.2 Despite section 3.1.1.1 above, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may increase the permitted floor area by 1 m<sup>2</sup> per amenity share provided to the City at no cost to the City to a maximum additional floor space ratio of 2.00, for the following uses:

- (a) artist studio, manufacturing uses, service uses permitted as outright approval uses, utility and communication uses, and wholesale uses; and
- (b) office uses, except that the total floor area may include up to a maximum floor space ratio of 4.00 for office uses, and must include a minimum floor space ratio of 1.00 for any of the following uses combined:
  - (i) cultural and recreational uses, limited to artist studio – class B,
  - (ii) manufacturing uses, limited to:
    - (A) bakery products manufacturing,
    - (B) brewing or distilling,
    - (C) chemicals or chemical products manufacturing – class B,

- (D) clothing manufacturing,
- (E) dairy products manufacturing,
- (F) food or beverage products manufacturing – class B,
- (G) furniture or fixtures manufacturing,
- (H) jewellery manufacturing,
- (I) leather products manufacturing,
- (J) metal products manufacturing – class A
- (K) metal products manufacturing – class B,
- (L) miscellaneous products manufacturing – class A,
- (M) miscellaneous products manufacturing – class B,
- (N) non-metallic mineral products manufacturing – class B,
- (O) paper products manufacturing,
- (P) printing or publishing,
- (Q) plastic products manufacturing,
- (R) rubber products manufacturing,
- (S) shoes or boots manufacturing,
- (T) textiles or knit goods manufacturing, and
- (U) wood products manufacturing – class B,
- (iii) retail uses, limited to farmers' market,
- (iv) service uses, limited to catering establishment, motor vehicle repair shop, print shop, repair shop – class A, repair shop – class B, and sign painting shop, or
- (v) accessory uses customarily ancillary to any use listed in this section [3.1.1.2](#).

3.1.1.3 Despite section [3.1.1.2](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this schedule and this by-law, and consideration will be given to:

- (a) the height, bulk, massing, location and overall design of the building and its impact on the site, surrounding buildings and streets;
- (b) the provision of public open space, landscape, and the impact of the overall design on the general amenity of the area;
- (c) the provision of roads and bike and pedestrian connections as outlined in Council plans and policies;

- (d) the impact of the development on traffic in the area; and
- (e) the provision for pedestrian needs.

### 3.1.2 Building Form and Placement

Regulations	Sub-Area A
3.1.2.1 Maximum building height	18.3 m
3.1.2.2 Minimum front yard depth	0.6 m
3.1.2.3 Minimum front setback for portions of buildings with a height:	
(a) exceeding 18.3 m but not exceeding 30.5 m	3.7 m
(b) exceeding 30.5 m	6.1 m
3.1.2.4 Minimum side yard width	7.6 m
3.1.2.5 Minimum side setback for portions of buildings with a height:	
(a) exceeding 18.3 m but not exceeding 30.5 m	10.7 m
(b) exceeding 30.5 m	12.2 m
3.1.2.6 Minimum rear yard depth	3.1 m
3.1.2.7 Maximum building depth	61.0 m
3.1.2.8 Maximum building width	61.0 m

### Building Height and Floor-to-Floor Height

#### 3.1.2.9 Except for buildings existing as of October 31, 2017:

- (a) the floor-to-floor height of the first floor of a building must measure at least 6.0 m; and
- (b) the floor-to-floor height of any floor above the first floor of a building must measure at least 4.0 m.

#### 3.1.2.10 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 30.5 m if the Director of Planning or Development Permit Board considers:

- (a) the relationship of the development with nearby residential districts;
- (b) the impact of the height, bulk and siting of the building on daylight access and visual privacy of developments in nearby residential districts; and

- (c) the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.1.2.11 Despite section 3.1.2.10 above, the Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 45.7 m if the Director of Planning or Development Permit Board considers:

- (a) the height, bulk, massing, location and overall design of the building and its impact on the site, surrounding buildings and streets;
- (b) the provision of public open space, landscape, and the impact of the overall design on the general amenity of the area;
- (c) the impact of the development on traffic in the area; and
- (d) the provision for pedestrian needs.

#### Front Yard and Front Setback

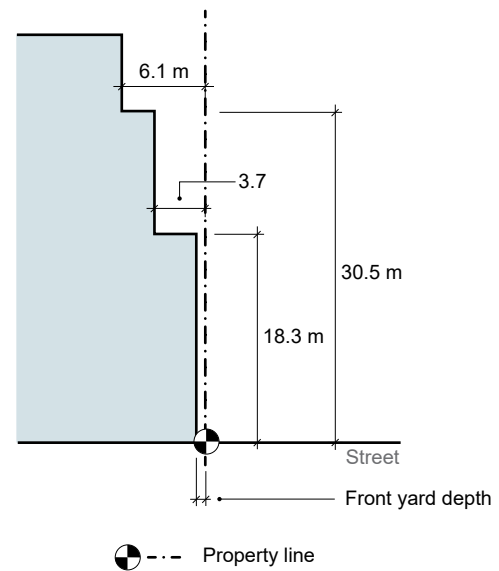
3.1.2.12 Despite the minimum front setback in section 3.1.2.3 above, the minimum front setback of any parking area is 1.2 m, measured from the front property line.

3.1.2.13 Despite the minimum front setback in section 3.1.2.3 above, open roof decks may intrude into the setback.

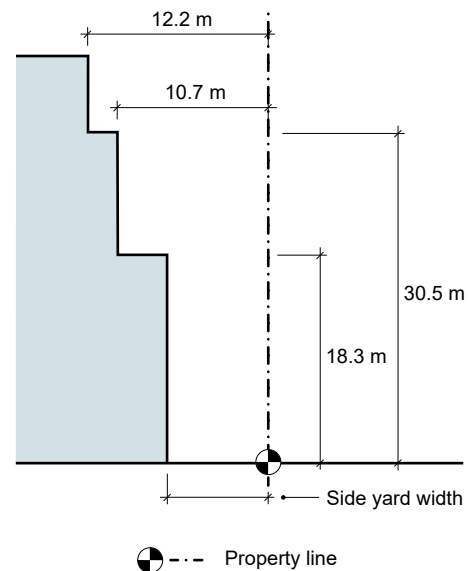
3.1.2.14 The Director of Planning may reduce the front yard or front setback requirement for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines and the Director of Planning is satisfied that it provides:

- (a) massing that is stepped and varied in response to the context; and
- (b) a more visually interesting form of architectural expression.

**Diagram: Front Setback in Sub-Area A**



**Diagram: Side Yard and Side Setback in Sub-Area A**



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

- 3.1.2.15 Despite the minimum side yard width in section 3.1.2.4 above and the minimum side setback in section 3.1.2.5 above, in the case of a corner site, the exterior side yard and side setback requirements are the same as the front yard and front setback requirements in this section 3.1.
- 3.1.2.16 The Director of Planning may decrease the side yard or side setback requirement if the Director of Planning considers:
- (a) the existing street network;
  - (b) loading and vehicular access; and
  - (c) the provision of open space.

### **Rear Yard**

- 3.1.2.17 Despite the minimum rear yard depth in section 3.1.2.6 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.18 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that:
- (a) the site is located within an area where rear access to the site and adjacent sites is not likely to be required; and
  - (b) the site is sufficiently large to provide adequate open space.

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

- 3.1.2.19 The Director of Planning may increase the maximum building depth or building width where a functional need is demonstrated, if the Director of Planning considers:
- (a) the existing street network, loading and vehicular access;
  - (b) the provision of a visually interesting building massing; and
  - (c) the intent of this schedule and all applicable Council policies and guidelines.

### 3.2 All Uses in Sub-Area B

All uses in sub-area B of this district are subject to the following regulations.

#### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 3.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for manufacturing uses, parking uses, service uses permitted as outright approval uses, transportation and storage uses, utility and communication uses, and wholesale uses; and
- (b) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
  - (i) retail uses, including accessory retail use, must not exceed 1,000 m<sup>2</sup>,
  - (ii) office uses permitted as conditional approval uses must not exceed 33% of the total gross floor area of all principal and accessory uses combined, and
  - (iii) a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

3.2.1.2 Despite section [3.2.1.1](#) above, the Director of Planning or Development Permit Board may increase the permitted floor space ratio to a maximum of 3.00 for office uses permitted as outright approval uses, if the Director of Planning or Development Permit Board considers:

- (a) the relationship of the development to any nearby dwelling uses;
- (b) the height bulk, location, and overall design of the building and its impact on the site, surrounding buildings, and streets;
- (c) the provision of roads and bike and pedestrian connections as outlined in Council plans and policies; and
- (d) the intent of this schedule and all applicable Council policies and guidelines.

#### 3.2.2 Building Form and Placement

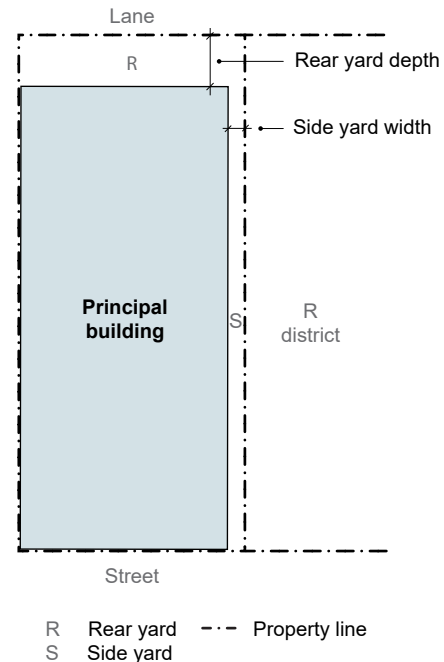
Regulations		Sub-Area B
3.2.2.1	Maximum building height	18.3 m
3.2.2.2	Minimum side yard width for a side yard that:	
	(a) adjoins a site located in an R district, without the intervention of a lane	1.5 m

(b) does not adjoin a site located in an R district	not required
3.2.2.3 Minimum rear yard depth	3.1 m

### Building Height

- 3.2.2.4 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 30.5 m if the Director of Planning or Development Permit Board considers:
- (a) the relationship of the development with nearby residential districts;
  - (b) the impact of the height, bulk and siting of the building on daylight access and visual privacy of developments in nearby residential districts; and
  - (c) the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

**Diagram: Building placement for principal building**



### Side Yard

- 3.2.2.5 Despite the minimum side yard width in section 3.2.2.2(b) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

### Rear Yard

- 3.2.2.6 Despite the minimum rear yard depth in section 3.2.2.3 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.2.2.7 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that:
- (a) the site is located within an area where rear access to the site and adjacent sites is not likely to be required; and
  - (b) the site is sufficiently large to provide adequate open space.



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Amenity Shares

4.1.1 For the purposes of this schedule, amenity means community centre or neighbourhood house.

4.1.2 For the purposes of this schedule, the cost of an amenity share is the amount specified per m<sup>2</sup> in **Schedule F: Affordable Housing and Amenity Share Cost Schedule** of this by-law for the I-3 zoning district.

### 4.2 Computation of Floor Area

4.2.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.2.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, provided that:
  - (i) the total area being excluded does not exceed the lesser of 20% of the permitted floor area or 100 m<sup>2</sup>, and
  - (ii) in the case of a child day care facility, the Director of Planning is satisfied that there is a need for a child day care facility in the building or in the immediate neighbourhood; and
- (e) storage area associated with an artist studio – class B where the area is provided below the base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio – class B.

#### 4.3 Yards and Setbacks: Measurement

- 4.3.1 For the purposes of calculating the minimum front setback, the height of portions of buildings will be measured from a plane formed by the lines extending horizontally back from the property line at grade.

#### 4.4 Building Depth and Building Width: Measurement

- 4.4.1 Building depth is measured in a straight line parallel to the side property line, from the front exterior wall to the rear exterior wall at street grade.
- 4.4.2 Building width is measured in a straight line parallel to the front property line, from the 2 side exterior walls at grade.

#### 4.5 Daylight Access and Visual Privacy

- 4.5.1 For the purposes of sections [3.1.2.10\(b\)](#) and [3.2.2.4\(b\)](#) of this schedule:
- (a) daylight access can be adequately maintained if there is no shadow impact at 10 a.m., noon and 2 p.m. on September 21 and March 21; and
  - (b) visual privacy can be achieved by separating building facades by 24.4 m.

#### 4.6 External Design

- 4.6.1 Any fence, wall, or landscaping located along the street property line abutting a street but not a lane must facilitate pedestrian interest to the satisfaction of the Director of Planning.
- 4.6.2 All garbage and recycling containers must be enclosed, located, or screened so as not to be visible from the centre line of an abutting street.

## SCHEDULE BB

# I-4

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The Railtown Historic Industrial District is one of the city's original industrial districts. The precinct has a distinct industrial character defined by its collection of historic building forms, building material, proximity to the Port of Vancouver and unique street pattern.

The intent of this schedule is to permit industrial and other uses that are generally incompatible when situated in or near residential districts but are beneficial because they provide industrial employment opportunities and serve a useful or necessary function in the city. Creative products manufacturing is a permitted industrial use. A limited number of office uses that are compatible with or complement light industrial uses are also permitted. The retention or conservation of historic buildings and features is encouraged.

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the I-4 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section 2.1 of this schedule	3.1

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including Section 2, Section 10 and Section 11, and compliance with the regulations of this schedule including section 2.2.

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A,	Outright	<a href="#">2.2.1</a>
Artist Studio – Class B, provided that the use must not be combined with a Residential Unit	Outright	<a href="#">2.2.1</a>
Artist Studio – Class B, not permitted as an outright approval use	Conditional	
Arts and Culture Indoor Event	Outright	<a href="#">2.2.1</a>
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Dwelling Unit	Conditional	<a href="#">2.2.2</a>
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B	Conditional	<a href="#">2.2.3</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Public Authority Use	Conditional	
Social Service Centre	Conditional	
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	<a href="#">2.2.1</a>
Batteries Manufacturing	Outright	<a href="#">2.2.1</a>
Brewing or Distilling	Conditional	
Chemicals or Chemical Products Manufacturing – Class A	Conditional	
Chemicals or Chemical Products Manufacturing – Class B	Outright	<a href="#">2.2.1</a>
Clothing Manufacturing	Outright	<a href="#">2.2.1</a>
Creative Products Manufacturing	Outright	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Dairy Products Manufacturing	Outright	2.2.1
Electrical Products or Appliances Manufacturing	Outright	2.2.1
Food or Beverage Products Manufacturing – Class A	Conditional	
Food or Beverage Products Manufacturing – Class B	Outright	2.2.1
Furniture or Fixtures Manufacturing	Outright	2.2.1
Ice Manufacturing	Outright	2.2.1
Information Communication Technology Manufacturing	Outright	2.2.1
Jewellery Manufacturing	Outright	2.2.1
Leather Products Manufacturing	Outright	2.2.1
Linoleum or Coated Fabrics Manufacturing	Conditional	
Machinery or Equipment Manufacturing	Outright	2.2.1
Metal Products Manufacturing – Class A	Conditional	
Metal Products Manufacturing – Class B	Outright	2.2.1
Miscellaneous Products Manufacturing – Class A	Conditional	
Miscellaneous Products Manufacturing – Class B	Outright	2.2.1
Motor Vehicle Parts Manufacturing	Outright	2.2.1
Non-Metallic Mineral Products Manufacturing – Class A	Conditional	
Non-Metallic Mineral Products Manufacturing – Class B	Outright	2.2.1
Paper Products Manufacturing	Outright	2.2.1
Plastic Products Manufacturing	Outright	2.2.1
Printing or Publishing	Outright	2.2.1
Rubber Manufacturing	Conditional	
Rubber Products Manufacturing	Outright	2.2.1
Shoes or Boots Manufacturing	Outright	2.2.1
Textiles or Knit Goods Manufacturing	Outright	2.2.1
Tobacco Products Manufacturing	Outright	2.2.1
Transportation Equipment Manufacturing	Outright	2.2.1
Vegetable Oil Manufacturing	Conditional	
Wood Products Manufacturing – Class A	Conditional	
Wood Products Manufacturing – Class B	Outright	2.2.1
<b>Office Uses</b>		
General Office	Conditional	2.2.4
<b>Parking Uses</b>		
Parking Uses	Conditional	

Use	Approval	Use-Specific Regulations
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.5</a>
Public Bike Share	Conditional	
Retail Store	Conditional	<a href="#">2.2.6</a>
<b>Service Uses</b>		
Animal Clinic	Outright	<a href="#">2.2.1</a>
Catering Establishment	Outright	<a href="#">2.2.1</a>
Laboratory	Conditional	
Laundry or Cleaning Plant	Outright	<a href="#">2.2.1</a>
Motor Vehicle Repair Shop	Outright	<a href="#">2.2.1</a>
Motor Vehicle Wash	Conditional	
Photofinishing or Photography Laboratory	Conditional	
Photofinishing or Photography Studio	Conditional	
Print Shop	Conditional	
Production or Rehearsal Studio	Outright	<a href="#">2.2.1</a>
Repair Shop – Class A	Outright	<a href="#">2.2.1</a>
Repair Shop – Class B	Conditional	
Restaurant – Class 1	Conditional	
School – Vocational or Trade	Outright	<a href="#">2.2.1</a>
Sign Painting Shop	Conditional	
Work Shop	Outright	<a href="#">2.2.1</a>
<b>Transportation and Storage Uses</b>		
Cold Storage Plant	Outright	<a href="#">2.2.1</a>
Packaging Plant	Outright	<a href="#">2.2.1</a>
Storage Warehouse	Outright	<a href="#">2.2.1</a>
Storage Yard	Conditional	<a href="#">2.2.7</a>
Taxicab or Limousine Station	Conditional	
Truck Terminal or Courier Depot	Conditional	
Weighing or Inspection Station	Conditional	
Works Yard	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Outright	<a href="#">2.2.1</a>
Public Utility, not permitted as an outright approval use	Conditional	
Radiocommunication Station	Outright	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Recycling Depot	Conditional	
<b>Wholesale Uses</b>		
Lumber and Building Materials Establishment	Conditional	
Wholesaling – Class A	Outright	<a href="#">2.2.1</a>
Wholesaling – Class B	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.11</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.12</a>
Any outright approval use listed in this section <a href="#">2.1</a> that does not comply with section <a href="#">2.2.1</a> of this schedule	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 Outright approval uses listed in section [2.1](#) of this schedule must not involve:

- (a) the bulk storage of: compressed gas, petroleum, coal tar products or derivatives; explosives; fertilizer; fish oil or meal; industrial chemicals; junk; lime; matches; paints; scrap; varnishes; or vegetable oil or fat; or
- (b) the keeping of live animals, live poultry or other fowl, except for animal clinic.

2.2.2 Dwelling unit may be permitted in combination with any use listed in section [2.1](#) of this schedule if:

- (a) it is for a caretaker or other person similarly employed; and
- (b) such dwelling unit is considered to be essential to the operation of the business or establishment.

2.2.3 Residential unit associated with and forming an integral part of an artist studio, limited to artist studio – class B, may be permitted if:

- (a) the change of use applies to floor area existing as of May 2, 2017; and

- (b) additions are limited to a maximum of 10% of the existing floor area.
- 2.2.4 General office may not include the offices of accountants, lawyers, notary publics, or real estate, advertising, insurance, travel and ticket agencies.
- 2.2.5 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.6 Retail store is limited to:
- (a) retail store for the renting of merchandise in which the exclusive use of at least 50% of the gross floor area is for the storage of inventory; and
  - (b) limited service food establishment, which means the use of premises for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where:
    - (i) the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises,
    - (ii) customers may also purchase food for take-out, and
    - (iii) live entertainment is not available.
- 2.2.7 Storage yard must be enclosed by a suitable fence that is painted and neatly maintained at all times.
- 2.2.8 Wholesaling – class B is permitted as an outright approval use if the gross floor area does not exceed 500 m<sup>2</sup>.
- 2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height; and
  - (b) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.
- 2.2.10 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule are permitted, except that:
- (a) accessory retail use:



- (i) must not be combined with wholesale use,
  - (ii) is limited to the lesser of 33.3% of the gross floor area of the principal and accessory uses combined or 500 m<sup>2</sup>, and
  - (iii) must be separated from the floor area of all other uses by a wall, other than accessory retail use associated with an artist studio; and
- (b) all uses other than accessory retail use must not be accessible to the public.

2.2.11 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.10 above.

2.2.12 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 5.00, subject to the following allocations:

- (a) the maximum floor space ratio is 5.00 for manufacturing uses, transportation and storage uses, wholesaling – class A, wholesaling – class B, and artist studio – class B; and
- (b) the maximum floor space ratio for production or rehearsal studio, office uses and all other uses combined is 2.50, or 3.00 in a building existing as of May 2, 2017, except that:
  - (i) the maximum floor space ratio for office uses and all other uses combined is 1.00, or 1.50 in a building existing as of May 2, 2017,
  - (ii) the floor area for office uses must not exceed 25% of the gross floor area of all principal and accessory uses combined, or 33.3% in a building existing as of May 2, 2017,
  - (iii) the floor area for retail uses, including accessory retail use, must not exceed 500 m<sup>2</sup>,
  - (iv) the floor area for restaurant – class 1 must not exceed 150 m<sup>2</sup>, and
  - (v) the floor area for a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

##### 3.1.2 Building Form and Placement

Regulations	I-4
3.1.2.1 Maximum building height	30.5 m
3.1.2.2 Minimum rear yard depth	3.1 m

#### Rear Yard

- 3.1.2.3 Despite the minimum rear yard depth in section [3.1.2.2](#) above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

3.1.2.4 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that:

- (a) the site is located within an area where rear access to the site and adjacent sites is not likely to be required; and
- (b) the site is sufficiently large to provide adequate open space.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the opinion of the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas for the social and recreational enjoyment of employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, provided that:
  - (i) the total area being excluded does not exceed the lesser of 20% of the permitted floor area or 100 m<sup>2</sup>, and
  - (ii) in the case of a child day care facility, the Director of Planning is satisfied that there is a need for a child day care facility in the building or in the immediate neighbourhood; and
- (e) storage area associated with an artist studio – class B where the area is provided below the base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio – class B.

## SCHEDULE CC

# IC-1 and IC-2

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit light industrial uses, including those with a significant amount of research and development activity, that are generally compatible with one another and with adjoining residential or commercial districts. Commercial uses compatible with and complementing light industrial uses are also permitted.

The intent of external design regulations for the IC-2 district is to achieve a form of development compatible with the function and character of abutting major streets, and specifically to achieve building continuity along major streets in the district.

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the IC-1 and IC-2 districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section 2.1 of this schedule	3.1

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including Section 2, Section 10 and Section 11, and compliance with the regulations of this schedule including section 2.2.

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	2.2.1
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A, provided that the use must not be combined with a Residential Unit	Outright	2.2.2
Artist Studio – Class A, not permitted as an outright approval use	Conditional	2.2.1
Artist Studio – Class B	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.2
Club	Conditional	2.2.1
Fitness Centre	Conditional	2.2.1
Park or Playground	Conditional	2.2.1
<b>Dwelling Uses</b>		
Dwelling Unit	Conditional	2.2.1, 2.2.3
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	2.2.1, 2.2.4
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1
Public Authority Use	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	2.2.2
Batteries Manufacturing	Outright	2.2.2
Brewing or Distilling	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class A	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class B	Outright	2.2.2
Clothing Manufacturing	Outright	2.2.2

Use	Approval	Use-Specific Regulations
Dairy Products Manufacturing	Outright	2.2.2
Electrical Products or Appliances Manufacturing	Outright	2.2.2
Food or Beverage Products Manufacturing – Class A	Conditional	2.2.1
Food or Beverage Products Manufacturing – Class B	Outright	2.2.2
Furniture or Fixtures Manufacturing	Outright	2.2.2
Ice Manufacturing	Outright	2.2.2
Information Communication Technology Manufacturing	Outright	2.2.2
Jewellery Manufacturing	Outright	2.2.2
Leather Products Manufacturing	Outright	2.2.2
Linoleum or Coated Fabrics Manufacturing	Conditional	2.2.1
Machinery or Equipment Manufacturing	Conditional	2.2.1
Metal Products Manufacturing – Class B	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class A	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class B	Outright	2.2.2
Motor Vehicle Parts Manufacturing	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class A	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class B	Outright	2.2.2
Paper Products Manufacturing	Outright	2.2.2
Plastic Products Manufacturing	Outright	2.2.2
Printing or Publishing	Outright	2.2.2
Rubber Manufacturing	Conditional	2.2.1
Rubber Products Manufacturing	Outright	2.2.2
Shoes or Boots Manufacturing	Outright	2.2.2
Textiles or Knit Goods Manufacturing	Conditional	2.2.1
Tobacco Products Manufacturing	Outright	2.2.2
Transportation Equipment Manufacturing	Conditional	2.2.1
Vegetable Oil Manufacturing	Conditional	2.2.1
Wood Products Manufacturing – Class B	Outright	2.2.2
<b>Office Uses</b>		
General Office	Outright	2.2.2
<b>Parking Uses</b>		
Parking Uses	Conditional	2.2.1
<b>Retail Uses</b>		
Farmers' Market	Conditional	2.2.1, 2.2.5

Use	Approval	Use-Specific Regulations
Furniture or Appliance Store	Outright	2.2.2
Gasoline Station – Full Serve	Outright	2.2.2
Gasoline Station – Split Island	Conditional	2.2.1
Public Bike Share	Conditional	2.2.1
Retail Store	Outright	2.2.2
Vehicle Dealer	Outright	2.2.2
<b>Service Uses</b>		
Animal Clinic	Outright	2.2.2
Auction Hall	Conditional	2.2.1
Catering Establishment	Outright	2.2.2
Laboratory	Outright	2.2.2
Laundry or Cleaning Plant	Outright	2.2.2
Motor Vehicle Repair Shop	Outright	2.2.2
Motor Vehicle Wash	Outright	2.2.2
Photofinishing or Photography Laboratory	Outright	2.2.2
Photofinishing or Photography Studio	Outright	2.2.2
Print Shop	Outright	2.2.2
Production or Rehearsal Studio	Outright	2.2.2
Repair Shop – Class A	Outright	2.2.2
Repair Shop – Class B	Outright	2.2.2
Restaurant – Class 1	Outright	2.2.2, 2.2.6
School – Arts or Self-Improvement	Outright	2.2.2
School – Business	Outright	2.2.2
School – Vocational or Trade	Outright	2.2.2
Sign Painting Shop	Outright	2.2.2
Work Shop	Outright	2.2.2
<b>Transportation and Storage Uses</b>		
Booming Ground	Conditional	2.2.1
Cold Storage Plant	Outright	2.2.2
Marine Terminal or Berth	Conditional	2.2.1
Mini-Storage Warehouse	Conditional	2.2.1
Packaging Plant	Outright	2.2.2
Storage Warehouse	Outright	2.2.2
Storage Yard	Conditional	2.2.1



Use	Approval	Use-Specific Regulations
Taxicab or Limousine Station	Conditional	<a href="#">2.2.1</a>
Truck Terminal or Courier Depot	Conditional	<a href="#">2.2.1</a>
Weighing or Inspection Station	Conditional	<a href="#">2.2.1</a>
Works Yard	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Outright	<a href="#">2.2.2</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>Wholesale Uses</b>		
Cardlock Fuel Station	Conditional	<a href="#">2.2.1</a>
Lumber and Building Materials Establishment	Outright	<a href="#">2.2.2</a>
Wholesaling – Class A	Outright	<a href="#">2.2.2</a>
Wholesaling – Class B	Outright	<a href="#">2.2.2</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.7</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a> , other than accessory retail use in combination with outright approval wholesale uses listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.8</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.9</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use or otherwise permitted as a conditional approval use	Conditional	<a href="#">2.2.1</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Any outright approval use listed in this section <a href="#">2.1</a> that does not comply with section <a href="#">2.2.2(a)</a> of this schedule	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

### 2.2.1 Conditional approval uses listed in section [2.1](#) of this schedule:

- (a) except for cardlock fuel station and gasoline station – split island, must be carried on wholly within a completely enclosed building, unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts;

- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives, except for cardlock fuel station and gasoline station – split island; explosives, fireworks, ammunition, matches, or flares; radioactive material; or rags or cotton waste;
- (c) may involve the storage of the following only if they are wholly within a completely enclosed building: fish, fish oil or meal, animal oil or fat, or vegetable oil; fungicides, herbicides or pesticides; grain, hops or sugar; paint, varnish, oil shellac or turpentine; scrap; or toxic or corrosive chemicals or acids;
- (d) may involve the storage of goods or materials only if they are wholly within a completely enclosed building, unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access; and
- (e) may involve the storage of goods or materials or the placement of machinery or of refuse or garbage receptacles only if they are wholly within a completely enclosed building, unless they are adequately screened from view from any adjacent R district, or any R district across an adjacent street or lane, by evergreen planting, wall, or fence and related landscaping that is acceptable to the Director of Planning.

2.2.2 Outright approval uses listed in section 2.1 of this schedule:

- (a) except for gasoline station – full serve and lumber and building materials establishment, must be carried on wholly within a completely enclosed building, except for off-street parking and loading, heating or mechanical equipment, or other facilities or equipment that the Director of Planning considers similar to the foregoing; and
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives, except for gasoline station – full serve; explosives, fireworks, ammunition, matches, or flares; radioactive material; or rags or cotton waste.

2.2.3 Dwelling unit may be permitted in combination with any use listed in section 2.1 of this schedule if:

- (a) it is for a caretaker or other person similarly employed; and
- (b) such dwelling unit is considered to be essential to the operation of the business or establishment.

2.2.4 Residential unit associated with and forming an integral part of an artist studio may be permitted if:

- (a) the change of use applies to floor area existing as of February 26, 2013; and
- (b) additions are limited to a maximum of 10% of the existing floor area.

2.2.5 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.6 Restaurant – class 1 is permitted as an outright approval use if the floor area does not exceed 65 m<sup>2</sup>.

- 2.2.7 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) an accessory building is located:
    - (i) in the rear yard, and
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) the total floor area of an accessory building, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.
- 2.2.8 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule, other than accessory retail use in combination with outright approval wholesale uses listed in section 2.1 of this schedule, are permitted if:
- (a) the total floor area of all accessory uses does not exceed 33.3% of the gross floor area of the principal and accessory uses combined, unless the accessory use is permitted as an outright approval use pursuant to section 2.1 of this schedule; and
  - (b) the floor area in accessory retail use, other than accessory retail use associated with an artist studio, is separated from the floor area in all other uses by a wall, and the other uses are not accessible to the public.
- 2.2.9 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions of section 2.2.8 above.
- 2.2.10 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in these districts are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 3.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for manufacturing uses, transportation and storage uses, and wholesaling – class A; and
- (b) the maximum floor space ratio is 1.00 for all other uses combined, except that:
  - (i) the maximum floor space ratio may be increased to 1.50 for any office use ancillary to a manufacturing use, if:
    - (A) the principal use or uses only includes manufacturing, and
    - (B) the total floor area of all accessory uses does not exceed 50% of the gross floor area of all principal and accessory uses combined,
  - (ii) the floor area for retail uses, including accessory retail use, must not exceed 1000 m<sup>2</sup>, and
  - (iii) the floor area for a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

##### 3.1.2 Building Form and Placement

Regulations		IC-1 and IC-2
3.1.2.1	Maximum building height	18.3 m
3.1.2.2	Minimum side yard width for a side yard that:	
	(a) adjoins a site located in any R district, without the intervention of a lane	1.5 m
	(b) does not adjoin a site located in an R district	not required
3.1.2.3	Minimum rear yard depth	3.1 m

## Building Height

3.1.2.4 Despite the maximum building height in section 3.1.2.1 above, in the case of a building or part of a building located in the IC-2 district, the maximum building height at the street property line is 12.2 m and:

- (a) no portion of the building may protrude above an envelope formed by a vertical line at the street property line and a plane formed by an angle of 135 degrees measured from the vertical and having its vertex at the maximum building height permitted at the street property line; and
- (b) in the case of a corner site, the provisions of section 3.1.2.4(a) above apply at both street property lines.

## Side Yard

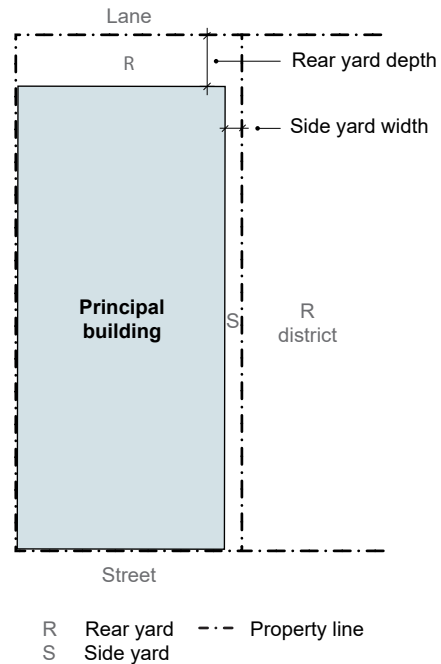
3.1.2.5 Despite the minimum side yard width in section 3.1.2.2(b) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

## Rear Yard

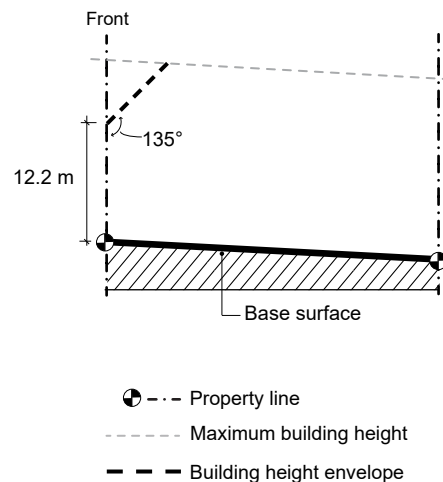
3.1.2.6 Despite the minimum rear yard depth in section 3.1.2.3 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

3.1.2.7 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required.

**Diagram: Building placement for principal building**



**Diagram: Maximum building height envelope**



## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a dwelling use, to a maximum area of 10% of the total permitted floor area; and
- (e) storage area associated with an artist studio where the area is provided below the base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio.

### 4.2 External Design

4.2.1 This section 4.2 applies to the IC-2 district only.

4.2.2 For the purposes of this section 4.2, the street property line is the property line along an abutting street but not a lane.

4.2.3 Building continuity must be achieved at the street property line as follows:

- (a) no yard is permitted along a street property line, except for a required setback, side or rear yard, and yard established by building line;
- (b) the first storey must include the main pedestrian entrance and facilities serving the public, such as reception area or lobby and showroom or display area, which must be oriented with maximum visibility to the abutting street or, in the case of a corner site, the widest abutting street;
- (c) where a building occupies a corner site, architectural features, lighting, signage, and related facade characteristics must be located so as to orient the building to the widest abutting street;

- (d) transparent window area must comprise at least 80% of the exterior wall surface of the first storey along an abutting street and 40% of the exterior wall surface on every upper storey along an abutting street; and
- (e) no portion of the floor of the first storey along an abutting street may be more than 1.0 m above or below grade at the street property line.

4.2.4 Garbage and recycling container storage areas, heating and mechanical equipment, and off-street parking and loading facilities must be enclosed, located or screened so as not to be visible from the centre line of an abutting street.

4.2.5 Except for gasoline station – full-serve, gasoline station – split island, and cardlock fuel station, any use that is not carried on wholly within a completely enclosed building, including parking use, must be set back 1.2 m from the street property line at an abutting street and screened by evergreen planting, a wall or fence with related landscaping, so as not to be visible from the centre line of any abutting street.

## SCHEDULE DD

# IC-3

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

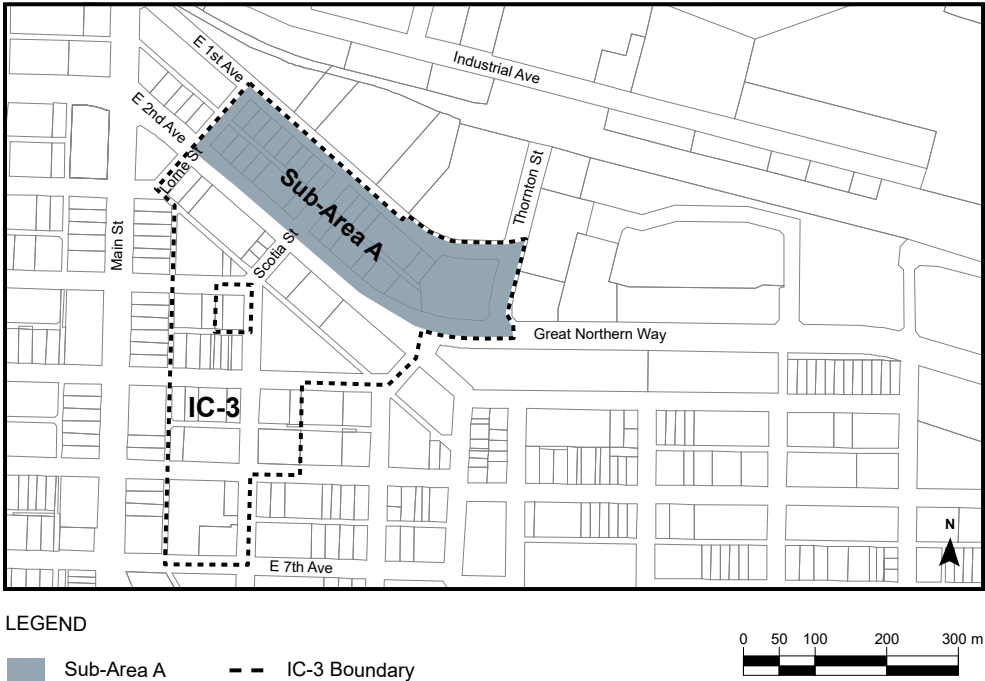
The primary intent of this schedule is to permit a mix of light industrial, cultural, dwelling and related uses that are generally compatible with adjoining residential and commercial districts. Service uses compatible with and complementing light industrial uses and a limited number of office uses are also permitted, but not general retail stores. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Within the False Creek Flats, an area north of Great Northern Way and 2nd Avenue is identified as “sub-area A” in [Map 1: IC-3 District Sub-Area A](#), for the purpose of establishing permitted uses, floor area, building height, and setbacks. In sub-area A, additional discretionary building height and density may also be considered where 20% of the residential floor area is used for social housing or where all of the dwelling units are secured market rental housing.

Without limitation, applicable Council policies and guidelines for consideration include the [Brewery Creek IC-3, C-3A, C-2C and RM-4/4N Guidelines](#), [False Creek Flats Urban Design Policies and Guidelines for IC-3](#) and [Downtown District and IC-3 District Policies and Procedures for Low Cost Rental Artist Studios](#).



Map 1: IC-3 District Sub-Area A



1.2 Overview

The table below provides an overview of outright and conditional approval uses in the IC-3 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section 2.1 of this schedule	3.1

2 USE REGULATIONS

2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including Section 2, Section 10 and Section 11, and compliance with the regulations of this schedule including section 2.2.

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	2.2.1
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A, provided that the use must not be combined with a Residential Unit	Outright	2.2.2
Artist Studio – Class A, not permitted as an outright approval use	Conditional	2.2.1
Artist Studio – Class B	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.2
Bingo Hall	Conditional	2.2.1
Casino – Class 1	Conditional	2.2.1
Club	Outright	2.2.2
Community Centre or Neighbourhood House	Conditional	2.2.1
Fitness Centre	Outright	2.2.2
Hall	Outright	2.2.2
Theatre	Outright	2.2.2
<b>Dwelling Uses</b>		
Dwelling Unit	Conditional	2.2.1, 2.2.3
Micro Dwelling, only in sub-area A	Conditional	2.2.1
Mixed-Use Residential Building	Conditional	2.2.1, 2.2.4, 2.2.5
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	2.2.1
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1
Child Day Care Facility	Conditional	2.2.1
Public Authority Use	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	<a href="#">2.2.2</a>
Batteries Manufacturing	Outright	<a href="#">2.2.2</a>
Brewing or Distilling	Conditional	<a href="#">2.2.1</a>
Chemicals or Chemical Products Manufacturing – Class A	Conditional	<a href="#">2.2.1</a>
Chemicals or Chemical Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a>
Clothing Manufacturing	Outright	<a href="#">2.2.2</a>
Dairy Products Manufacturing	Outright	<a href="#">2.2.2</a>
Electrical Products or Appliances Manufacturing	Outright	<a href="#">2.2.2</a>
Food or Beverage Products Manufacturing – Class A	Conditional	<a href="#">2.2.1</a>
Food or Beverage Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a>
Furniture or Fixtures Manufacturing	Outright	<a href="#">2.2.2</a>
Ice Manufacturing	Outright	<a href="#">2.2.2</a>
Information Communication Technology Manufacturing	Outright	<a href="#">2.2.2</a>
Jewellery Manufacturing	Outright	<a href="#">2.2.2</a>
Leather Products Manufacturing	Outright	<a href="#">2.2.2</a>
Linoleum or Coated Fabrics Manufacturing	Conditional	<a href="#">2.2.1</a>
Machinery or Equipment Manufacturing	Conditional	<a href="#">2.2.1</a>
Metal Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Miscellaneous Products Manufacturing – Class A	Conditional	<a href="#">2.2.1</a>
Miscellaneous Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a>
Motor Vehicle Parts Manufacturing	Conditional	<a href="#">2.2.1</a>
Non-Metallic Mineral Products Manufacturing – Class A	Conditional	<a href="#">2.2.1</a>
Non-Metallic Mineral Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a>
Paper Products Manufacturing	Outright	<a href="#">2.2.2</a>
Plastic Products Manufacturing	Outright	<a href="#">2.2.2</a>
Printing or Publishing	Outright	<a href="#">2.2.2</a>
Rubber Manufacturing	Conditional	<a href="#">2.2.1</a>
Rubber Products Manufacturing	Outright	<a href="#">2.2.2</a>
Shoes or Boots Manufacturing	Outright	<a href="#">2.2.2</a>
Textiles or Knit Goods Manufacturing	Conditional	<a href="#">2.2.1</a>
Tobacco Products Manufacturing	Outright	<a href="#">2.2.2</a>
Transportation Equipment Manufacturing	Conditional	<a href="#">2.2.1</a>
Vegetable Oil Manufacturing	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Wood Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a>
<b>Office Uses</b>		
General Office	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>
<b>Parking Uses</b>		
Parking Uses	Conditional	<a href="#">2.2.1</a>
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>
Retail Store	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.8</a>
Public Bike Share	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Auction Hall	Conditional	<a href="#">2.2.1</a>
Cabaret	Conditional	<a href="#">2.2.1</a>
Catering Establishment	Outright	<a href="#">2.2.2</a>
Laboratory	Outright	<a href="#">2.2.2</a>
Laundry or Cleaning Plant	Outright	<a href="#">2.2.2</a>
Motor Vehicle Repair Shop	Outright	<a href="#">2.2.2</a>
Motor Vehicle Wash	Outright	<a href="#">2.2.2</a>
Photofinishing or Photography Laboratory	Outright	<a href="#">2.2.2</a>
Photofinishing or Photography Studio	Outright	<a href="#">2.2.2</a>
Print Shop	Outright	<a href="#">2.2.2</a>
Production or Rehearsal Studio	Outright	<a href="#">2.2.2</a>
Restaurant	Conditional	<a href="#">2.2.1</a>
School – Arts or Self-Improvement	Conditional	<a href="#">2.2.1</a>
School – Vocational or Trade	Outright	<a href="#">2.2.2</a>
Sign Painting Shop	Outright	<a href="#">2.2.2</a>
Work Shop	Outright	<a href="#">2.2.2</a>
<b>Transportation and Storage Uses</b>		
Aircraft Landing Place	Conditional	<a href="#">2.2.1</a>
Cold Storage Plant	Outright	<a href="#">2.2.2</a>
Packaging Plant	Outright	<a href="#">2.2.2</a>
Railway Station or Rail Yard	Conditional	<a href="#">2.2.1</a>
Storage Warehouse	Outright	<a href="#">2.2.2</a>
Storage Yard	Conditional	<a href="#">2.2.1</a>
Taxicab or Limousine Station	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Truck Terminal or Courier Depot	Conditional	<a href="#">2.2.1</a>
Weighing or Inspection Station	Conditional	<a href="#">2.2.1</a>
Works Yard	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Outright	<a href="#">2.2.2</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>Wholesale Uses</b>		
Cardlock Fuel Station	Conditional	<a href="#">2.2.1</a>
Lumber and Building Materials Establishment	Outright	<a href="#">2.2.2</a>
Wholesaling – Class A	Outright	<a href="#">2.2.2</a>
Wholesaling – Class B	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.9</a>
Wholesaling – Class B, not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a> , other than accessory retail use in combination with outright approval wholesale uses listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.11</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use or otherwise permitted as a conditional approval use	Conditional	<a href="#">2.2.1</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Any other use that is not specifically listed in this section <a href="#">2.1</a> but that was a legally conforming use existing as of October 25, 1988	Conditional	<a href="#">2.2.1</a>
Any outright approval use listed in this section <a href="#">2.1</a> that does not comply with section <a href="#">2.2.2(a)</a> of this schedule	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

### 2.2.1 Conditional approval uses listed in section [2.1](#) of this schedule:

- (a) except for cardlock fuel station and transportation and storage uses, must be carried on wholly within a completely enclosed building unless appropriate measures are taken, to the satisfaction of the

Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts;

- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives, except for cardlock fuel station; explosives, fireworks, ammunition, matches, or flares; radioactive material; or rags or cotton waste;
- (c) may involve the storage of the following only if they are wholly within a completely enclosed building: fish, fish oil or meal, animal oil or fat, or vegetable oil; fungicides, herbicides or pesticides; grain, hops or sugar; paint, varnish, oil shellac or turpentine; scrap; or toxic or corrosive chemicals or acids;
- (d) may involve the storage of goods or materials only if they are wholly within a completely enclosed building, unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access; and
- (e) may involve the storage of goods or materials, or the placement of machinery or of refuse or garbage receptacles only if they are wholly within a completely enclosed building, unless they are adequately screened from view from any adjacent R district, or any R district across an adjacent street or lane, by evergreen planting, wall, or fence and related landscaping that is acceptable to the Director of Planning.

2.2.2 Outright approval uses listed in section 2.1 of this schedule:

- (a) except for retail store and lumber and building materials establishment, must be carried on wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment that the Director of Planning considers similar to the foregoing; and
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives; explosives, fireworks, ammunition, matches, or flares; radioactive material; or rags or cotton waste.

2.2.3 Dwelling unit may be permitted if:

- (a) it is in combination with any use listed in section 2.1 of this schedule and:
  - (i) it is for a caretaker or other person similarly employed, and
  - (ii) such dwelling unit is considered to be essential to the operation of the business or establishment; or
- (b) it existed as of and was used continuously since October 25, 1988, provided that any additions to the dwelling unit are limited to the lesser of 10% of the existing floor area or 37 m<sup>2</sup>.

2.2.4 Any of the non-dwelling uses listed in section 2.1 of this schedule are permitted in a mixed-use residential building.

- 2.2.5 No portion of the first storey of a mixed-use residential building, to a depth of 10.7 m from the front wall of the building and extending across its full width, may be used for dwelling purposes, other than entrances to the portion containing dwelling uses.
- 2.2.6 General office may not include the offices of accountants, lawyers, notary publics, or real estate, advertising, insurance, travel and ticket agencies.
- 2.2.7 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.8 Retail store is limited to the sale of art and hand-crafted products.
- 2.2.9 Wholesaling – class B is permitted as an outright approval use if the floor area does not exceed 1,000 m<sup>2</sup>.
- 2.2.10 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:
    - (i) in the rear yard, and
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) the total floor area of an accessory building, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.
- 2.2.11 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule, other than accessory retail use in combination with outright approval wholesale uses listed in section 2.1 of this schedule, are permitted if:
- (a) the total floor area of all accessory uses does not exceed 33.3% of the gross floor area of the principal and accessory uses combined, unless the accessory use is permitted as an outright approval use pursuant to section 2.1 of this schedule; and
  - (b) the floor area in accessory retail use, other than accessory retail use associated with an artist studio, is separated from the floor area of all other uses by a wall, and the other uses are not accessible to the public.

- 2.2.12 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.11 above.
- 2.2.13 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 3.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for artist studio (provided that the use is not combined with a residential unit), manufacturing uses, retail store, school, theatre, transportation and storage uses, and wholesaling – class A;
- (b) the maximum floor space ratio is 2.50 for artist studio in combination with a residential unit associated with and forming an integral part of an artist studio; and
- (c) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
  - (i) retail uses, including accessory retail use, must not exceed 1,000 m<sup>2</sup>, and
  - (ii) a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

3.1.1.2 For any development where a residential unit associated with and forming an integral part of an artist studio is being provided and is occupied by persons receiving income equal to or less than the income as set out in the current “Housing Income Limits” published by the British Columbia Housing Management Commission, the Director of Planning or Development Permit Board may increase the permitted floor space ratio, subject to prior approval by City Council and the securing of a housing agreement.

In determining the amount of the increase in floor space ratio that may be permitted by this section [3.1.1.2](#), the Director of Planning or Development Permit Board, with advice from the General Manager of Real Estate and Facilities Management, must consider:

- (a) the cost to the developer of adhering to the conditions of the housing agreement;
- (b) the value of the increased floor area;
- (c) the value of any relaxation of other regulations;
- (d) the impact on liveability and environmental quality of the neighbourhood; and
- (e) the intent of this schedule and all applicable Council policies and guidelines.

3.1.1.3 In sub-area A, the Director of Planning may increase the permitted floor space ratio for a mixed-use residential building to a maximum of 4.00, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines and:

- (a) the floor space ratio for dwelling uses does not exceed 3.50, and for the purposes of this section [3.1.1.3\(a\)](#), where there is a residential unit associated with and forming an integral part of an artist studio, the artist studio is also considered a dwelling use; and
- (b) a minimum of 20% of the residential floor area included in the calculation of floor space ratio is used for social housing, or all dwelling units are secured market rental housing.

### 3.1.2 Building Form and Placement

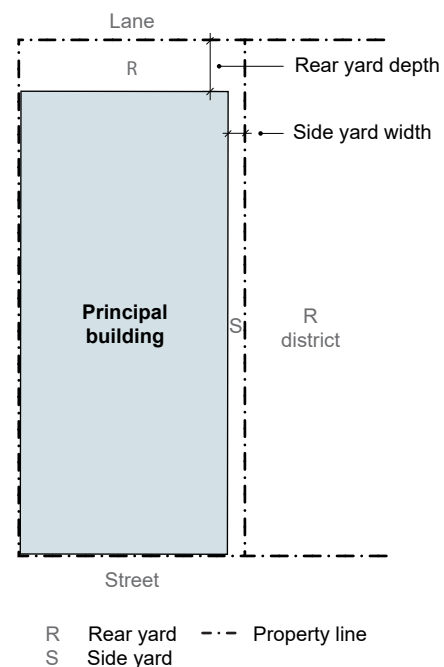
Regulations	IC-3
3.1.2.1 Maximum building height	18.3 m
3.1.2.2 Minimum side yard width for a side yard that:	
(a) adjoins a site located in an R district, without the intervention of a lane	1.5 m
(b) does not adjoin a site located in an R district	not required
3.1.2.3 Minimum rear yard depth	3.1 m

#### Building Height

3.1.2.4 In sub-area A, the Director of Planning may increase the maximum building height for a mixed-use residential building to a height not exceeding 30.5 m, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and:

- (a) a minimum of 20% of the residential floor area included in the calculation of floor space ratio is used for social housing; or
- (b) all dwelling units are secured market rental housing.

**Diagram: Building placement for principal building**



### **Side Yard**

- 3.1.2.5 Despite the minimum side yard width in section 3.1.2.2(b) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

### **Rear Yard**

- 3.1.2.6 Despite the minimum rear yard depth in section 3.1.2.3 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.7 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building; and
- (b) in dwelling units and artist studios where the distance from a floor to the floor above, or where there is no floor above, to the top of the roof rafters or deck, exceeds 3.7 m, an amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude additional height in combination with:
  - (i) an undeveloped floor area beneath roof elements that are, in the opinion of the Director of Planning, solely for decorative purposes and to which the only means of access is a hatch, residential lobby or mechanical penthouse, and
  - (ii) venting skylights, opening clerestory windows or other similar features that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a dwelling use, to a maximum floor area of 10% of the total permitted floor area; and
- (e) storage area associated with an artist studio where the area is provided below the base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio.

### 4.2 External Design

#### 4.2.1 For the purposes of this section [4.2](#), the street property line is the property line along an abutting street but not a lane.

#### 4.2.2 Building continuity must be achieved at the street property line as follows:

- (a) no yard is permitted along a street property line, except for a required setback, side yard or rear yard, and yard established by building line;
- (b) the first storey must include the main pedestrian entrance and facilities serving the public, such as reception area or lobby and showroom or display area, which must be oriented with maximum visibility to the abutting street or, in the case of a corner site, the widest abutting street;
- (c) where a building occupies a corner site, architectural features, lighting, signage, and related facade characteristics must be located so as to orient the building to the widest abutting street;
- (d) transparent window area must comprise:
  - (i) at least 80% of the exterior wall surface of the first storey along an abutting street, and
  - (ii) at least 40% of the exterior wall surface on every upper storey along an abutting street; and
- (e) no portion of the floor of the first storey along an abutting street may be more than 1.0 m above or below grade at the street property line.

4.2.3 Garbage and recycling container storage areas, heating and mechanical equipment, and off-street parking and loading facilities must be enclosed, located or screened so as not to be visible from the centre line of an abutting street.

4.2.4 Any use that is not carried on wholly within a completely enclosed building, including parking use, must be set back 1.2 m from the street property line at an abutting street and screened by evergreen planting, wall, or fence with related landscaping, so as not to be visible from the centre line of any abutting street.

## 5 RELAXATIONS

5.1 Where a need for a cultural facility has been demonstrated to the satisfaction of the Development Permit Board, the Development Permit Board may relax the maximum floor space ratio for any 1 building, which includes 1 or more of such facilities. The Development Permit Board will require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

In determining the amount of the increase in floor area that may be permitted, the Development Permit Board must consider:

- (a) the construction cost of the facility;
- (b) any costs to the developer of continuing maintenance required for the facility;
- (c) the rental value of the increased floor area;
- (d) the value of any authorized relaxation of other restrictions;
- (e) the opinion of City Council; and
- (f) the intent of this schedule and all applicable Council policies and guidelines.

- 5.2 If the Director of Planning is satisfied that enforcement of section 4.2.2 will result in unnecessary hardship, and that the form of development will otherwise achieve building continuity, the Director of Planning may relax all or some of the requirements of section 4.2.2.

## SCHEDULE EE

# M-1

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit industrial and other uses that are generally incompatible with residential land use but are beneficial in that they provide industrial employment opportunities or serve a useful or necessary function in the city. It is not the intent, however, to permit uses that are potentially dangerous or environmentally incompatible when situated near residential districts.

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the M-1 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section **3** of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section <b>2.1</b> of this schedule	<b>3.1</b>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including **Section 2**, **Section 10** and **Section 11**, and compliance with the regulations of this schedule including section **2.2**.

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	2.2.1
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Outright	2.2.2
Artist Studio – Class B	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.2
Billiard Hall	Conditional	2.2.1
Bowling Alley	Conditional	2.2.1
Club	Conditional	2.2.1
Community Centre or Neighbourhood House	Conditional	2.2.1
Fitness Centre	Conditional	2.2.1
Hall	Conditional	2.2.1
Park or Playground	Conditional	2.2.1
Rink	Conditional	2.2.1
Swimming Pool	Conditional	2.2.1
Theatre	Conditional	2.2.1
<b>Dwelling Uses</b>		
Dwelling Unit	Conditional	2.2.1, 2.2.3
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B	Conditional	2.2.1, 2.2.4
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1
Child Day Care Facility	Conditional	2.2.1
Church	Conditional	2.2.1
Public Authority Use	Conditional	2.2.1
School – Elementary or Secondary	Conditional	2.2.1
School – University or College	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1



Use	Approval	Use-Specific Regulations
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	2.2.2
Batteries Manufacturing	Outright	2.2.2
Brewing or Distilling	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class A	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class B	Outright	2.2.2
Clothing Manufacturing	Outright	2.2.2
Dairy Products Manufacturing	Outright	2.2.2
Electrical Products or Appliances Manufacturing	Outright	2.2.2
Food or Beverage Products Manufacturing – Class A	Conditional	2.2.1
Food or Beverage Products Manufacturing – Class B	Outright	2.2.2
Furniture or Fixtures Manufacturing	Conditional	2.2.1
Ice Manufacturing	Outright	2.2.2
Information Communication Technology Manufacturing	Outright	2.2.2
Jewellery Manufacturing	Outright	2.2.2
Leather Products Manufacturing	Outright	2.2.2
Machinery or Equipment Manufacturing	Conditional	2.2.1
Metal Products Manufacturing – Class B	Outright	2.2.2
Miscellaneous Products Manufacturing – Class B	Outright	2.2.2
Motor Vehicle Parts Manufacturing	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class A	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class B	Conditional	2.2.1
Paper Manufacturing	Conditional	2.2.1
Paper Products Manufacturing	Outright	2.2.2
Plastic Products Manufacturing	Conditional	2.2.1
Printing or Publishing	Outright	2.2.2
Rubber Products Manufacturing	Outright	2.2.2
Shoes or Boots Manufacturing	Outright	2.2.2
Textiles or Knit Goods Manufacturing	Outright	2.2.2
Tobacco Products Manufacturing	Outright	2.2.2
Transportation Equipment Manufacturing	Outright	2.2.2
Wood Products Manufacturing – Class B	Conditional	2.2.1
<b>Office Uses</b>		
General Office	Conditional	2.2.1, 2.2.5

Use	Approval	Use-Specific Regulations
<b>Parking Uses</b>		
Parking Uses	Conditional	<a href="#">2.2.1</a>
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>
Furniture or Appliance Store	Conditional	<a href="#">2.2.1</a>
Gasoline Station – Full Serve	Outright	<a href="#">2.2.2</a>
Gasoline Station – Split Island	Conditional	<a href="#">2.2.1</a>
Grocery Store with Liquor Store	Conditional	<a href="#">2.2.1</a>
Liquor Store	Conditional	<a href="#">2.2.1</a>
Public Bike Share	Conditional	<a href="#">2.2.1</a>
Retail Store	Conditional	<a href="#">2.2.1</a>
Small-Scale Pharmacy	Conditional	<a href="#">2.2.1</a>
Vehicle Dealer	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Animal Clinic	Outright	<a href="#">2.2.2</a>
Auction Hall	Conditional	<a href="#">2.2.1</a>
Barber Shop or Beauty Salon	Conditional	<a href="#">2.2.1</a>
Beauty and Wellness Centre	Conditional	<a href="#">2.2.1</a>
Catering Establishment	Outright	<a href="#">2.2.2</a>
Drive-Through Service	Conditional	<a href="#">2.2.1</a>
Funeral Home	Conditional	<a href="#">2.2.1</a>
Laboratory	Conditional	<a href="#">2.2.1</a>
Laundromat or Dry Cleaning Establishment	Conditional	<a href="#">2.2.1</a>
Laundry or Cleaning Plant	Outright	<a href="#">2.2.2</a>
Motor Vehicle Repair Shop	Outright	<a href="#">2.2.2</a>
Motor Vehicle Wash	Outright	<a href="#">2.2.2</a>
Neighbourhood Public House	Conditional	<a href="#">2.2.1</a>
Photofinishing or Photography Laboratory	Outright	<a href="#">2.2.2</a>
Photofinishing or Photography Studio	Conditional	<a href="#">2.2.1</a>
Print Shop	Conditional	<a href="#">2.2.1</a>
Production or Rehearsal Studio	Outright	<a href="#">2.2.2</a>
Repair Shop – Class A	Outright	<a href="#">2.2.2</a>
Repair Shop – Class B	Conditional	<a href="#">2.2.1</a>
Restaurant – Class 1	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Restaurant – Drive-In	Conditional	<a href="#">2.2.1</a>
School – Arts or Self-Improvement	Conditional	<a href="#">2.2.1</a>
School – Business	Outright	<a href="#">2.2.2</a>
School – Vocational or Trade	Outright	<a href="#">2.2.2</a>
Sign Painting Shop	Conditional	<a href="#">2.2.1</a>
Work Shop	Outright	<a href="#">2.2.2</a>
<b>Transportation and Storage Uses</b>		
Aircraft Landing Place	Conditional	<a href="#">2.2.1</a>
Cold Storage Plant	Outright	<a href="#">2.2.2</a>
Mini-Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Packaging Plant	Outright	<a href="#">2.2.2</a>
Railway Station or Rail Yard	Conditional	<a href="#">2.2.1</a>
Storage Warehouse	Outright	<a href="#">2.2.2</a>
Storage Yard	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>
Taxicab or Limousine Station	Conditional	<a href="#">2.2.1</a>
Truck Terminal or Courier Depot	Conditional	<a href="#">2.2.1</a>
Weighing or Inspection Station	Conditional	<a href="#">2.2.1</a>
Works Yard	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.8</a>
Public Utility, not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Outright	<a href="#">2.2.2</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>Wholesale Uses</b>		
Cardlock Fuel Station	Conditional	<a href="#">2.2.1</a>
Lumber and Building Materials Establishment	Conditional	<a href="#">2.2.1</a>
Wholesaling – Class A	Outright	<a href="#">2.2.2</a>
Wholesaling – Class B	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1, other than accessory retail use in combination with outright approval wholesale uses listed in this section 2.1	Outright	2.2.2, 2.2.10
Accessory Uses, customarily ancillary to any use listed in this section 2.1 and not permitted as an outright approval use	Conditional	2.2.1
Any other use that is not specifically listed and defined as a use in Section 2 of this by-law	Conditional	2.2.1, 2.2.11
Any outright approval use listed in this section 2.1 that does not comply with the applicable use-specific regulations in section 2.2.2 of this schedule	Conditional	2.2.1
Deposition or extraction of material, which alters the configuration of the land	Conditional	2.2.1

## 2.2 Use-Specific Regulations

2.2.1 Conditional approval uses listed in section 2.1 of this schedule must not involve:

- (a) the bulk storage of: compressed gas, petroleum, coal tar products or derivatives, except for gasoline station – split island and cardlock fuel station; explosives; fertilizer; fish oil or meal; lime; matches; or vegetable oil or fat; or
- (b) the keeping of live animals, except for laboratory or retail store.

2.2.2 Outright approval uses listed in section 2.1 of this schedule must not involve:

- (a) the bulk storage of: compressed gas, petroleum, coal tar products or derivatives, except for gasoline station – full serve; cotton waste; explosives; fertilizer; fish, fish oil or meal; furniture; industrial chemicals; junk; lime; matches; paints; rags; scrap; varnishes; or vegetable oil or fat; or
- (b) the keeping of live animals, live poultry or other fowl, except for animal clinic.

2.2.3 Dwelling unit may be permitted in combination with any use listed in section 2.1 of this schedule if:

- (a) it is for a caretaker or other person similarly employed; and
- (b) such dwelling unit is considered to be essential to the operation of the business or establishment.

2.2.4 Residential unit associated with and forming an integral part of an artist studio, limited to artist studio – class B, may be permitted if:

- (a) the change of use applies to floor area existing as of February 26, 2013; and
- (b) additions are limited to a maximum of 10% of the existing floor area.

- 2.2.5 General office may not include the offices of accountants, lawyers, notary publics, or real estate, advertising, insurance, travel and ticket agencies.
- 2.2.6 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.7 Storage yard must be enclosed by a suitable fence that is painted and neatly maintained at all times.
- 2.2.8 Public utility is permitted as an outright approval use if it is located on a site that is at least 61.0 m from any R district.
- 2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height; and
  - (b) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 10% of the total site area,
- except that the Director of Planning may vary the height, floor area and site area regulations.
- 2.2.10 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule, other than accessory retail use in combination with outright approval wholesale uses listed in section 2.1 of this schedule, are permitted if:
- (a) the total floor area of all accessory uses does not exceed 33.3% of the gross floor area of the principal and accessory uses combined, unless the accessory use is permitted as an outright approval use pursuant to section 2.1 of this schedule; and
  - (b) the floor area in accessory retail use, other than accessory retail use associated with an artist studio, is separated from the floor area of all other uses by a wall, and the other uses are not accessible to the public,
- except that the Director of Planning may vary the floor area regulations.
- 2.2.11 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 5.00, subject to the following allocations:

- (a) the maximum floor space ratio is 5.00 for manufacturing uses, transportation and storage uses, and wholesaling – class A; and
- (b) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
  - (i) retail uses, including accessory retail use, must not exceed 1,000 m<sup>2</sup>,
  - (ii) general office must not exceed the greater of 235 m<sup>2</sup> or 25% of the total gross floor area of all principal and accessory uses combined, except that floor area for general office exceeding 25% of total gross floor area will be permitted on lots on record in the Land Title Office prior to November 21, 1989, and
  - (iii) a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

##### 3.1.2 Building Form and Placement

Regulations	M-1
3.1.2.1 Maximum building height	30.5 m
3.1.2.2 Minimum side yard width for a side yard that:	
(a) adjoins a site located in any RM district, without the intervention of a lane	1.5 m
(b) adjoins a site located in any RS, RT or RA district, without the intervention of a lane	0.9 m
(c) does not adjoin a site located in an R district	not required
3.1.2.3 Minimum rear yard depth	3.1 m

## Building Height and Vertical Angle of Daylight

3.1.2.4 The Director of Planning or the Development Permit Board may permit an increase in the maximum building height.

3.1.2.5 In the case of office buildings over 12.2 m in building height, no portion of the building may project above lines extending over the site at right angles from:

- (a) all points along the ultimate centre line of any street in front of the site and inclined at an average angle of 60 degrees to the horizontal;
- (b) all points along the rear boundary line of the site or the ultimate centre line of the lane where one has been dedicated, and inclined at an average angle of 60 degrees to the horizontal;
- (c) all points along any interior side boundary of the site at ground level and inclined at an average angle of 70 degrees to the horizontal; and
- (d) in the case of a corner site, all points along the ultimate centre line of the flanking street or lane and inclined at an average angle of 60 degrees to the horizontal.

3.1.2.6 For the purpose of section 3.1.2.5 above:

- (a) height will be measured from the finished grade at all points around and adjacent to the building; and
- (b) only the principal building will be considered as an obstruction.

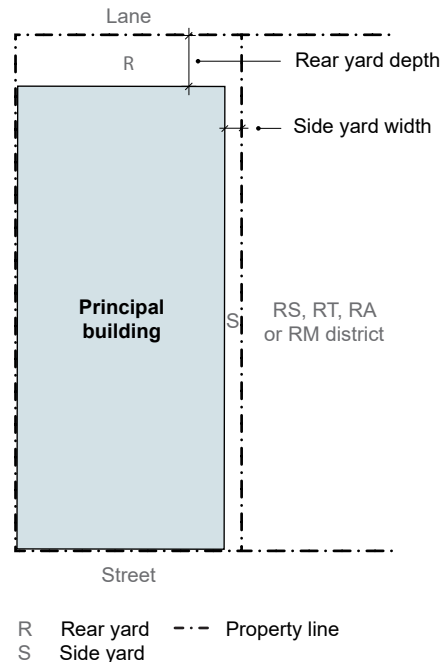
3.1.2.7 Any part of a building will be exempt from the vertical angle of daylight regulations in section 3.1.2.5 above if that part of the building:

- (a) has a width of 18.0 m or less, measured horizontally and parallel to the street, lane or boundary from which the angle is to be calculated; and
- (b) is located at least 24.0 m from any part of the same building that would be similarly exempt, measured in the same direction as specified in section 3.1.2.7(a) above.

## Side Yard

3.1.2.8 Despite the minimum side yard width in section 3.1.2.2(b) above, in the case of a corner site, an exterior side yard is not required.

**Diagram: Building placement for principal building**



- 3.1.2.9 Despite section 3.1.2.2(c) above, where a side yard is provided, although not required, the minimum side yard depth is 0.9 m.

#### **Rear Yard**

- 3.1.2.10 Despite the minimum rear yard depth in section 3.1.2.3 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.11 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that:
- (a) the site is located within an area where rear access to the site and adjacent sites is not likely to be required; and
  - (b) the site is sufficiently large to provide adequate open space.



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, provided that:
  - (i) the total area being excluded does not exceed the lesser of 20% of the permitted floor area or 100 m<sup>2</sup>, and
  - (ii) in the case of a child day care facility, the Director of Planning is satisfied that there is a need for a child day care facility in the building or in the immediate neighbourhood; and
- (e) storage area associated with an artist studio – class B where the area is provided below the base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio – class B.

## SCHEDULE FF

# M-1A

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit industrial and other uses that are generally incompatible with dwelling uses but are beneficial in that they provide industrial employment opportunities or serve a useful or necessary function in the city.

It is the intent, however, to permit these uses in a manner that achieves an acceptable level of compatibility with adjacent residential districts and not to permit uses that are potentially dangerous or environmentally incompatible when situated near residential districts.

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the M-1A district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section 2.1 of this schedule	3.1

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including Section 2, Section 10 and Section 11, and compliance with the regulations of this schedule including section 2.2.

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board considers:

- (a) the intent of this schedule and all applicable Council policies and guidelines;
- (b) the submission of any advisory group, property owner or tenant;
- (c) the provision of appropriate landscaping; and
- (d) the design character and choice of building material in relation to adjoining residential districts.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	<a href="#">2.2.1</a>
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Conditional	<a href="#">2.2.1</a>
Artist Studio – Class B	Conditional	<a href="#">2.2.1</a>
Arts and Culture Indoor Event	Conditional	<a href="#">2.2.1</a>
Billiard Hall	Conditional	<a href="#">2.2.1</a>
Bowling Alley	Conditional	<a href="#">2.2.1</a>
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	<a href="#">2.2.1</a>
Fitness Centre	Conditional	<a href="#">2.2.1</a>
Hall	Conditional	<a href="#">2.2.1</a>
Park or Playground	Conditional	<a href="#">2.2.1</a>
Rink	Conditional	<a href="#">2.2.1</a>
Swimming Pool	Conditional	<a href="#">2.2.1</a>
Theatre	Conditional	<a href="#">2.2.1</a>
<b>Dwelling Uses</b>		
Dwelling Unit	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a>
Child Day Care Facility	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Church	Conditional	<a href="#">2.2.1</a>
Detoxification Centre	Conditional	<a href="#">2.2.1</a>
Public Authority Use	Conditional	<a href="#">2.2.1</a>
School – Elementary or Secondary	Conditional	<a href="#">2.2.1</a>
School – University or College	Conditional	<a href="#">2.2.1</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a>
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Batteries Manufacturing	Conditional	<a href="#">2.2.1</a>
Chemicals or Chemical Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Clothing Manufacturing	Conditional	<a href="#">2.2.1</a>
Dairy Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Electrical Products or Appliances Manufacturing	Conditional	<a href="#">2.2.1</a>
Food or Beverage Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Furniture or Fixtures Manufacturing	Conditional	<a href="#">2.2.1</a>
Ice Manufacturing	Conditional	<a href="#">2.2.1</a>
Information Communication Technology Manufacturing	Conditional	<a href="#">2.2.1</a>
Jewellery Manufacturing	Conditional	<a href="#">2.2.1</a>
Leather Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Machinery or Equipment Manufacturing	Conditional	<a href="#">2.2.1</a>
Metal Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Miscellaneous Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Motor Vehicle Parts Manufacturing	Conditional	<a href="#">2.2.1</a>
Non-Metallic Mineral Products Manufacturing – Class A	Conditional	<a href="#">2.2.1</a>
Non-Metallic Mineral Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Paper Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Plastic Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Printing or Publishing	Conditional	<a href="#">2.2.1</a>
Rubber Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Shoes or Boots Manufacturing	Conditional	<a href="#">2.2.1</a>
Textiles or Knit Goods Manufacturing	Conditional	<a href="#">2.2.1</a>
Tobacco Products Manufacturing	Conditional	<a href="#">2.2.1</a>
Transportation Equipment Manufacturing	Conditional	<a href="#">2.2.1</a>
Wood Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
<b>Office Uses</b>		
Office Uses	Conditional	2.2.1
<b>Parking Uses</b>		
Parking Uses	Conditional	2.2.1
<b>Retail Uses</b>		
Farmers' Market	Conditional	2.2.1, 2.2.4
Furniture or Appliance Store	Conditional	2.2.1
Gasoline Station – Full Serve	Conditional	2.2.1
Gasoline Station – Split Island	Conditional	2.2.1
Grocery or Drug Store	Conditional	2.2.1
Grocery Store with Liquor Store	Conditional	2.2.1
Liquor Store	Conditional	2.2.1
Public Bike Share	Conditional	2.2.1
Retail Store	Conditional	2.2.1
Small-Scale Pharmacy	Conditional	2.2.1
Vehicle Dealer	Conditional	2.2.1
<b>Service Uses</b>		
Animal Clinic	Conditional	2.2.1
Auction Hall	Conditional	2.2.1
Barber Shop or Beauty Salon	Conditional	2.2.1
Beauty and Wellness Centre	Conditional	2.2.1
Catering Establishment	Conditional	2.2.1
Drive-Through Service	Conditional	2.2.1
Funeral Home	Conditional	2.2.1
Laboratory	Conditional	2.2.1
Laundromat or Dry Cleaning Establishment	Conditional	2.2.1
Laundry or Cleaning Plant	Conditional	2.2.1
Motor Vehicle Repair Shop	Conditional	2.2.1
Motor Vehicle Wash	Conditional	2.2.1
Neighbourhood Public House	Conditional	2.2.1
Photofinishing or Photography Laboratory	Conditional	2.2.1
Photofinishing or Photography Studio	Conditional	2.2.1
Print Shop	Conditional	2.2.1
Production or Rehearsal Studio	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
Repair Shop – Class A	Conditional	2.2.1
Repair Shop – Class B	Conditional	2.2.1
Restaurant – Class 1	Conditional	2.2.1
Restaurant – Drive-In	Conditional	2.2.1
School – Arts or Self-Improvement	Conditional	2.2.1
School – Business	Conditional	2.2.1
School – Vocational or Trade	Conditional	2.2.1
Sign Painting Shop	Conditional	2.2.1
Work Shop	Conditional	2.2.1
<b>Transportation and Storage Uses</b>		
Cold Storage Plant	Conditional	2.2.1
Mini-Storage Warehouse	Conditional	2.2.1
Packaging Plant	Conditional	2.2.1
Storage Warehouse	Conditional	2.2.1
Storage Yard	Conditional	2.2.1, 2.2.5
Truck Terminal or Courier Depot	Conditional	2.2.1
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	2.2.1
Radiocommunication Station	Conditional	2.2.1
Recycling Depot	Conditional	2.2.1
<b>Wholesale Uses</b>		
Cardlock Fuel Station	Conditional	2.2.1
Lumber and Building Materials Establishment	Conditional	2.2.1
Wholesaling – Class A	Conditional	2.2.1
Wholesaling – Class B	Conditional	2.2.1
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section 2.1	Conditional	2.2.1
Accessory Uses, customarily ancillary to any use listed in this section 2.1	Conditional	2.2.1
Any other use that is not specifically listed and defined as a use in Section 2 of this by-law	Conditional	2.2.1, 2.2.6
Deposition or extraction of material, which alters the configuration of the land	Conditional	2.2.1

## 2.2 **Use-Specific Regulations**

2.2.1 Conditional approval uses listed in section 2.1 of this schedule must not involve:

- (a) the bulk storage of: compressed gas, petroleum, coal tar products or derivatives, except for gasoline station – full serve, gasoline station – split island, and cardlock fuel station; explosives; fertilizer; fish oil or meal; lime; matches; or vegetable oil or fat; or
- (b) the keeping of live animals, except for animal clinic, laboratory or retail store.

2.2.2 Dwelling unit may be permitted in combination with any use listed in section 2.1 of this schedule if:

- (a) it is for a caretaker or other person similarly employed; and
- (b) such dwelling unit is considered to be essential to the operation of the business or establishment.

2.2.3 Residential unit associated with and forming an integral part of an artist studio, limited to artist studio – class B, may be permitted if:

- (a) the change of use applies to floor area existing as of February 26, 2013; and
- (b) additions are limited to a maximum of 10% of the existing floor area.

2.2.4 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, and pedestrian amenity.

2.2.5 Storage yard must be enclosed by a suitable fence which is painted and neatly maintained at all times.

2.2.6 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

- 3.1.1.1 The maximum floor space ratio is 5.00, except that the floor area for retail uses, including accessory retail use, must not exceed 1,000 m<sup>2</sup>.

##### 3.1.2 Building Form and Placement

Regulations		M-1A
3.1.2.1	Maximum building height	18.3 m
3.1.2.2	Minimum front yard depth for sites that:	
	(a) adjoin a site located in any R district	3.0 m
	(b) do not adjoin a site located in an R district	not required
3.1.2.3	Minimum side yard width for a side yard that:	
	(a) adjoins a site located in any RM district, without the intervention of a lane	1.5 m
	(b) adjoins a site located in any RA, RS or RT district, without the intervention of a lane	0.9 m
	(c) does not adjoin a site located in an R district	not required
3.1.2.4	Minimum rear yard depth	3.1 m

#### Front Yard

- 3.1.2.5 Where a front yard is required, the front yard must be landscaped to the satisfaction of the Director of Planning.

#### Side Yard

- 3.1.2.6 Despite the minimum side yard width in section [3.1.2.3\(b\)](#) above, in the case of a corner site, an exterior side yard is not required.

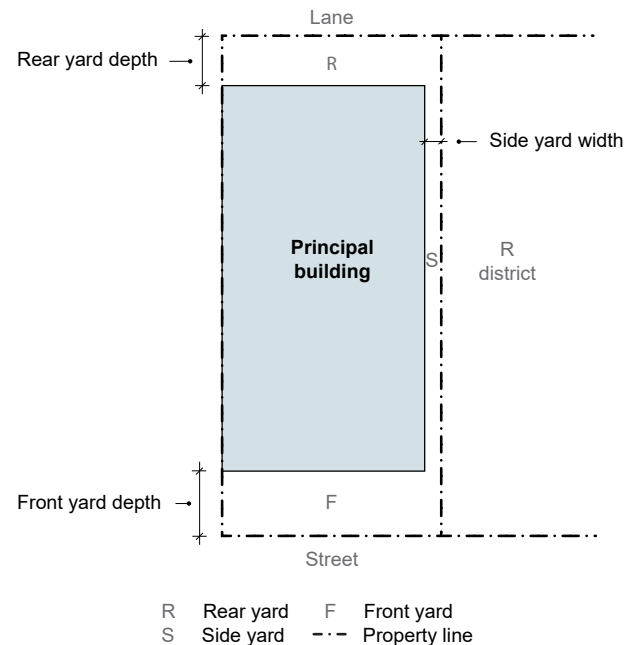


- 3.1.2.7 Despite the minimum side yard width in section 3.1.2.3(c) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

### Rear Yard

- 3.1.2.8 A rear yard must be landscaped to the satisfaction of the Director of Planning.
- 3.1.2.9 Despite the minimum rear yard depth in section 3.1.2.4 above, where the rear of the site abuts a lane, the minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.10 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that:
- (a) the site is located within an area where rear access to the site and adjacent sites is not likely to be required; and
  - (b) the site is sufficiently large to provide adequate open space.

**Diagram: Building placement for principal building**



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, provided that:
  - (i) the total area being excluded does not exceed the lesser of 20% of the permitted floor area or 100 m<sup>2</sup>, and
  - (ii) in the case of a child day care facility, the Director of Planning is satisfied that there is a need for a child day care facility in the building or in the immediate neighbourhood; and
- (e) storage area associated with an artist studio – class B where the area is provided below the base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio – class B.

## SCHEDULE GG

# M-1B

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit industrial and other related uses under conditions designed to minimize conflicts with adjacent or nearby dwelling uses, and to discourage uses that are not related to the industrial sector. While certain commercial and office uses are permitted, the type and scale of non-industrial uses is restricted.

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the M-1B district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	2.2.1
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Outright	2.2.1
Artist Studio – Class B	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.1
<b>Dwelling Uses</b>		
Dwelling Unit	Conditional	2.2.1, 2.2.2
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B	Conditional	2.2.1, 2.2.3
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1
Public Authority Use	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	2.2.1
Batteries Manufacturing	Outright	2.2.1
Chemicals or Chemical Products Manufacturing – Class B	Outright	2.2.1
Clothing Manufacturing	Outright	2.2.1
Dairy Products Manufacturing	Outright	2.2.1
Electrical Products or Appliances Manufacturing	Outright	2.2.1
Food or Beverage Products Manufacturing – Class B	Outright	2.2.1
Furniture or Fixtures Manufacturing	Outright	2.2.1
Ice Manufacturing	Outright	2.2.1
Information Communication Technology Manufacturing	Outright	2.2.1
Jewellery Manufacturing	Outright	2.2.1
Leather Products Manufacturing	Outright	2.2.1
Machinery or Equipment Manufacturing	Outright	2.2.1, 2.2.4

Use	Approval	Use-Specific Regulations
Machinery or Equipment Manufacturing, not permitted as an outright approval use	Conditional	2.2.1
Metal Products Manufacturing – Class B	Outright	2.2.1, 2.2.4
Metal Products Manufacturing – Class B, not permitted as an outright approval use	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class B	Outright	2.2.1
Motor Vehicle Parts Manufacturing	Outright	2.2.1, 2.2.4
Paper Products Manufacturing	Outright	2.2.1
Plastic Products Manufacturing	Conditional	2.2.1
Printing or Publishing	Outright	2.2.1
Rubber Products Manufacturing, limited to tire retreading	Outright	2.2.1
Rubber Products Manufacturing, not permitted as an outright approval use	Conditional	2.2.1
Shoes or Boots Manufacturing	Outright	2.2.1
Textiles or Knit Goods Manufacturing	Outright	2.2.1, 2.2.4
Textiles or Knit Goods Manufacturing, not permitted as an outright approval use	Conditional	2.2.1
Tobacco Products Manufacturing	Outright	2.2.1
Transportation Equipment Manufacturing	Outright	2.2.1, 2.2.4
Transportation Equipment Manufacturing, not permitted as an outright approval use	Conditional	2.2.1
Wood Products Manufacturing – Class B	Outright	2.2.1
<b>Office Uses</b>		
General Office	Conditional	2.2.1, 2.2.5
<b>Parking Uses</b>		
Parking Uses	Conditional	2.2.1
<b>Retail Uses</b>		
Farmers' Market	Conditional	2.2.1, 2.2.6
Gasoline Station – Full Serve	Outright	2.2.1
Gasoline Station – Split Island	Conditional	2.2.1
Public Bike Share	Conditional	2.2.1
<b>Service Uses</b>		
Catering Establishment	Outright	2.2.1
Laboratory	Conditional	2.2.1
Laundry or Cleaning Plant	Outright	2.2.1
Motor Vehicle Repair Shop	Outright	2.2.1

Use	Approval	Use-Specific Regulations
Motor Vehicle Wash	Conditional	<a href="#">2.2.1</a>
Photofinishing or Photography Laboratory	Outright	<a href="#">2.2.1</a>
Print Shop	Conditional	<a href="#">2.2.1</a>
Production or Rehearsal Studio	Outright	<a href="#">2.2.1</a>
Repair Shop – Class A	Outright	<a href="#">2.2.1</a>
Restaurant – Class 1	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>
School – Business	Conditional	<a href="#">2.2.1</a>
School – Vocational or Trade	Conditional	<a href="#">2.2.1</a>
Sign Painting Shop	Outright	<a href="#">2.2.1</a>
Work Shop	Outright	<a href="#">2.2.1</a>
<b>Transportation and Storage Uses</b>		
Aircraft Landing Place	Conditional	<a href="#">2.2.1</a>
Cold Storage Plant	Outright	<a href="#">2.2.1</a>
Mini-Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Packaging Plant	Outright	<a href="#">2.2.1</a>
Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Storage Yard	Conditional	<a href="#">2.2.1</a>
Truck Terminal or Courier Depot	Conditional	<a href="#">2.2.1</a>
Weighing or Inspection Station	Conditional	<a href="#">2.2.1</a>
Works Yard	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Conditional	<a href="#">2.2.1</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>
<b>Wholesale Uses</b>		
Cardlock Fuel Station	Conditional	<a href="#">2.2.1</a>
Lumber and Building Materials Establishment	Conditional	<a href="#">2.2.1</a>
Wholesaling – Class A	Outright	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.9</a>

Use	Approval	Use-Specific Regulations
Accessory Uses, customarily ancillary to any use listed in this section 2.1 and not permitted as an outright approval use	Conditional	2.2.1
Any other use that is not specifically listed and defined as a use in Section 2 of this by-law	Conditional	2.2.1, 2.2.10
Any other use that is not specifically listed in this section 2.1 but that was a legally conforming use existing as of August 12, 1980	Conditional	2.2.1
Deposition or extraction of material, which alters the configuration of the land	Conditional	2.2.1

## 2.2 Use-Specific Regulations

### 2.2.1 Uses listed in section 2.1 of this schedule:

- (a) must not involve the bulk storage of: acids; ammunition; animal oil or fat; compressed gas, petroleum, coal tar products or derivatives, except for cardlock fuel station, gasoline station – full serve, or gasoline station – split island; explosives; fertilizer; fireworks; fish; fish oil or meal; flares; fungicides; grain; hops; industrial chemicals; lime; paint; pesticides; radioactive material; scrap or waste materials; sugar; varnish; vegetable oil or fat; or wax;
- (b) may involve the storage of goods or materials or the placement of machinery, refuse or garbage receptacles, only if they are within a wholly enclosed building, unless they are adequately screened from view from any adjacent arterial street or R district, or any R district across an adjacent street or lane, by a wall, fence or by landscaping that is acceptable to the Director of Planning;
- (c) may involve the storage of goods or materials, only if they are within a wholly enclosed building, unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access and such fencing is neatly maintained at all times; and
- (d) must not use required parking or loading spaces, manoeuvring aisles and the like for the storage of goods or materials or the placement of machinery or of refuse or garbage receptacles.

### 2.2.2 Dwelling unit may be permitted in combination with any use listed in section 2.1 of this schedule if:

- (a) it is for a caretaker or other person similarly employed; and
- (b) such dwelling unit is considered to be essential to the operation of the business or establishment.

### 2.2.3 Residential unit associated with and forming an integral part of an artist studio, limited to artist studio – class B, may be permitted if:

- (a) the change of use applies to floor area existing as of February 26, 2013; and
- (b) additions are limited to a maximum of 10% of the existing floor area.

- 2.2.4 The following uses are permitted as outright approval uses if they are on a site that is at least 61.0 m from any R district:
- (a) machinery or equipment manufacturing;
  - (b) metal products manufacturing – class B;
  - (c) motor vehicle parts manufacturing;
  - (d) textiles or knit goods manufacturing; and
  - (e) transportation equipment manufacturing.
- 2.2.5 General office may not include the offices of accountants, lawyers, notary publics, or real estate, advertising, insurance, travel and ticket agencies.
- 2.2.6 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.7 Restaurant – class 1 may be permitted if it caters primarily to the needs of employees in the area and does not exceed a maximum gross floor area of 100 m<sup>2</sup>.
- 2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height; and
  - (b) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.
- 2.2.9 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule are permitted if:
- (a) the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal and accessory uses combined; and
  - (b) the floor area in accessory uses that are accessible to the public, other than accessory uses associated with an artist studio, is separated from the floor area of all other uses by a wall.



- 2.2.10 Any other use that is not specifically listed and defined as a use in [Section 2](#) of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in section [2.1](#) of this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 1.50, except that the floor area for:

- (a) retail uses, including accessory retail use, must not exceed 1,000 m<sup>2</sup>; and
- (b) general office must not exceed the greater of 235 m<sup>2</sup> or 25% of the total gross floor area of all principal and accessory uses combined, except that floor area for general office exceeding 25% of total gross floor area will be permitted on lots on record in the Land Title Office prior to November 21, 1989.

3.1.1.2 The Director of Planning may increase the permitted floor space ratio to a maximum of 2.00 if the Director of Planning considers:

- (a) the relationship of the development with nearby residential areas;
- (b) the height, bulk, location and overall design of the building and its impacts on the site, surrounding buildings, streets and views; and
- (c) the intent of this schedule and all applicable Council policies and guidelines.

##### 3.1.2 Building Form and Placement

Regulations		M-1B
3.1.2.1	Minimum site area	6,000 m <sup>2</sup>
3.1.2.2	Building height	12.2 m
3.1.2.3	Minimum side yard width for:	
	(a) sites which front onto a major street requiring a landscaped setback	10% of the site frontage
	(b) sites that adjoin a site located in an R district, without the intervention of a lane	10% of the site frontage
	(c) other sites	not required
3.1.2.4	Rear yard depth	3.1 m

## Site Area

- 3.1.2.5 The Director of Planning may decrease the minimum site area requirements with respect to any of the uses permitted in this schedule, if:
- (a) the minimum site area is not less than 3,100 m<sup>2</sup>, unless comprised of 1 or more smaller parcels on record in the Land Title Office as of August 12, 1980; and
  - (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Building Height

- 3.1.2.6 The Director of Planning may increase the maximum building height if the Director of Planning considers:
- (a) the relationship of the development with nearby residential areas;
  - (b) the bulk, location and overall design of the building and its impact on the site, surrounding buildings, streets and views; and
  - (c) the intent of this schedule and all applicable Council policies and guidelines.

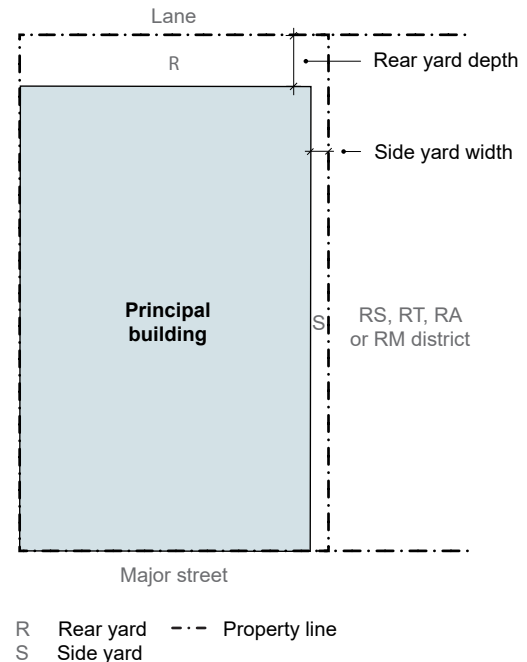
## Side Yard

- 3.1.2.7 Despite the minimum side yard width in sections [3.1.2.3\(a\)](#) and [3.1.2.3\(b\)](#) above, a side yard need not be less than 1.5 m and need not be greater than 6.1 m.
- 3.1.2.8 Despite the minimum side yard width in section [3.1.2.3\(c\)](#) above, where a side yard is provided, although not required, the minimum side yard width is 10% of the site frontage, except that a side yard need not be less than 1.5 m and need not be greater than 6.1 m.

## Rear Yard

- 3.1.2.9 Despite the minimum rear yard depth in section [3.1.2.4](#) above, where the rear of the site abuts a lane, the minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.10 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that:

**Diagram: Building Placement for Principal Building**



- (a) the site is located within an area where rear access to the site and adjacent sites is not likely to be required; and
- (b) the site is sufficiently large to provide adequate open space.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, provided that:
  - (i) the total area being excluded does not exceed the lesser of 20% of the permitted floor area or 100 m<sup>2</sup>, and
  - (ii) in the case of a child day care facility, the Director of Planning is satisfied that there is a need for a child day care facility in the building or in the immediate neighbourhood; and
- (e) storage area associated with an artist studio – class B where the area is provided below the base surface to a maximum exclusion of 20 m<sup>2</sup> for each artist studio – class B.

## SCHEDULE HH

# M-2

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit industrial and other uses that are generally incompatible, potentially dangerous, or environmentally incompatible when situated in or near residential districts, but that are beneficial in that they provide industrial employment opportunities or serve a useful or necessary function in the city.

Without limitation, applicable Council policies and guidelines for consideration include the [Non-Industrial Uses \(I-2 and M-2\) Policies and Guidelines](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the M-2 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Outright	<a href="#">2.2.1</a>
Artist Studio – Class B, provided that the use must not be combined with a Residential Unit	Outright	<a href="#">2.2.1</a>
Artist Studio – Class B, not permitted as an outright approval use	Conditional	
Arts and Culture Indoor Event	Outright	<a href="#">2.2.1</a>
Marina	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Dwelling Unit	Conditional	<a href="#">2.2.2</a>
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B	Conditional	<a href="#">2.2.3</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Public Authority Use	Conditional	
Social Service Centre	Conditional	
<b>Manufacturing Uses</b>		
Animal Products Processing	Conditional	
Bakery Products Manufacturing	Outright	<a href="#">2.2.1</a>
Batteries Manufacturing	Outright	<a href="#">2.2.1</a>
Brewing or Distilling	Outright	<a href="#">2.2.1</a>
Chemicals or Chemical Products Manufacturing – Class A	Conditional	
Chemicals or Chemical Products Manufacturing – Class B	Outright	<a href="#">2.2.1</a>
Clothing Manufacturing	Outright	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
Dairy Products Manufacturing	Outright	2.2.1
Electrical Products or Appliances Manufacturing	Outright	2.2.1
Food or Beverage Products Manufacturing – Class A	Conditional	
Food or Beverage Products Manufacturing – Class B	Outright	2.2.1
Furniture or Fixtures Manufacturing	Outright	2.2.1
Ice Manufacturing	Outright	2.2.1
Information Communication Technology Manufacturing	Outright	2.2.1
Jewellery Manufacturing	Outright	2.2.1
Leather Products Manufacturing	Outright	2.2.1
Linoleum or Coated Fabrics Manufacturing	Conditional	
Machinery or Equipment Manufacturing	Outright	2.2.1
Metal Products Manufacturing – Class A	Conditional	
Metal Products Manufacturing – Class B	Outright	2.2.1
Miscellaneous Products Manufacturing – Class A	Conditional	
Miscellaneous Products Manufacturing – Class B	Outright	2.2.1
Motor Vehicle Parts Manufacturing	Outright	2.2.1
Non-Metallic Mineral Products Manufacturing – Class A	Conditional	
Non-Metallic Mineral Products Manufacturing – Class B	Outright	2.2.1
Paper Manufacturing	Conditional	
Paper Products Manufacturing	Outright	2.2.1
Petroleum Products or Coal Products Manufacturing	Conditional	
Plastic Products Manufacturing	Outright	2.2.1
Printing or Publishing	Outright	2.2.1
Pulp Manufacturing	Conditional	
Rubber Manufacturing	Conditional	
Rubber Products Manufacturing	Outright	2.2.1
Shoes or Boots Manufacturing	Outright	2.2.1
Textiles or Knit Goods Manufacturing	Outright	2.2.1
Tobacco Products Manufacturing	Outright	2.2.1
Transportation Equipment Manufacturing	Outright	2.2.1
Vegetable Oil Manufacturing	Conditional	
Wood Products Manufacturing – Class A	Conditional	
Wood Products Manufacturing – Class B	Outright	2.2.1
<b>Office Uses</b>		



Use	Approval	Use-Specific Regulations
General Office	Conditional	<a href="#">2.2.4</a>
<b>Parking Uses</b>		
Parking Uses	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.5</a>
Gasoline Station – Full Serve	Outright	<a href="#">2.2.1</a>
Gasoline Station – Split Island	Conditional	
Public Bike Share	Conditional	
Retail Store	Conditional	<a href="#">2.2.6</a>
Vehicle Dealer, in combination with Motor Vehicle Repair Shop	Conditional	
<b>Service Uses</b>		
Animal Clinic	Outright	<a href="#">2.2.1</a>
Catering Establishment	Outright	<a href="#">2.2.1</a>
Laboratory	Conditional	
Laundry or Cleaning Plant	Outright	<a href="#">2.2.1</a>
Motor Vehicle Repair Shop	Outright	<a href="#">2.2.1</a>
Motor Vehicle Wash	Conditional	
Photofinishing or Photography Laboratory	Conditional	
Photofinishing or Photography Studio	Conditional	
Print Shop	Conditional	
Production or Rehearsal Studio	Outright	<a href="#">2.2.1</a>
Repair Shop – Class A	Outright	<a href="#">2.2.1</a>
Repair Shop – Class B	Conditional	
Restaurant – Class 1	Conditional	
School – Vocational or Trade	Outright	<a href="#">2.2.1</a>
Sign Painting Shop	Conditional	
Work Shop	Outright	<a href="#">2.2.1</a>
<b>Transportation and Storage Uses</b>		
Aircraft Landing Place	Conditional	
Booming Ground	Conditional	
Cold Storage Plant	Outright	<a href="#">2.2.1</a>
Grain Elevator	Conditional	
Marine Terminal or Berth	Conditional	
Mini-Storage Warehouse	Conditional	

Use	Approval	Use-Specific Regulations
Packaging Plant	Outright	<a href="#">2.2.1</a>
Railway Station or Rail Yard	Conditional	
Stockyard	Conditional	
Storage Warehouse	Outright	<a href="#">2.2.1</a>
Storage Yard	Conditional	<a href="#">2.2.7</a>
Taxicab or Limousine Station	Conditional	
Truck Terminal or Courier Depot	Conditional	
Weighing or Inspection Station	Conditional	
Works Yard	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
Public Utility, not permitted as an outright approval use	Conditional	
Radiocommunication Station	Outright	<a href="#">2.2.1</a>
Recycling Depot	Conditional	
Waste Disposal Facility	Conditional	
<b>Wholesale Uses</b>		
Bulk Fuel Depot	Conditional	
Cardlock Fuel Station	Conditional	
Junk Yard or Shop	Conditional	
Lumber and Building Materials Establishment	Conditional	
Wholesaling – Class A	Outright	<a href="#">2.2.1</a>
Wholesaling – Class B	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a> , other than lounges accessory to brewing or distilling, and accessory retail use in combination with outright approval wholesale uses listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.11</a>

Use	Approval	Use-Specific Regulations
Any outright approval use listed in this section 2.1 that does not comply with the applicable use-specific regulations in section 2.2.1 of this schedule	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 Outright approval uses listed in section 2.1 of this schedule must not involve:

- (a) the bulk storage of: compressed gas, petroleum, coal tar products or derivatives, except for gasoline station – full serve; explosives; fertilizer; fish oil or meal; industrial chemicals; junk; lime; matches; paints; scrap; varnishes; or vegetable oil or fat; or
- (b) the keeping of live animals, live poultry or other fowl, except for animal clinic.

2.2.2 Dwelling unit may be permitted in combination with any use listed in section 2.1 of this schedule if:

- (a) it is for a caretaker or other person similarly employed; and
- (b) such dwelling unit is considered to be essential to the operation of the business or establishment.

2.2.3 Residential unit associated with and forming an integral part of an artist studio, limited to artist studio – class B, may be permitted if:

- (a) the change of use applies to floor area existing as of February 26, 2013; and
- (b) additions are limited to a maximum of 10% of the existing floor area.

2.2.4 General office may not include the offices of accountants, lawyers, notary publics, or real estate, advertising, insurance, travel and ticket agencies.

2.2.5 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.6 Retail store is limited to:

- (a) convenience store in combination with a gasoline station – full serve or gasoline station – split island;
- (b) retail store for the renting of merchandise in which the exclusive use of at least 50% of the floor area is for the storage of inventory; and

- (c) limited service food establishment, which means the use of premises for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where:
  - (i) the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises,
  - (ii) customers may also purchase food for take-out, and
  - (iii) live entertainment is not available.

2.2.7 Storage yard must be enclosed by a suitable fence that is painted and neatly maintained at all times.

2.2.8 Public utility is permitted as an outright approval use if it is located on a site at least 61.0 m from any R district.

2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in building height; and
- (b) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 10% of the total site area,

except that the Director of Planning may vary the height, floor area and site area regulations.

2.2.10 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule, other than lounges accessory to brewing or distilling, and accessory retail use in combination with outright approval wholesale uses listed in section 2.1 of this schedule, are permitted if:

- (a) the total floor area of all accessory uses does not exceed 33.3% of the gross floor area of the principal and accessory uses combined, unless the accessory use is permitted as an outright approval use pursuant to section 2.1 of this schedule; and
- (b) the floor area in accessory retail use, other than accessory retail use associated with an artist studio, is separated from the floor area of all other uses by a wall, and the other uses are not accessible to the public,

except that Director of Planning may vary the floor area regulations.

2.2.11 Any other use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard to the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 5.00, subject to the following allocations:

- (a) the maximum floor space ratio is 5.00 for manufacturing uses, transportation and storage uses, and wholesaling – class A; and
- (b) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
  - (i) retail uses, including accessory retail use, must not exceed 1,000 m<sup>2</sup>, except that for convenience store in combination with a gasoline station – full serve or gasoline station – split island, the floor area must not exceed 200 m<sup>2</sup> per site,
  - (ii) general office must not exceed the greater of 235 m<sup>2</sup> or 25% of the total gross floor area of all principal and accessory uses combined,
  - (iii) restaurant – class 1 must not exceed 300 m<sup>2</sup>, and
  - (iv) a lounge use accessory to brewing or distilling must not exceed:
    - (A) 80 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> for any portion of the lounge use located outside the principal building.

##### 3.1.2 Building Form and Placement

Regulations	M-2
3.1.2.1 Maximum building height	30.5 m
3.1.2.2 Minimum side yard width for a side yard that:	
(a) adjoins a site located in any RM district, without the intervention of a lane	1.5 m
(b) adjoins a site located in any RS, RT or RA district, without the intervention of a lane	0.9 m
(c) does not adjoin a site located in an R district	not required
3.1.2.3 Minimum rear yard depth	3.1 m

## Building Height and Vertical Angle of Daylight

3.1.2.4 The Director of Planning or the Development Permit Board may increase the maximum building height in section 3.1.2.1 above.

3.1.2.5 In the case of office buildings over 12.2 m in building height, no portion of the building may project above lines extending over the site at right angles from:

- (a) all points along the ultimate centre line of any street in front of the site and inclined at an average angle of 60 degrees to the horizontal;
- (b) all points along the rear boundary line of the site or the ultimate centre line of the lane where one has been dedicated, and inclined at an average angle of 60 degrees to the horizontal;
- (c) all points along any interior side boundary of the site at ground level and inclined at an average angle of 70 degrees to the horizontal; and
- (d) in the case of a corner site, all points along the ultimate centre line of the flanking street or lane and inclined at an average angle of 60 degrees to the horizontal.

3.1.2.6 For the purpose of section 3.1.2.5 above:

- (a) height will be measured from the finished grade at all points around and adjacent to the building; and
- (b) only the principal building will be considered as an obstruction.

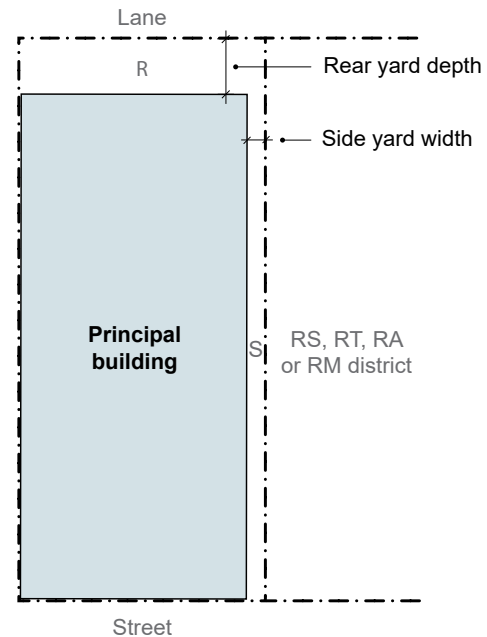
3.1.2.7 Any part of a building will be exempt from the vertical angle of daylight regulations in section 3.1.2.5 above if that part of the building:

- (a) has a width of 18.0 m or less, measured horizontally and parallel to the street, lane or boundary from which the angle is to be calculated; and
- (b) is located at least 24.0 m from any part of the same building that would be similarly exempt, measured in the same direction as specified in section 3.1.2.7(a) above.

## Side Yard

3.1.2.8 Despite the minimum side yard width in section 3.1.2.2(b) above, in the case of a corner site, an exterior side yard is not required.

**Diagram: Building placement for principal building**



- 3.1.2.9 Despite the minimum side yard width in section 3.1.2.2(c) above, where a side yard is provided, although not required, the minimum side yard depth is 0.9 m.

#### **Rear Yard**

- 3.1.2.10 Despite the minimum rear yard depth in section 3.1.2.3 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.11 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that:
- (a) the site is located within an area where rear access to the site and adjacent sites is not likely to be required; and
  - (b) the site is sufficiently large to provide adequate open space.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, provided that:
  - (i) the total area being excluded does not exceed the lesser of 20% of the permitted floor area or 100 m<sup>2</sup>, and
  - (ii) in the case of a child day care facility, the Director of Planning is satisfied that there is a need for a child day care facility in the building or in the immediate neighbourhood; and
- (e) storage area associated with an artist studio – class B where the area is provided below the base surface, to a maximum exclusion of 20 m<sup>2</sup> for each artist studio – class B.



## SCHEDULE II

# MC-1 and MC-2

## Districts Schedule

### 1 INTENT AND OVERVIEW

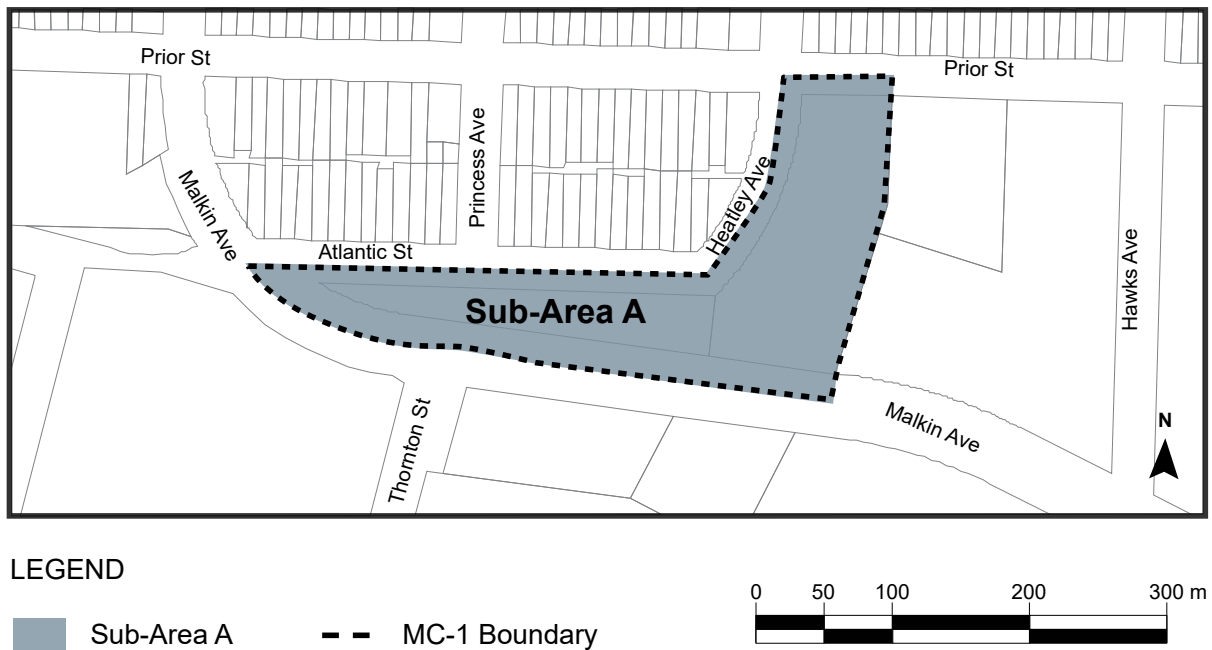
#### 1.1 Intent

The intent of this schedule is to reinforce the mixed-use nature of this area, with dwelling, commercial and light industrial uses permitted. Emphasis is placed on building design that furthers compatibility among uses and contributes to area character and pedestrian interest. The MC-2 district differs from the MC-1 district in limiting dwelling uses in areas adjacent to a heavy impact industrial district. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Within the False Creek Flats, a portion of the MC-1 district north of Malkin Avenue is identified as “sub-area A” in [Map 1: MC-1 District Sub-Area A](#), for the purpose of establishing permitted uses, building height, setbacks and floor area. In sub-area A, additional discretionary building height and density may also be considered to achieve new secured market rental housing to provide a transition between the residential area north of Atlantic and Prior Streets and the employment-focused area of the False Creek Flats to the south.

Without limitation, applicable Council policies and guidelines for consideration include the [MC-1 and MC-2 Guidelines for Cedar Cottage, Hudson Street, East Hastings \(Clark to Semlin\) and False Creek Flats \(Malkin-Atlantic-Prior\) Areas](#).

**Map 1: MC-1 District Sub-Area A**



**1.2 Overview**

The table below provides an overview of outright and conditional approval uses in the MC-1 and MC-2 districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section 2.1 of this schedule	3.1

**2 USE REGULATIONS**

**2.1 Outright and Conditional Approval Uses**

All outright and conditional approval uses are subject to all other provisions of this by-law, including Section 2, Section 10 and Section 11, and compliance with the regulations of this schedule including section 2.2.

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	<a href="#">2.2.1</a>
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A, provided that the use must not be combined with a Residential Unit	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Artist Studio – Class A, not permitted as an outright approval use and only in the MC-1 district	Conditional	<a href="#">2.2.1</a>
Artist Studio – Class B	Conditional	<a href="#">2.2.1</a>
Arts and Culture Indoor Event	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Billiard Hall	Conditional	<a href="#">2.2.1</a>
Bowling Alley	Conditional	<a href="#">2.2.1</a>
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	<a href="#">2.2.1</a>
Fitness Centre	Conditional	<a href="#">2.2.1</a>
Hall	Conditional	<a href="#">2.2.1</a>
Library	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Museum or Archives	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Park or Playground	Conditional	<a href="#">2.2.1</a>
Rink	Conditional	<a href="#">2.2.1</a>
Swimming Pool	Conditional	<a href="#">2.2.1</a>
Theatre	Conditional	<a href="#">2.2.1</a>
Zoo or Botanical Garden	Conditional	<a href="#">2.2.1</a>
<b>Dwelling Uses</b>		
Dwelling Unit, only in the MC-2 district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>

Use	Approval	Use-Specific Regulations
Mixed-Use Residential Building, only in the MC-1 district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.5</a> , <a href="#">2.2.6</a>
Multiple Conversion Dwelling, resulting from the conversion of a building existing prior to June 18, 1956, only in the MC-1 district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>
Multiple Dwelling, only in the MC-1 district but not in sub-area A	Conditional	<a href="#">2.2.1</a>
Residential Unit associated with and forming an integral part of an Artist Studio, only in the MC-1 district	Conditional	<a href="#">2.2.1</a>
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B and only in the MC-2 district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
Seniors Supportive or Assisted Housing, only in the MC-1 district	Conditional	<a href="#">2.2.1</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a>
Child Day Care Facility	Conditional	<a href="#">2.2.1</a>
Church	Conditional	<a href="#">2.2.1</a>
Community Care Facility – Class A	Conditional	<a href="#">2.2.1</a>
Community Care Facility – Class B	Conditional	<a href="#">2.2.1</a>
Detoxification Centre	Conditional	<a href="#">2.2.1</a>
Group Residence	Conditional	<a href="#">2.2.1</a>
Public Authority Use	Conditional	<a href="#">2.2.1</a>
School – Elementary or Secondary	Conditional	<a href="#">2.2.1</a>
School – University or College	Conditional	<a href="#">2.2.1</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a>
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Chemicals or Chemical Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Clothing Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Dairy Products Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Electrical Products or Appliances Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Food or Beverage Products Manufacturing – Class A	Conditional	<a href="#">2.2.1</a>
Food or Beverage Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Furniture or Fixtures Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Ice Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Information Communication Technology Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Jewellery Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>

Use	Approval	Use-Specific Regulations
Leather Products Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Metal Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
Miscellaneous Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Non-Metallic Mineral Products Manufacturing – Class B	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Paper Products Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Plastic Products Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Printing or Publishing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Shoes or Boots Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Textiles or Knit Goods Manufacturing	Conditional	<a href="#">2.2.1</a>
Tobacco Products Manufacturing	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Wood Products Manufacturing – Class B	Conditional	<a href="#">2.2.1</a>
<b>Office Uses</b>		
Financial Institution	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
General Office	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Health Care Office	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Health Enhancement Centre	Conditional	<a href="#">2.2.1</a>
<b>Parking Uses</b>		
Parking Area	Conditional	<a href="#">2.2.1</a>
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.9</a>
Furniture and Appliance Store	Conditional	<a href="#">2.2.1</a>
Gasoline Station – Full Serve	Conditional	<a href="#">2.2.1</a>
Gasoline Station – Split Island	Conditional	<a href="#">2.2.1</a>
Grocery or Drug Store, except for Small-Scale Pharmacy	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Grocery Store with Liquor Store	Conditional	<a href="#">2.2.1</a>
Liquor Store	Conditional	<a href="#">2.2.1</a>
Pawnshop	Conditional	<a href="#">2.2.1</a>
Public Bike Share	Conditional	<a href="#">2.2.1</a>
Retail Store	Outright	<a href="#">2.2.2</a>
Secondhand Store	Conditional	<a href="#">2.2.1</a>
Small-Scale Pharmacy	Conditional	<a href="#">2.2.1</a>
Vehicle Dealer	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Animal Clinic	Outright	<a href="#">2.2.2</a>

Use	Approval	Use-Specific Regulations
Auction Hall	Conditional	<a href="#">2.2.1</a>
Barber Shop or Beauty Salon	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Beauty and Wellness Centre	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Bed and Breakfast Accommodation	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Catering Establishment	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Funeral Home	Conditional	<a href="#">2.2.1</a>
Laboratory	Outright	<a href="#">2.2.2</a>
Laundromat or Dry Cleaning Establishment	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Laundry or Cleaning Plant	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Motor Vehicle Repair Shop	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Motor Vehicle Wash	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Neighbourhood Public House	Conditional	<a href="#">2.2.1</a>
Photofinishing or Photography Laboratory	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Photofinishing or Photography Studio	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Print Shop	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Production or Rehearsal Studio	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Repair Shop – Class A	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Repair Shop – Class B	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Restaurant – Class 1	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
School – Arts or Self-Improvement	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
School – Business	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
School – Vocational or Trade	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Sign Painting Shop	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Work Shop	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
<b>Transportation and Storage Uses</b>		
Cold Storage Plant	Conditional	<a href="#">2.2.1</a>
Mini-Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Taxicab or Limousine Station	Conditional	<a href="#">2.2.1</a>
Works Yard	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Conditional	<a href="#">2.2.1</a>
Recycling Depot	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
<b>Wholesale Uses</b>		
Lumber and Building Materials Establishment	Conditional	<a href="#">2.2.1</a>
Wholesaling – Class A	Conditional	<a href="#">2.2.1</a>
Wholesaling – Class B	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a> , <a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.2</a> , <a href="#">2.2.3</a> , <a href="#">2.2.11</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Any other use that is not specifically listed and defined as a use in <a href="#">Section 2</a> of this by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Deposition or extraction of material, which alters the configuration of the land	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

### 2.2.1 Conditional approval uses listed in section [2.1](#) of this schedule:

- (a) must not involve the bulk storage of: acids; ammunition, explosives, fireworks, flares or matches; animal oil or fat, fish, fish oil or meal, or vegetable oil or fat; compressed gas, petroleum, coal tar products or derivatives, except for gasoline station – full serve or gasoline station – split island; cotton waste; fertilizer; fungicides, herbicides or pesticides; grain, hops or sugar; industrial chemicals; junk; lime; paints or varnishes; radioactive materials; rags; scrap or waste materials; or wax;
- (b) may involve the storage of the following only if they are wholly within a completely enclosed building: animal oil or fat, fish, fish oil or meal, or vegetable oil or fat; fungicides, herbicides or pesticides; grain, hops or sugar; paints, oil shellac, turpentine or varnishes; scrap or waste materials; or toxic or corrosive chemicals or acids;
- (c) must be carried on wholly within a completely enclosed building, except for the following:
  - (i) display of flowers, plants, fruits and vegetables,
  - (ii) farmers' market,
  - (iii) gasoline station – full serve,
  - (iv) gasoline station – split island,
  - (v) lumber and building materials establishment,

- (vi) neighbourhood public house,
- (vii) parking and loading facilities,
- (viii) public bike share,
- (ix) transportation and storage uses,
- (x) urban farm – class B, and
- (xi) vehicle dealer,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation, and the intent of this schedule and all applicable Council policies and guidelines; and

- (d) must not involve the storage or placement of goods, materials, machinery, or garbage or recycling containers outside a building, unless they are:
  - (i) enclosed by a suitable fence or wall restricting public access, and
  - (ii) adequately screened from view from any adjacent R district, or any R district across an adjacent street or lane, by evergreen planting, wall, or fence or related landscaping that is acceptable to the Director of Planning; and
- (e) must not be carried on outside a building, despite sections [2.2.1\(c\)](#) and [2.2.1\(d\)](#) above, unless appropriate measures are taken to the satisfaction of the Director of Planning to minimize any noxious or otherwise objectionable impacts that could adversely affect the surrounding area.

#### 2.2.2 Outright approval uses listed in section [2.1](#) of this schedule:

- (a) must not involve the bulk storage of: acids; ammunition, explosives, fireworks, flares or matches; animal oil or fat, fish, fish oil or meal, or vegetable oil or fat; compressed gas, petroleum, coal tar products or derivatives, except for gasoline station – full serve or gasoline station – split island; cotton waste; fertilizer; fungicides, herbicides or pesticides; grain, hops or sugar; industrial chemicals; junk; lime; paints or varnishes; radioactive materials; rags; scrap or waste materials; or wax;
- (b) may involve the storage of the following only if they are wholly within a completely enclosed building: animal oil or fat, fish, fish oil or meal, or vegetable oil or fat; fungicides, herbicides or pesticides; grain, hops or sugar; paints, oil shellac, turpentine or varnishes; scrap or waste material; or toxic or corrosive chemicals or acids;
- (c) must be carried on wholly within a completely enclosed building, except for the following:
  - (i) display of flowers, plants, fruits and vegetables,
  - (ii) gasoline station – full serve,
  - (iii) gasoline station – split island,



- (iv) lumber and building materials establishment,
- (v) neighbourhood public house,
- (vi) parking and loading facilities,
- (vii) restaurant,
- (viii) transportation and storage uses, and
- (ix) vehicle dealer,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation, and the intent of this schedule and all applicable Council policies and guidelines; and

- (d) must not involve the storage or placement of goods, materials, machinery, or garbage or recycling containers outside a building, unless they are enclosed by a minimum 1.8 m high fence, wall or evergreen planting, to restrict public access and screen from public view.

2.2.3 Outright approval uses listed in section 2.1 of this schedule, other than dwelling uses, must not involve the keeping of live animals, except for animal clinic, laboratory or retail store.

2.2.4 Dwelling unit may be permitted in combination with any use listed in section 2.1 of this schedule if:

- (a) it is for a caretaker or other person similarly employed; and
- (b) such dwelling unit is considered to be essential to the operation of the business or establishment.

2.2.5 Any of the non-dwelling uses listed in section 2.1 of this schedule are permitted in a mixed-use residential building.

2.2.6 Mixed-use residential building may be permitted if:

- (a) dwelling uses are not permitted on the first storey of a building, within a depth of 10.7 m from the front wall of the building and extending across its full width, other than entrances to the portion containing dwelling uses; and
- (b) the Director of Planning considers the design and liveability of the dwelling units.

2.2.7 Multiple conversion dwelling, resulting from the conversion of a building existing prior to June 18, 1956, may be permitted if:

- (a) the Director of Planning considers the quality and liveability of the resulting dwelling units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties; and
- (b) it contains no housekeeping or sleeping units.

- 2.2.8 In the MC-2 district, residential unit associated with and forming an integral part of an artist studio, limited to artist studio – class B, may be permitted if:
- (a) the change of use applies to floor area existing as of February 26, 2013; and
  - (b) additions are limited to a maximum of 10% of the existing floor area.
- 2.2.9 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.10 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:
    - (i) in the rear yard, and
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and
  - (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 15% of the total site area,
- except that the Director of Planning may vary the maximum height, floor area and location regulations, provided that the varied height does not exceed 12.2 m and the varied floor area does not exceed 33.3% of the gross floor area of the principal and accessory uses combined.
- 2.2.11 Accessory uses customarily ancillary to any outright approval listed in section 2.1 of this schedule are permitted if the total floor area of all accessory uses is not greater than 25% of the gross floor area of the principal and accessory uses combined, except that the Director of Planning may vary the floor area regulations provided that the varied floor area does not exceed 33.3% of the gross floor area of the principal and accessory uses combined.
- 2.2.12 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.11 above.
- 2.2.13 Any other use that is not listed and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in section 2.1 of this schedule, having regard for the intent of this schedule.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in these districts are subject subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is 0.75.

###### 3.1.1.2 Despite section [3.1.1.1](#) above, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory group, neighbourhood property owner or tenant, the Director of Planning may increase the permitted floor space ratio in sub-area A to a maximum of 2.50, provided that the maximum floor space ratio is 1.50 for:

- (a) cultural and recreational uses;
- (b) institutional uses;
- (c) manufacturing uses, transportation and storage uses, utility and communication uses, and wholesale uses, combined;
- (d) office uses;
- (e) parking uses;
- (f) service uses; and
- (g) any other use approved in accordance with section [2.2.13](#) of this schedule.

###### 3.1.1.3 Despite section [3.1.1.1](#) above, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group, neighbourhood property owner or tenant, the Director of Planning may increase the permitted floor space ratio in sub-area A for dwelling uses, provided that either:

- (a) all of the residential floor area is developed as social housing; or
- (b) all of the dwelling units are developed as secured market rental housing,

to a maximum additional floor space ratio of 1.80, provided that a minimum 0.70 floor space ratio of any cultural and recreational uses, manufacturing uses, transportation and storage uses, utility and communication uses, or wholesale uses is provided.

###### 3.1.1.4 Despite section [3.1.1.1](#) above, if the Director Planning considers the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group, neighbourhood property owner or tenant, the Director of Planning may increase the permitted floor space ratio in the

MC-1 district, excluding sub-area A, and in the MC-2 district to a maximum of 2.50, subject to the following allocations:

- (a) the maximum floor space ratio is 1.50 for:
  - (i) cultural and recreational uses,
  - (ii) institutional uses,
  - (iii) manufacturing uses, transportation and storage uses, utility and communication uses, and wholesale uses, combined,
  - (iv) office uses,
  - (v) parking uses,
  - (vi) service uses, and
  - (vii) any other use approved in accordance with section [2.2.13](#) of this schedule;
- (b) in the MC-1 district, excluding sub-area A, the maximum floor space ratio is 1.50 for dwelling uses, except that the Director of Planning may increase the maximum floor space ratio for dwelling uses to a maximum of 1.80 and, for the purposes of this section [3.1.1.4\(b\)](#), where there is a residential unit associated with and forming an integral part of an artist studio, the artist studio is also considered a dwelling use;
- (c) in the MC-2 district, the maximum floor space ratio is 1.00 for dwelling uses; and
- (d) the maximum floor area for retail uses is 1,300 m<sup>2</sup>.

### 3.1.2 Building Form and Placement

Regulations	MC-1 and MC-2
3.1.2.1 Maximum building height	12.2 m
3.1.2.2 Front yard and front setback	not permitted
3.1.2.3 Side yard	not required
3.1.2.4 Minimum rear yard depth	3.1 m
3.1.2.5 Minimum rear setback for portions of buildings:	
(a) containing dwelling uses	7.6 m from the rear property line across the full width of the building
(b) at the second storey, other than open roof gardens at the second storey floor level	
(c) at the third storey	

Regulations	MC-1 and MC-2
(d) at the fourth storey and above	9.1 m from the rear property line across the full width of the site

### Building Height

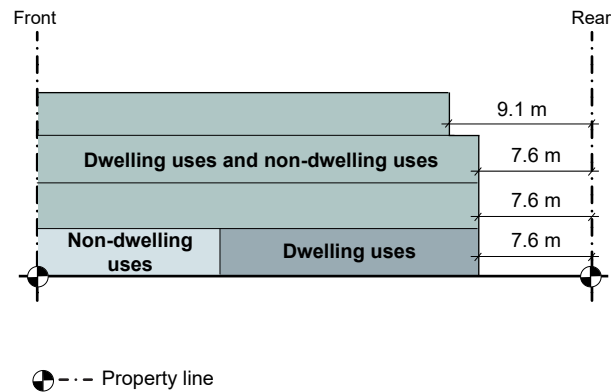
- 3.1.2.6 The Director of Planning or the Development Permit Board may increase the maximum building height to a height not exceeding 13.8 m, if the Director of Planning or the Development Permit Board considers:
- (a) the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) the submission of any advisory group, property owner or tenant.

### Front Yard and Front Setback

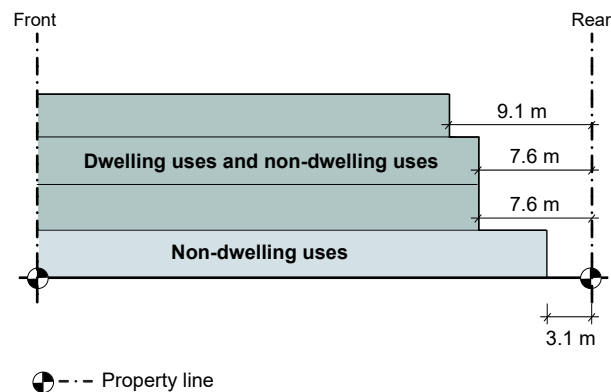
- 3.1.2.7 Despite section 3.1.2.2 above, a setback of 1.2 m from the front property line is required for any parking area.
- 3.1.2.8 Despite section 3.1.2.2 above, the Director of Planning may:
- (a) permit a front yard or front setback where a pedestrian or shopping courtyard or other features benefitting pedestrian character are provided;
  - (b) permit a front setback to improve the liveability of dwelling uses or community care facilities or group residences located above grade; and
  - (c) require a front setback from Heatley Avenue or Atlantic Street for sites in the MC-1 district, to provide a transition to dwelling units fronting on either of those streets,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

**Diagram: Mixed-use residential building with dwelling on the first storey**



**Diagram: Mixed-use residential building with no dwelling on the first storey**



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

- 3.1.2.9 Despite section 3.1.2.3 above, on a corner site, a setback of 1.2 m from the side property line abutting the flanking street is required for any parking area.
- 3.1.2.10 Despite the minimum side yard width in section 3.1.2.3 above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

### **Rear Yard and Rear Setback**

- 3.1.2.11 Despite the minimum rear yard depth in section 3.1.2.4 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.12 Despite the minimum rear setback in section 3.1.2.5 above, where the rear of a site abuts a lane, the required minimum rear setback will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreation facilities and meeting rooms, accessory to a dwelling use, to a maximum area of 10% of the total permitted floor area, provided that for child day care facilities the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood; and
- (e) 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 residential storage area above base surface for that unit.

4.1.3 The Director of Planning may permit enclosed residential balconies to be excluded from the computation of floor space ratio, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or deck exclusions must not exceed 8% of the permitted residential floor area; and
- (b) no more than 50% of the excluded balcony floor area may be enclosed.

### 4.2 Horizontal Angle of Daylight

4.2.1 Each habitable room must have at least 1 window on an exterior wall of a building.

- 4.2.2 For the purposes of section 4.2.1 above, habitable room means any room except a bathroom or a kitchen.
- 4.2.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.2.4 The plane or planes referred to in section 4.2.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.2.5 An obstruction referred to in section 4.2.3 above means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.2.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 3.7 m.



## SCHEDULE JJ

# RR-1

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit triplexes and townhouses where all dwelling units are secured as residential rental tenure. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [Residential Rental Districts Schedules Design Guidelines](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the RR-1 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
920 m <sup>2</sup>	4-storey Townhouse, containing more than 8 dwelling units	<a href="#">3.1</a>
613 m <sup>2</sup>	3-storey Townhouse, containing more than 8 dwelling units	<a href="#">3.1</a>
465 m <sup>2</sup>	Townhouse, containing not less than 5 and not more than 8 dwelling units	<a href="#">3.1</a>
303 m <sup>2</sup>	Townhouse, containing 4 dwelling units	<a href="#">3.1</a>
	Triplex	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Dwelling Uses</b>		
Townhouse	Conditional	2.2.1, 2.2.2, 2.2.3
Triplex	Conditional	2.2.1, 2.2.2
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section 2.1	Conditional	2.2.4

## 2.2 Use-Specific Regulations

- 2.2.1 All dwelling units must be secured as residential rental tenure, except that 1 dwelling unit in a townhouse or triplex containing up to 8 units may be occupied by a registered owner of the site.
- 2.2.2 At least 35% of the dwelling units must have 2 or more bedrooms.
- 2.2.3 The Director of Planning may permit more than 1 principal building on a site if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 2.2.4 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule may be permitted if:
  - (a) no accessory building exceeds 3.7 m in building height; and
  - (b) all accessory buildings are located at least 0.6 m from the ultimate rear property line.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is:

- (a) 1.45 for 4-storey townhouse containing more than 8 dwelling units;
- (b) 1.20 for 3-storey townhouse containing more than 8 dwelling units;
- (c) 1.00 for townhouse containing not less than 5 and not more than 8 dwelling units; and
- (d) 1.00 for townhouse containing 4 dwelling units or triplex.

##### 3.1.2 Building Form and Placement

Regulations	RR-1
3.1.2.1 Minimum site area for:	
(a) 4-storey townhouse containing more than 8 dwelling units	920 m <sup>2</sup>
(b) 3-storey townhouse containing more than 8 dwelling units	613 m <sup>2</sup>
(c) townhouse containing not less than 5 and not more than 8 dwelling units	465 m <sup>2</sup>
(d) townhouse containing 4 dwelling units or triplex	303 m <sup>2</sup>
3.1.2.2 Maximum site area for:	
(a) 4-storey townhouse containing more than 8 dwelling units	1,500 m <sup>2</sup>
(b) 3-storey townhouse containing more than 8 dwelling units	1,500 m <sup>2</sup>
3.1.2.3 Minimum site frontage for:	
(a) 4-storey townhouse containing more than 8 dwelling units	30.1 m
(b) 3-storey townhouse containing more than 8 dwelling units	20.1 m

Regulations	RR-1
(c) townhouse containing not less than 5 and not more than 8 dwelling units	15.2 m
(d) townhouse containing 4 dwelling units or triplex	10.0 m
3.1.2.4 Maximum site frontage for:	
(a) 4-storey townhouse containing more than 8 dwelling units	40.2 m
(b) 3-storey townhouse containing more than 8 dwelling units	40.2 m
3.1.2.5 Maximum building height for:	
(a) 4-storey townhouse containing more than 8 dwelling units other than a rear building	13.7 m and 4 storeys
(b) all other dwelling uses other than a rear building	11.5 m and 3 storeys
(c) a rear building	10.7 m and 3 storeys
3.1.2.6 Minimum front yard depth	3.7 m
3.1.2.7 Minimum side yard width	1.2 m
3.1.2.8 Minimum rear yard depth	3.1 m
3.1.2.9 Maximum building depth for townhouse containing not more than 8 dwelling units	19.8 m
3.1.2.10 Minimum separation between:	
(a) buildings located on a site frontage	3.1 m
(b) rear buildings	3.1 m
(c) buildings located on a site frontage and rear buildings	7.3 m
(d) a building facing a flanking street and any other townhouse building	4.6 m

### Building Height and Floor-to-Floor Height

- 3.1.2.11 Despite the maximum building height in section [3.1.2.5\(a\)](#) above, the fourth storey must be a partial storey not exceeding 60% of the storey immediately below.
- 3.1.2.12 Despite the maximum building height in section [3.1.2.5\(c\)](#) above, the third storey must be a partial storey not exceeding 60% of the storey immediately below.

3.1.2.13 The maximum floor-to-floor height is 3.1 m.

3.1.2.14 The Director of Planning may increase the maximum building height and floor-to-floor height if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Side Yard

3.1.2.15 Despite the minimum side yard width in section 3.1.2.7 above, on a corner site, the front yard regulations in section 3.1.2.6 above apply to the exterior side yard.

3.1.2.16 The Director of Planning may decrease the minimum side yard width if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Building Separation

3.1.2.17 Minimum separation between buildings must be measured from the closest portion of the exterior walls of any other building on the site.

3.1.2.18 Despite the minimum building separation in section 3.1.2.10(c) above, where an entrance located at or above 1.5 m of grade, or more than 0.6 m below grade, is connected to grade by stairs that project into a courtyard, the separation between buildings must be at least 9.1 m.

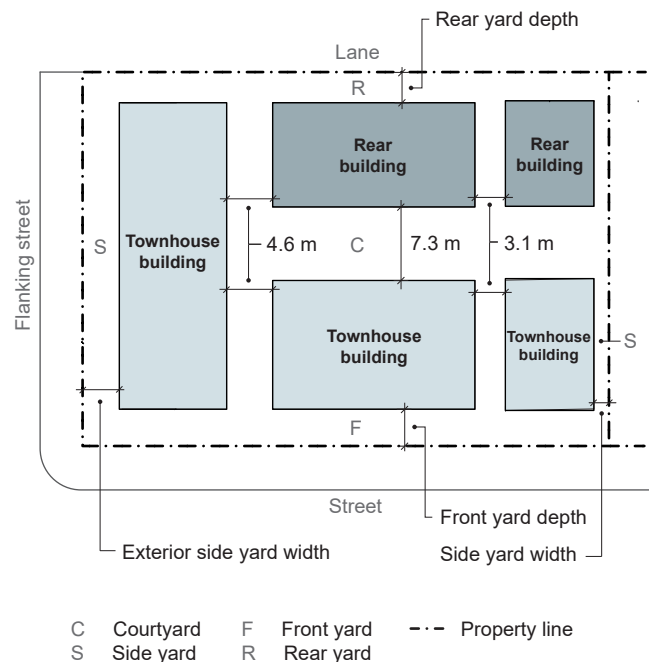
3.1.2.19 The Director of Planning may decrease the minimum separation between buildings if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Discretion to Vary Other Regulations

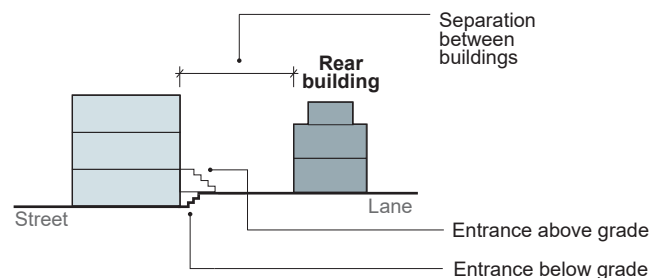
3.1.2.20 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the minimum and maximum site area;
- (b) the minimum and maximum site frontage;

**Diagram: Building placement for a corner site – courtyard configuration**



**Diagram: Minimum separation between buildings projecting into a courtyard**



- (c) the minimum front yard depth;
- (d) the minimum rear yard depth; and
- (e) the maximum building depth.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings; and
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

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

- (a) balconies, decks, exterior passageways for townhouse access, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) bicycle storage located in a principal building or an accessory building;
- (e) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
- (f) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:
  - (i) the side facing the street, rear property line or courtyard 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 [4.1.2\(a\)](#) above, does not exceed 16% of the permitted floor area, and
  - (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;

- (i) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
- (j) amenity areas, including recreation facilities and meeting rooms, accessory to a dwelling use, to a maximum area of 10% of the total permitted floor area.

## 4.2 Yards: Projections

- 4.2.1 No portion of underground parking is permitted to project into any required yard except for an access ramp, except that the Director of Planning may vary this requirement if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 4.2.2 Entries, porches and verandahs complying with section 4.1.2(h) of this schedule may project up to 1.8 m into the required rear yard.

## 4.3 Building Depth: Measurement

- 4.3.1 Building depth means the distance from the front exterior wall measured in a straight line to a point directly opposite on the rear exterior wall, except that balconies and entries, porches and verandahs that comply with section 10.8 of this by-law and section 4.2.2 of this schedule may be excluded from the measurement of building depth.

## 4.4 Horizontal Angle of Daylight

- 4.4.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.4.2 For the purposes of section 4.4.1 above, habitable room means any room except a bathroom or kitchen.
- 4.4.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.4.4 The plane or planes referred to in section 4.4.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.4.5 An obstruction referred to in section 4.4.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.4.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
  - (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and



- (b) the minimum distance of unobstructed view is at least 2.4 m.

## 4.5 External Design

4.5.1 The following features are permitted in the courtyard:

- (a) the features permitted in section 10.8 of this by-law, except balconies; and
- (b) entries, porches and verandahs complying with section 4.1.2(h) of this schedule.

4.5.2 The minimum width of a dwelling unit in a townhouse must be at least 4.2 m, measured between finished wall surfaces.

4.5.3 The Director of Planning may vary the requirements of this section 4.5 if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## SCHEDULE KK

# RR-2A, RR-2B and RR-2C

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit apartments where all dwelling units are secured as residential rental tenure as follows:

- in the RR-2A district, up to 4 storeys;
- in the RR-2B district, up to 5 storeys; and
- in the RR-2C district, up to 6 storeys if a minimum of 20% of the floor area is secured as below-market rental dwelling units.

On sites of sufficient depth, 3-storey townhouses may be permitted in combination with an apartment if townhouses are located at the rear of the site. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [Residential Rental Districts Schedules Design Guidelines](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the RR-2A, RR-2B and RR-2C districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in [section 3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
920 m <sup>2</sup>	Apartment, up to 6 storeys in the RR-2C district	<a href="#">3.1</a>
	Apartment in combination with Townhouse in the RR-2C district	<a href="#">3.1</a>

Minimum Site Area	Use	Density, Form and Placement Regulations
613 m <sup>2</sup>	Apartment, up to 5 storeys in the RR-2B district	<a href="#">3.1</a>
	Apartment, up to 4 storeys in the RR-2A district	<a href="#">3.1</a>
	Apartment in combination with Townhouse in the RR-2A and RR-2B districts	<a href="#">3.1</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Dwelling Uses</b>		
Apartment	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.3</a> , <a href="#">2.2.4</a>
Townhouse	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a> , <a href="#">2.2.3</a> , <a href="#">2.2.4</a> , <a href="#">2.2.5</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.6</a>

## 2.2 **Use-Specific Regulations**

- 2.2.1 All dwelling units must be secured as residential rental tenure.
- 2.2.2 At least 35% of the dwelling units must have 2 or more bedrooms.
- 2.2.3 In the RR-2C district, a minimum of 20% of the floor area must be secured as below-market rental dwelling units which, for the purposes of this schedule, means dwelling units where:
  - (a) the maximum starting rents and rents at unit turnover are at least 10% less than the average rents for all private rental apartment units, city-wide as published by the Canada Mortgage and Housing Corporation in the Rental Market Report in the previous calendar year; and
  - (b) the starting rent and turnover rent requirements are secured through a housing agreement.
- 2.2.4 The Director of Planning may permit more than 1 principal building on a site if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 2.2.5 Townhouse is only permitted in combination with apartment and must be located at the rear of the site.
- 2.2.6 Accessory buildings customarily ancillary to any use listed in section [2.1](#) of this schedule may be permitted if:
  - (a) no accessory building exceeds 3.7 m in building height; and
  - (b) all accessory buildings are located at least 0.6 m from the ultimate rear property line.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in these districts are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is:

- (a) 1.75 in the RR-2A district;
- (b) 2.20 in the RR-2B district; and
- (c) 2.40 in the RR-2C district.

###### 3.1.1.2 Despite section 3.1.1.1 above, the Director of Planning may increase the permitted floor space ratio to a maximum of 2.00 in the RR-2A district, 2.40 in the RR-2B district, and 2.70 in the RR-2C district, if:

- (a) the site depth does not exceed 33.5 m; or
- (b) the site is a corner site that:
  - (i) adjoins a lane at the rear,
  - (ii) has a minimum site frontage of 40.2 m, and
  - (iii) has a minimum site area of 1,470 m<sup>2</sup>,

and if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

###### 3.1.1.3 Despite sections 3.1.1.1 and 3.1.1.2 above, the Director of Planning may increase the permitted floor space ratio in the RR-2C district for social housing to:

- (a) a maximum of 2.70; or
- (b) a maximum of 3.00 for a corner site that:
  - (i) adjoins a lane at the rear,
  - (ii) has a minimum site frontage of 40.2 m, and
  - (iii) has a minimum site area of 1,470 m<sup>2</sup>,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### 3.1.2 Building Form and Placement

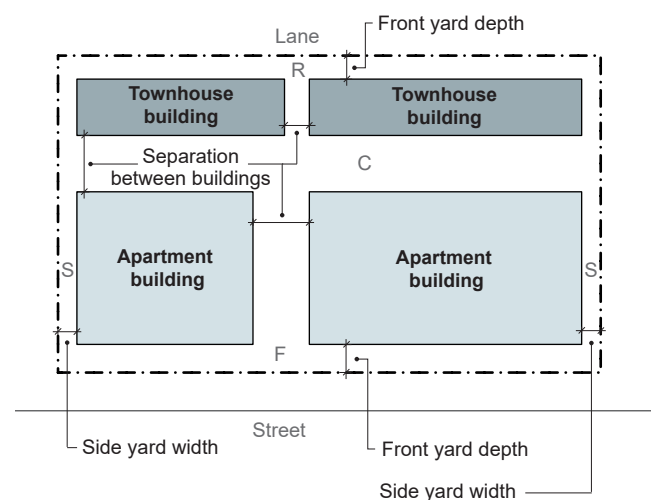
Regulations		RR-2A	RR-2B	RR-2C
3.1.2.1	Minimum site area	613 m <sup>2</sup>	613 m <sup>2</sup>	920 m <sup>2</sup>
3.1.2.2	Minimum site frontage	20.1 m	20.1 m	30.1 m
3.1.2.3	Maximum site frontage for:			
	(a) a corner site	45.7 m	no maximum	no maximum
	(b) all sites other than a corner site	30.5 m	no maximum	no maximum
3.1.2.4	Minimum site depth for:			
	(a) apartment	30.5 m		
	(b) apartment in combination with townhouse	41.1 m		
3.1.2.5	Maximum building height for:			
	(a) apartment	13.7 m and 4 storeys	16.8 m and 5 storeys	19.8 m and 6 storeys
	(b) townhouse	10.7 m and 3 storeys		
3.1.2.6	Minimum front yard depth	3.7 m		
3.1.2.7	Minimum side yard width	1.8 m	2.4 m	2.4 m
3.1.2.8	Minimum rear yard depth for:			
	(a) apartment	7.6 m		
	(b) apartment in combination with townhouse	3.1 m		
3.1.2.9	Minimum setback of all exterior walls of the sixth storey from the exterior face of the wall of the storey below, for apartment	2.4 m		
3.1.2.10	Maximum building depth for apartment	22.8 m		
3.1.2.11	Maximum building width	45.7 m		

Regulations	RR-2A	RR-2B	RR-2C
3.1.2.12 Minimum separation between:			
(a) apartment buildings located on a site frontage		7.3 m	
(b) apartment and townhouse buildings		7.3 m	
(c) townhouse buildings		3.1 m	

### Building Height and Floor-to-Floor Height

- 3.1.2.13 Despite the maximum building height in section 3.1.2.5(b) above, the third storey of a townhouse must be a partial storey not exceeding 60% of the storey immediately below.
- 3.1.2.14 The maximum floor-to-floor height is 3.1 m.
- 3.1.2.15 The Director of Planning may increase the maximum building height and floor-to-floor height if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement – courtyard configuration**



C Courtyard F Front yard --- Property line  
S Side yard R Rear yard

### Side Yard

- 3.1.2.16 Despite the minimum side yard width in section 3.1.2.7 above, in the case of a corner site, the front yard regulations in section 3.1.2.6 above apply to the exterior side yard.
- 3.1.2.17 The Director of Planning may decrease the minimum side yard width if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Rear Yard

- 3.1.2.18 Despite the minimum rear yard depth in section 3.1.2.8(a) above, in the case of an apartment on a corner site, the minimum depth of the rear yard may be decreased to 4.6 m, if the portion of the building for which the rear yard is decreased:
- (a) is located a minimum distance of 15.3 m from an adjoining site with or without the intervention of a lane, measured from the side property line; and
  - (b) does not exceed 22.8 m in width.

- 3.1.2.19 The Director of Planning may decrease the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Setback

- 3.1.2.20 The minimum setback of all exterior walls in section 3.1.2.9 above is not required if dwelling units are secured as social housing.
- 3.1.2.21 The Director of Planning may decrease the minimum setback of all exterior walls if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

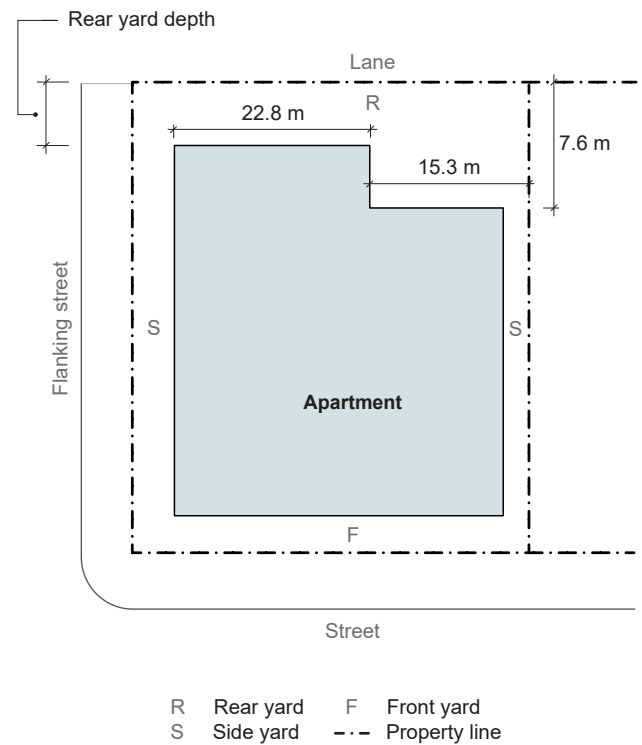
### Building Separation

- 3.1.2.22 Minimum separation between buildings in section 3.1.2.12(a) above must be measured from the closest portion of the exterior side wall of any other apartment on the site.
- 3.1.2.23 Minimum separation between buildings in sections 3.1.2.12(b) and 3.1.2.12(c) above must be measured from the closest portion of the exterior walls of the buildings.
- 3.1.2.24 The Director of Planning may decrease the minimum separation between buildings if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Discretion to Vary Other Regulations

- 3.1.2.25 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the minimum site area;
  - (b) the minimum and maximum site frontage;
  - (c) the minimum site depth;
  - (d) the minimum front yard depth;
  - (e) the maximum building depth; and
  - (f) the maximum building width.

**Diagram: Decreased minimum rear yard depth for apartment on a corner site**





## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings; and
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

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

- (a) balconies, decks, exterior passageways for townhouse access, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) bicycle storage located in a principal building or an accessory building;
- (e) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
- (f) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:
  - (i) the side facing the street, rear property line or courtyard 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 [4.1.2\(a\)](#) above, does not exceed 16% of the permitted floor area, and
  - (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;

- (i) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
- (j) amenity areas, including recreation facilities and meeting rooms, accessory to a dwelling use, to a maximum area of 10% of the total permitted floor area.

## 4.2 Yards: Projections

- 4.2.1 No portion of underground parking is permitted to project into any required yard except for an access ramp, except that the Director of Planning may vary this requirement if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 4.2.2 Entries, porches and verandahs complying with section 4.1.2(h) of this schedule may project up to 1.8 m into the required rear yard.

## 4.3 Building Depth: Measurement

- 4.3.1 Building depth means the distance from the front exterior wall measured in a straight line to a point directly opposite on the rear exterior wall, except that balconies and entries, porches and verandahs that comply with section 10.8 of this by-law and section 4.2.2 of this schedule may be excluded from the measurement of building depth.

## 4.4 Horizontal Angle of Daylight

- 4.4.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.4.2 For the purposes of section 4.4.1 above, habitable room means any room except a bathroom or kitchen.
- 4.4.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.4.4 The plane or planes referred to in section 4.4.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.4.5 An obstruction referred to in section 4.4.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.4.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
  - (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and

- (b) the minimum distance of unobstructed view is at least 2.4 m.

## 4.5 External Design

4.5.1 The following features are permitted in the courtyard:

- (a) the features permitted in section 10.8 of this by-law, except balconies; and
- (b) entries, porches and verandahs complying with section 4.1.2(h) of this schedule.

4.5.2 The minimum width of a dwelling unit in a townhouse is 4.2 m, measured between finished wall surfaces.

4.5.3 The Director of Planning may vary the requirements of this section 4.5 if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## SCHEDULE LL

# RR-3A and RR-3B

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit mixed-use residential buildings where all dwelling units are secured as residential rental tenure. In the RR-3A district, developments are permitted up to 4 storeys. In the RR-3B district, developments are permitted up to 6 storeys if a minimum of 20% of the residential floor area is secured as below-market rental dwelling units. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [Residential Rental Districts Schedules Design Guidelines](#).

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the RR-3A and RR-3B districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
920 m <sup>2</sup>	Mixed-Use Residential Building	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Dwelling Uses</b>		
Mixed-Use Residential Building	Conditional	2.2.1, 2.2.2, 2.2.3, 2.2.4, 2.2.5, 2.2.6, 2.2.7
<b>uncategorized</b>		
Accessory Uses, customarily ancillary to any use listed in this section 2.1	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 All dwelling units must be secured as residential rental tenure.

2.2.2 The only non-dwelling uses permitted in a mixed-use residential building are:

- (a) cultural and recreational uses;
- (b) institutional uses;
- (c) office uses;
- (d) retail uses;
- (e) service uses; or
- (f) any other use that the Director of Planning considers comparable in nature to the uses listed in this section 2.2.2, having regard to the intent of this schedule.

2.2.3 At least 35% of the dwelling units must have 2 or more bedrooms.

2.2.4 In a mixed-use residential building, dwelling uses are not permitted within a depth of 10.7 m from the front wall of the first storey of a building, extending across the full width of the building, except for entrances to the portion containing dwelling uses.

- 2.2.5 In the RR-3A district, the second storey and above, measured from the front property line, is limited to dwelling uses only.
- 2.2.6 In the RR-3B district, the third storey and above, measured from the front property line, is limited to dwelling uses only.
- 2.2.7 In the the RR-3B district, a minimum of 20% of the residential floor area must be secured as below-market rental dwelling units which, for the purposes of this schedule, means dwelling units where:
- (a) the maximum starting rents and rents at unit turnover are at least 20% less than the average rents for all private rental apartment units, city-wide as published by the Canada Mortgage and Housing Corporation in the Rental Market Report in the previous calendar year; and
  - (b) the starting rent and turnover rent requirements are secured through a housing agreement.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in these districts are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is:

- (a) 2.40 in the RR-3A district; and
- (b) 3.40 in the RR-3B district,

except that the floor space ratio for non-dwelling uses must be at least 0.35.

###### 3.1.1.2 Despite section 3.1.1.1 above, the Director of Planning may increase the permitted floor space ratio to a maximum of 2.50 in the RR-3A district and 3.50 in the RR-3B district, if the site is a corner site that:

- (a) adjoins a lane at the rear;
- (b) has a minimum site frontage of 40.2 m; and
- (c) has a minimum site area of 1,470 m<sup>2</sup>,

and if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

##### 3.1.2 Building Form and Placement

Regulations		RR-3A	RR-3B
3.1.2.1	Minimum site area	920 m <sup>2</sup>	
3.1.2.2	Minimum site frontage	30.1 m	
3.1.2.3	Maximum building height	15.3 m and 4 storeys	22.0 m and 6 storeys
3.1.2.4	Minimum front yard depth	2.5 m	
3.1.2.5	Minimum side yard width for a side yard that:		
	(a) adjoins the side yard of a site located in an R district, without the intervention of a lane	3.7 m	
	(b) does not adjoin the side yard of a site located in an R district	not required	

Regulations		RR-3A	RR-3B
3.1.2.6	Minimum rear yard depth for portions of a building not containing dwelling uses, with a building height less than 6.1 m	1.5 m	
3.1.2.7	Minimum rear setback for portions of a building:		
	(a) not containing dwelling uses, and with a building height of 6.1 m or more	6.1 m	
	(b) containing dwelling uses	6.1 m	
3.1.2.8	Minimum setback of all exterior walls of the 6th storey from the exterior face of the wall of the storey below	not applicable	2.4 m

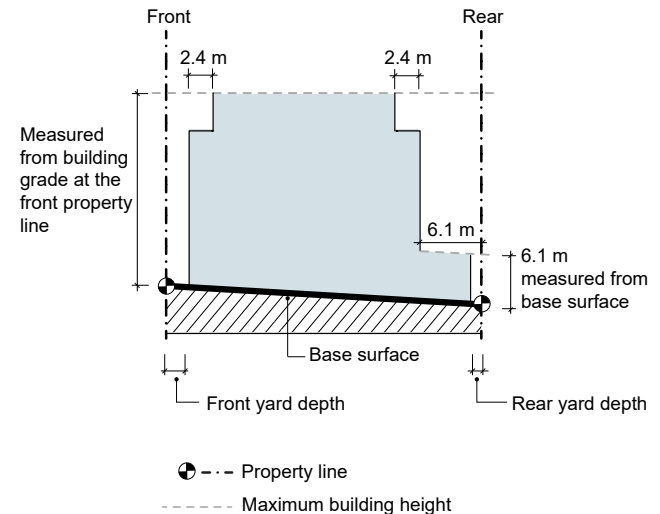
### Building Height and Floor-to-Floor Height

- 3.1.2.9 The maximum height of a building is measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line.
- 3.1.2.10 Despite the maximum building height in sections 3.1.2.3 and 3.1.2.9 above, portions of a building located within 6.1 m of the ultimate rear property line must not exceed 6.1 m in building height measured from base surface, except for portions of a building where the rear yard may be decreased under section 3.1.2.16 below.
- 3.1.2.11 The minimum floor-to-floor height is 5.2 m for non-dwelling uses.
- 3.1.2.12 The Director of Planning may increase the maximum building height and decrease the minimum floor-to-floor height if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Side Yard

- 3.1.2.13 Despite the minimum side yard width in section 3.1.2.5 above, in the case of a corner site, the front yard regulations in section 3.1.2.4 above and section 3.1.2.19(c) below, apply to the exterior side yard.

**Diagram: Maximum building height for a 6-storey building in RR-3B**





- 3.1.2.14 The Director of Planning may decrease the minimum side yard width if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Rear Yard and Rear Setback

- 3.1.2.15 Despite the minimum rear yard depth in section 3.1.2.6 above, in the case of a corner site where the rear of the site adjoins with the side yard of a site located in an R district, without the intervention of a lane, the minimum depth of the rear yard must be 3.1 m.

- 3.1.2.16 Despite the minimum rear setback in section 3.1.2.7 above, in the case of a corner site, for portions of a building above 6.1 m in height, the rear setback may be decreased to a minimum depth of 4.6 m if the portion of the building for which the rear setback is decreased:

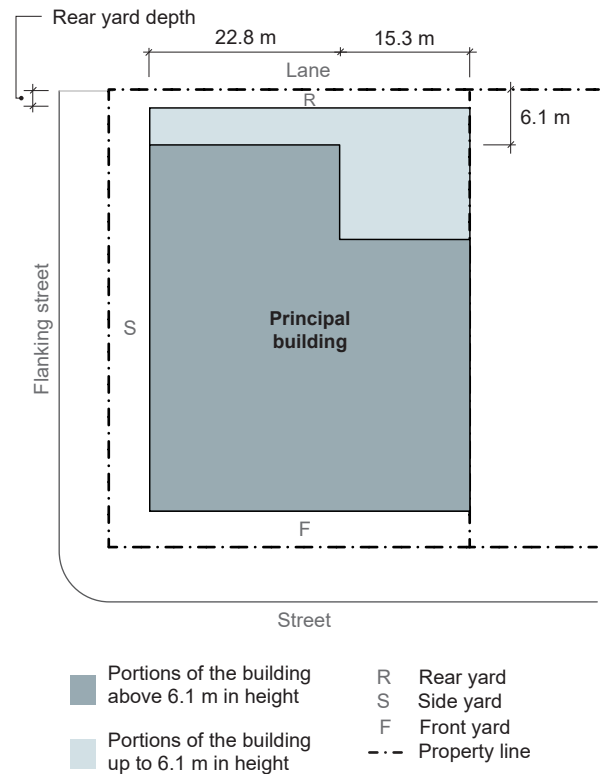
- (a) is located a minimum distance of 15.3 m from an adjoining site; and
- (b) does not exceed 22.8 m in width.

- 3.1.2.17 Despite the minimum rear setback in section 3.1.2.7(b) above, roof decks may project into the setback.
- 3.1.2.18 The Director of Planning may decrease the minimum rear yard depth or rear setback if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Discretion to Vary Other Regulations

- 3.1.2.19 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the minimum site area;
  - (b) the minimum site frontage;
  - (c) the minimum front yard depth; and
  - (d) the minimum setback of exterior walls.

**Diagram: Decreased minimum rear yard requirements on a corner site**



[illegible]

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## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings; and
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) bicycle storage located in a principal building or an accessory building;
- (e) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
- (f) 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
- (g) amenity areas, including recreation facilities and meeting rooms, accessory to a dwelling use, to a maximum area of 10% of the total permitted floor area.

### 4.2 Horizontal Angle of Daylight

#### 4.2.1 Each habitable room must have at least 1 window on an exterior wall of a building.

#### 4.2.2 For the purposes of section 4.2.1 above, habitable room means any room except a bathroom or kitchen.

#### 4.2.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

- 4.2.4 The plane or planes referred to in section 4.2.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.2.5 An obstruction referred to in section 4.2.3 above means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.2.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 2.4 m.

## SCHEDULE MM

# RS-1

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is generally to maintain the residential character of the area in the form of duplexes, single detached houses, secondary suites and laneway houses. Duplexes on sites larger than 511 m<sup>2</sup> must include at least 1 secondary suite. Retention of character houses is encouraged by permitting infill and multiple conversion dwellings where a character house is retained. 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.

Without limitation, applicable Council policies and guidelines for consideration include the [Boundary and Tanner RS-1 Guidelines](#), [Charles/Adanac RS-1 Guidelines](#), [Deering Island RS-1 Guidelines](#), [Guidelines for Additions, Infill and Multiple Conversion Dwelling in Association with the Retention of a Character House in an RS Zone](#), [RS Zones Impermeable Materials Site Coverage Guidelines for RS-1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-4, RS-5, RS-6, and RS-7 Zones](#) and [RS-1 Caretaker Dwelling Unit Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RS-1 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
334 m <sup>2</sup>	Duplex or Duplex with Secondary Suite	<a href="#">3.1</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.2</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.2</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Community Centre or Neighbourhood House	Conditional	
Golf Course or Driving Range	Conditional	
Library, in combination with Community Centre	Conditional	
Marina	Conditional	
Park or Playground	Conditional	
Stadium or Arena	Conditional	
Zoo or Botanical Garden	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a>
Infill, in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	
Infill Single Detached House	Conditional	<a href="#">2.2.2</a>
Laneway House	Conditional	<a href="#">2.2.3</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.4</a>

Use	Approval	Use-Specific Regulations
Multiple Conversion Dwelling, resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.5</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.6</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.7</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.8</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	

Use	Approval	Use-Specific Regulations
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.
- 2.2.2 Infill single detached house may be permitted if:
- (a) it is for a caretaker;
  - (b) it complies with the following:
    - (i) section [2.2.9\(a\)](#) below for any portion of the building located within 7.9 m of the ultimate rear property line, and
    - (ii) sections [2.2.9\(b\)](#), [2.2.9\(d\)](#), [2.2.9\(e\)](#) and [2.2.9\(f\)](#) below; and
  - (c) the floor area does not exceed 75 m<sup>2</sup> and is also counted in the accessory building area.
- 2.2.3 Laneway house is regulated by [Section 11](#) of this by-law and sections [3](#) and [4](#) of this schedule do not apply.
- 2.2.4 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.5 Multiple conversion dwelling resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted if it contains no housekeeping or sleeping units.
- 2.2.6 Principal dwelling unit with lock-off unit may be permitted only in:
- (a) a duplex and there may be no more than 1 lock-off unit for each dwelling unit; and
  - (b) a duplex with secondary suite if there is only 1 secondary suite and only 1 lock-off unit, and the lock-off unit is in the dwelling unit without a secondary suite.
- 2.2.7 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.



2.2.8 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:

- (i) within 7.9 m of the ultimate rear property line or within the permitted building depth as prescribed in this schedule,

- (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and

- (iii) at least 1.5 m from a flanking street;

- (c) for all uses except for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 30% of the minimum rear yard prescribed in this schedule, or 48 m<sup>2</sup>, whichever is the greater, except that the total allowable accessory building floor area will be reduced by:

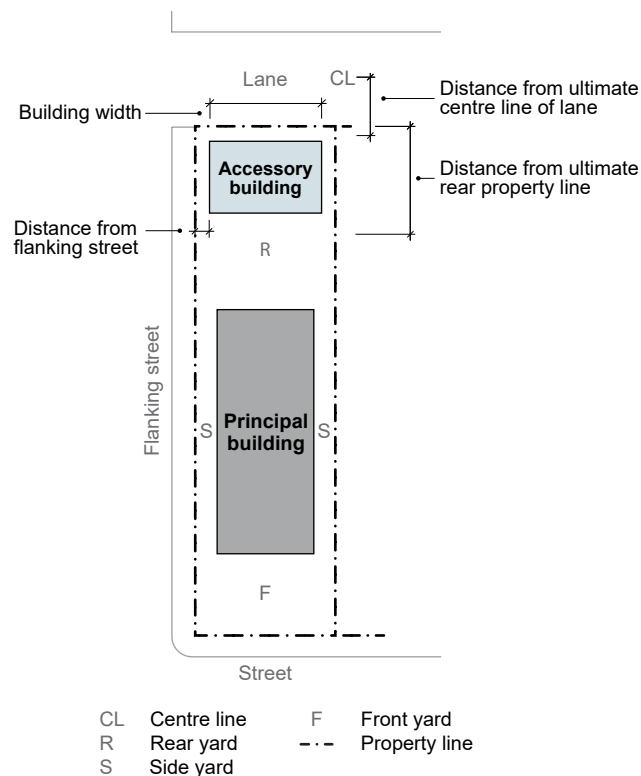
- (i) any floor area previously excluded from existing development pursuant to section 4.1.2(c) of this schedule, and

- (ii) the floor area of a laneway house;

- (d) for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>;

- (e) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line; and

**Diagram: Building placement for accessory building**



- (f) roof decks and decks may only be located on an accessory building that is within the permitted building depth as prescribed in this schedule.

2.2.10 Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 of this schedule must comply with the provisions of section 2.2.9(b) above.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Duplex and Duplex with Secondary Suite

Duplex and duplex with secondary suite are subject to the following regulations.

##### 3.1.1 Density and Floor Area

- 3.1.1.1 The maximum floor space ratio is 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 that has a floor surface located 1.8 m or more above finished grade must not exceed 371 m<sup>2</sup>.

##### 3.1.2 Building Form and Placement

Regulations	RS-1
3.1.2.1 Minimum site area	334 m <sup>2</sup>
3.1.2.2 Maximum site area for:	
(a) duplex	511 m <sup>2</sup>
(b) duplex with secondary suite	no maximum
3.1.2.3 Minimum site width	7.3 m
3.1.2.4 Maximum building height	10.7 m and 3 storeys
3.1.2.5 Minimum front yard depth	20% of the site depth
3.1.2.6 Minimum side yard width where the site width:	
(a) does not exceed 18.3 m	10% of the site width
(b) exceeds 18.3 m and does not exceed 30.5 m	% of the site width = (site width in metres ÷ 1.219) – 5
(c) exceeds 30.5 m	20% of the site width
3.1.2.7 Minimum rear yard depth	40% of the site depth
3.1.2.8 Maximum site coverage for all buildings	45% of the site area
3.1.2.9 Maximum area of impermeable materials	60% of the site area

Regulations	RS-1
3.1.2.10 Maximum building depth	40% of the site depth

### Site Area and Site Width

- 3.1.2.11 The Director of Planning may reduce the minimum site area on an existing lot of lesser site area on record in the Land Title Office.
- 3.1.2.12 The design of any new dwelling will first require the approval of the Director of Planning if:
- the site width is less than 9.8 m; or
  - the Director of Planning has reduced the minimum site area requirements pursuant to section 3.1.2.11 above.

### Building Height

- 3.1.2.13 Despite the maximum building height in section 3.1.2.4 above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.

### Front Yard

- 3.1.2.14 The Director of Planning may vary the minimum front yard depth on a double fronting site or a site where a building line has been established pursuant to section 8.1.1 of this by-law.

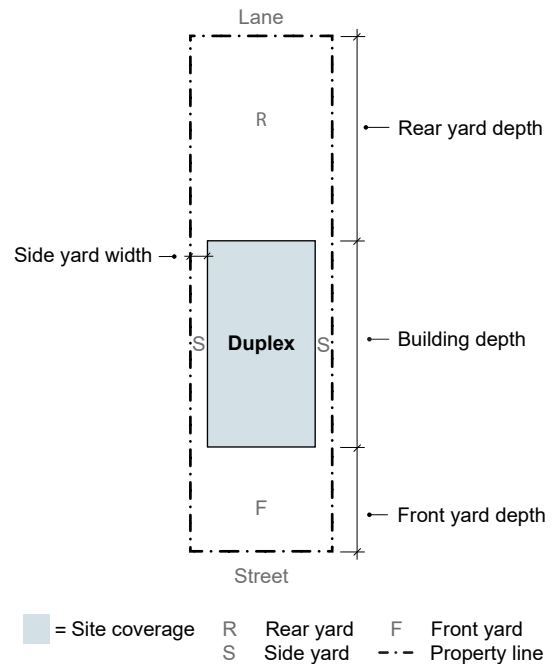
### Rear Yard

- 3.1.2.15 Despite the minimum rear yard depth in section 3.1.2.7 above, where the permitted building depth is increased in accordance with section 10.33.1 of this by-law, the minimum rear yard depth does not apply.

### Area of Impermeable Materials

- 3.1.2.16 The Director of Planning may increase the maximum area of impermeable materials for buildings existing prior to May 30, 2000 to a maximum of 70% of the total site area if:
- the percentage of the site area covered by existing impermeable materials is not increased by the proposed development; and
  - the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for duplex and duplex with secondary suite**



## 3.2 Other Uses

Single detached house, single detached house with secondary suite, uses involving character house retention, and all other uses not regulated by section 3.1 of this schedule are subject to the following regulations.

### 3.2.1 Density and Floor Area

#### 3.2.1.1 The maximum floor space ratio is 0.60, except that:

- (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 that has a floor surface located 2.0 m or more above finished grade, all of which floors are located within the building depth prescribed in section 3.2.2.9 of this schedule, must not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>;
- (b) in all cases other than those described in section 3.2.1.1(a) above, the area of all floors at or above finished grade and of the floors of any storey, basement, or cellar located below a storey that has a floor surface located 1.8 m or more above finished grade, all of which floors are located within the building depth prescribed in section 3.2.2.9 of this schedule, must not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>;
- (c) the floor space ratio is increased to 0.70 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 sections 3.2.1.1(a) or 3.2.1.1(b) above,
  - (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;
- (d) for buildings existing prior to July 7, 2009, the floor space ratio for the area of all floors at, above or below finished grade, is increased to 0.75 to permit the addition of a basement or cellar, 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 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; and
- (e) the Director of Planning may increase the permitted floor space ratio to a maximum of:
  - (i) 0.75 to facilitate an addition to a character house, or
  - (ii) 0.85 for infill in combination with the retention of a character house,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### 3.2.2 Building Form and Placement

Regulations	RS-1
3.2.2.1 Minimum site area for:	
(a) single detached house and single detached house with secondary suite	334 m <sup>2</sup>
(b) dwelling unit for a caretaker	3,000 m <sup>2</sup>
3.2.2.2 Minimum site width for single detached house and single detached house with secondary suite	7.3 m
3.2.2.3 Maximum building height	9.5 m and 3 storeys
3.2.2.4 Minimum front yard depth	20% of the site depth
3.2.2.5 Minimum side yard width where the site width:	
(a) does not exceed 18.3 m	10% of the site width
(b) exceeds 18.3 m and does not exceed 30.5 m	% of the site width = (site width in metres ÷ 1.219) – 5
(c) exceeds 30.5 m	20% of the site width
3.2.2.6 Minimum rear yard depth	45% of the site depth
3.2.2.7 Maximum site coverage for all buildings	40% of the site area
3.2.2.8 Maximum area of impermeable materials	60% of the site area
3.2.2.9 Maximum building depth	35% of the site depth

#### Site Area and Site Width

3.2.2.10 The Director of Planning may reduce the minimum site area in section [3.2.2.1\(a\)](#) above on an existing lot of lesser site area on record in the Land Title Office.

3.2.2.11 The design of any new dwelling will first require the approval of the Director of Planning if:

- (a) the site width is less than 9.8 m; or
- (b) the site area is less than 334 m<sup>2</sup>.

## Building Height

3.2.2.12 Despite the maximum building height in section 3.2.2.3 above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.

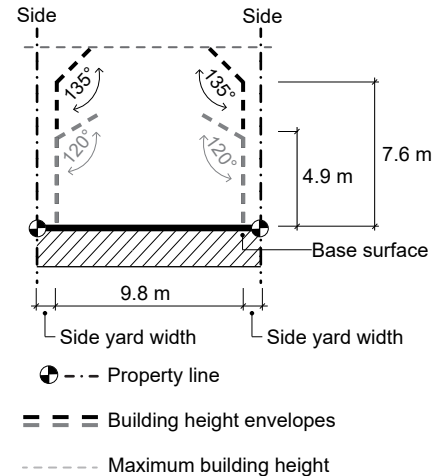
3.2.2.13 Despite the maximum building height in section 3.2.2.3 above, no portion of the building may extend above:

- (a) a primary envelope formed by a vertical line measuring 4.9 m in height at the required minimum side yard and then extending inward and upward at an angle of 120 degrees from the vertical to the point where the planes intersect; and
- (b) a secondary envelope:
  - (i) located between the required side yards,
  - (ii) equal to 60% of the site width, which need not be less than 9.8 m in width except as limited by the required side yard, and
  - (iii) formed by a vertical line measuring 7.6 m in height and then extending inward and upward at an angle of 135 degrees from the vertical to the point where the planes intersect.

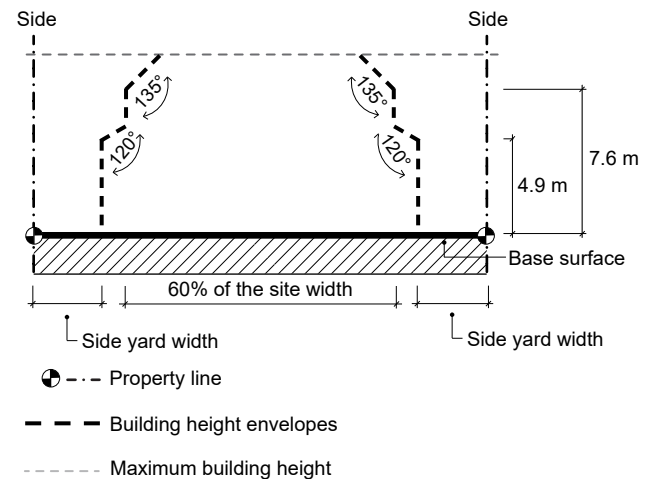
3.2.2.14 For single detached house with secondary suite, the Director of Planning may increase the permitted building height to a height not exceeding 10.7 m if:

- (a) all roofs, other than roofs covering only the first storey:
  - (i) have no flat portions,
  - (ii) have a minimum slope of 7:12 over the whole roof area, and
  - (iii) are limited to gable, hip or gambrel roofs; and
- (b) the Director of Planning considers the relationship between the height of the floors above the basement floor and the adjacent finished grade.

**Diagram: Building height envelopes on a site that is 12.2 m or less in width**



**Diagram: Building height envelopes on a site that is more than 12.2 m in width**



3.2.2.15 For uses other than single detached house with secondary suite, the Director of Planning may increase the permitted building height to a height not exceeding 10.7 m, if the Director of Planning considers:

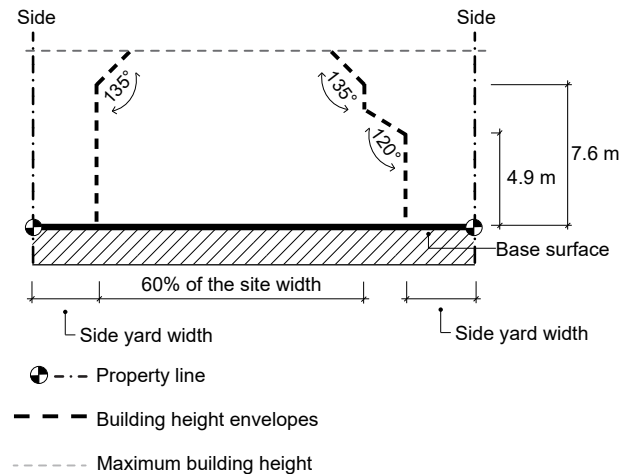
- (a) the impact of the increased building height on adjacent properties, the character of the area and views from surrounding development; and
- (b) the extent to which the increased building height improves the roof lines of the building.

### Front Yard

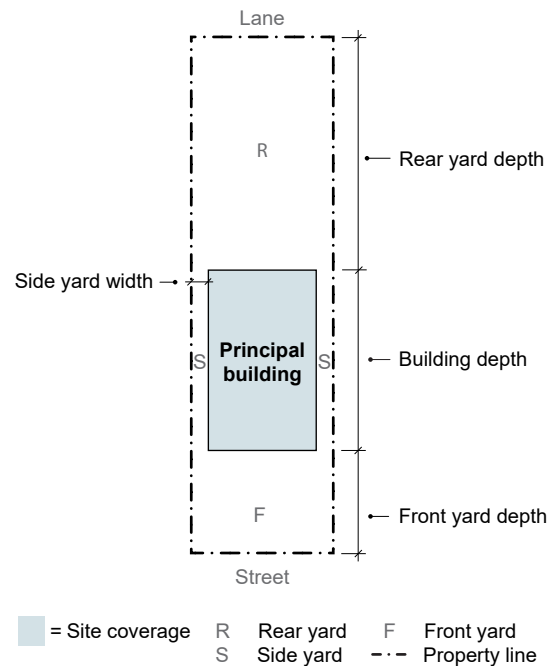
3.2.2.16 Despite the minimum front yard depth in section 3.2.2.4 above, on a site where the average front yard depth of the 2 adjacent sites on each side of the site is more than the 20% depth by at least 1.5 m or is less than the 20% depth, the minimum front yard depth will be that average, subject to the following:

- (a) where an adjacent site is vacant, it is deemed to have a front yard depth of 20% of its site depth;
- (b) if 1 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 will not be used in computing the average; and
- (c) where the site is adjacent to a flanking street or lane, the average depth will be computed using the remainder of the adjacent sites.

**Diagram: Building height envelopes on a site that is more than 12.2 m in width**



**Diagram: Building placement for principal building**



3.2.2.17 The Director of Planning may vary the minimum front yard depth on a double fronting site or a site where a building line has been established pursuant to section 8.1.1 of this by-law.

3.2.2.18 If the provisions of sections 3.2.2.6 and 3.2.2.16 above result in a distance between the front yard and the rear yard that is less than 35% of the site depth, and if the principal building is sited so that it abuts the required rear yard, the required front yard depth will be reduced so that the distance between the front yard and the rear yard is equal to 35% of the site depth.



## **Rear Yard**

3.2.2.19 Despite the minimum rear yard depth in section 3.2.2.6 above, the minimum rear yard depth will be reduced to a depth of not less than the largest of the rear yard depths of the sites on either side of the site, subject to the following:

- (a) where an abutting site is vacant, it is deemed to have a rear yard depth of 45% 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 will not be used in determining the reduction of the minimum rear yard depth;
- (c) where the site has an exterior side yard, the minimum rear yard depth will be reduced to that of the abutting site; and
- (d) any portion of the principal building to be located within that part of the minimum rear yard depth decreased as provided for in this section 3.2.2.19 must comply with the provisions of section 2.2.9(a) of this schedule,

except this section 3.2.2.19 does not apply where the maximum building depth in section 3.2.2.9 above is increased in accordance with section 10.33.1 of this by-law.

3.2.2.20 For buildings existing prior to April 12, 1988, the minimum rear yard depth will be reduced by an amount not exceeding 3.1 m, provided that the resulting depth of the principal building does not exceed 35% of the site depth. The floor of a roof deck or deck located within that part of the rear yard decreased as provided for in this section 3.2.2.20 must not be any higher than the floor of the first storey of the principal building.

## **Area of Impermeable Materials**

3.2.2.21 The Director of Planning may increase the maximum area of impermeable materials for buildings existing prior to May 30, 2000 to a maximum of 70% of the total site area if:

- (a) the percentage of the site area covered by existing impermeable materials is not increased by the proposed development; and
- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## **Building Depth**

3.2.2.22 Despite the maximum building depth in section 3.2.2.9 above, if the minimum rear yard depth is reduced pursuant to sections 3.2.2.19 and 3.2.2.20 above, the maximum building depth will be adjusted accordingly.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 in building or relationship to yard setbacks, which exceeds the product of the total floor area permitted above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length 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 contained in a principal building, or in an accessory building located within the building depth prescribed in this schedule, up to a maximum of 42 m<sup>2</sup>;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:
  - (i) for all uses except for duplex and duplex 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 duplex and duplex 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 of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area,
  - (v) for duplex and duplex with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and
  - (vi) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;
- (h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with section 4.1.2(g) above, to which there is no access from the interior of the building;
- (i) the floor area of a laneway house; and
- (j) for duplex and duplex 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, if:
  - (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% of the permitted total floor area,

and despite the definition of “partial storey” in Section 2 of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section 4.1.2(j).

- 4.1.3 In the case of a corner site, where the rear property line of a site adjoins, without the intervention of a lane, the side yard of a site in an R district, the Director of Planning may vary the provisions of section 4.1.2 above 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>.

## 4.2 Building Height: Measurement

- 4.2.1 Despite the definition of “building height” in Section 2 of this by-law, building height in this district must be measured from a hypothetical surface determined by joining the existing grades at the intersections of the

hypothetical lines defining the front and rear yards and the side property lines, except that if 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 Yards: Measurement

- 4.3.1 Where a building line has been established pursuant to section 8.1.2 of this by-law, such building line will 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, despite any dimension contained herein.

#### 4.4 Site Coverage and Impermeability: Measurement

- 4.4.1 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 is 30%.
- 4.4.2 The maximum area of impermeable materials includes site coverage for all buildings.
- 4.4.3 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 multiplied by 3.1 m; and
  - (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.

#### 4.5 Building Depth: Measurement

- 4.5.1 Building depth means the distance between the front yard and the rear yard of a site.
- 4.5.2 Projections into front yards permitted under section 4.3.1 in this schedule will not be included in the calculation of building depth.

#### 4.6 External Design

- 4.6.1 For the purpose of this section 4.6:
- (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
  - (b) “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.
- 4.6.2 For single detached house, there must be no more than 1 separate and distinct front entrance.

- 4.6.3 For single detached house with secondary suite, there must be no more than 2 separate and distinct front entrances.
- 4.6.4 For single detached house and single detached house with secondary suite, a side entrance must face a street or lane, or be located no less than 5.0 m from the side property line, except that there must be no more than 1 side entrance facing each side property line.
- 4.6.5 Despite sections 4.6.2, 4.6.3 and 4.6.4 above, the Director of Planning may, on the advice of the Chief Building Official, permit 1 additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989.
- 4.6.6 The surface of the ground adjoining a building may be lowered only for the purpose of providing:
- (a) a window well for a basement or a cellar, if the lowered surface does not extend more than 1.0 m from the surface of a wall;
  - (b) a sunken entrance for a basement, if:
    - (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 building width or 4.6 m, whichever is the lesser; or
  - (c) a sunken entrance for a cellar in buildings existing prior to June 23, 2020, if:
    - (i) it complies with section 4.6.6(b) above, and
    - (ii) the depth of the lowered surface does not exceed 1.83 m below the average finished grade.
- 4.6.7 For duplex and duplex with secondary suite, there must be:
- (a) 2 main entrances, 1 to each principal dwelling unit;
  - (b) on a corner site, 1 main entrance facing the front street and 1 main entrance facing the flanking street; and
  - (c) 1 entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.
- 4.6.8 For duplex and duplex with secondary suite, the roof design must comply with the following provisions:
- (a) all roofs except for dormer roofs must:
    - (i) have a slope not less than 7:12 and not more than 12:12,
    - (ii) be either hip or gable, or a combination of both, and

(iii) 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 partial storey, or attic above the second storey;

- (b) dormer roofs must be gable, hip or shed, and must have a minimum slope of 4:12;
- (c) the maximum total width of dormers provided on a partial storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
- (d) all exterior dormer walls must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
- (e) despite section 4.6.8(d) above, 1 dormer, which faces an interior side yard and provides headroom over a stair and any intermediate and top landings that provide access from the second storey to the partial storey above, may have its face wall flush or continuous with the second storey exterior wall face below.

4.6.9 Exterior windows in a secondary suite or lock-off unit must have a minimum total glazing area of:

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

4.6.10 For duplex and duplex with secondary suite, the Director of Planning may vary the requirements of sections 4.6.6, 4.6.7, 4.6.8 and 4.6.9 above 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 RELAXATIONS

5.1 Where, due to conditions peculiar either to the site or to the proposed development, literal enforcement would result in unnecessary hardship, the Director of Planning may relax:

- (a) the maximum building height to a height not exceeding 10.7 m;
- (b) the minimum front yard depth to a depth not less than 60% of the specified requirement;
- (c) the minimum side yard width to a width not less than 60% of the specified requirement;
- (d) the minimum rear yard depth to a depth not less than 60% of the specified requirement;
- (e) the maximum building depth; and
- (f) the floor space ratio exclusions for parking in accessory buildings in section 4.1.2(c)(i) of this schedule,

if the Director of Planning considers the submission of any advisory group, property owner or tenant, the intent of this schedule and all applicable Council policies and guidelines.

- 5.2 Where, due to peculiarities of the site or special circumstances related to the use of the site, literal enforcement would result in unnecessary hardship, the Director of Planning may relax the maximum area of impermeable materials prescribed in this schedule, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## SCHEDULE NN

# RS-1A

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to maintain the residential character of the area in the form of duplexes, single detached houses, secondary suites, laneway houses and multiple conversion dwellings. Duplexes on sites larger than 511 m<sup>2</sup> must include at least 1 secondary suite. Retention of character houses is encouraged by permitting infill and multiple conversion dwellings where a character house is retained.

Without limitation, applicable Council policies and guidelines for consideration include the [Multiple Conversion Dwelling Guidelines \(RS-1A, RS-2, RS-7, RT-1 and RT-2 Districts\)](#), [Guidelines for Additions, Infill and Multiple Conversion Dwelling in Association with the Retention of a Character House in an RS Zone](#) and [RS Zones Impermeable Materials Site Coverage Guidelines for RS-1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-4, RS-5, RS-6, and RS-7 Zones](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RS-1A district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
334 m <sup>2</sup>	Duplex and Duplex with Secondary Suite	<a href="#">3.1</a>
	Single Detached House and Single Detached House with Secondary Suite	<a href="#">3.1</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>



## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm - Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a>
Infill, in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	
Laneway House	Conditional	<a href="#">2.2.2</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.3</a>
Multiple Conversion Dwelling, resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.4</a>
Multiple Conversion Dwelling, other than resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.5</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.6</a>

Use	Approval	Use-Specific Regulations
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.7</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.8</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	

Use	Approval	Use-Specific Regulations
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.
- 2.2.2 Laneway house is regulated by [Section 11](#) of this by-law and sections [3](#) and [4](#) of this schedule do not apply.
- 2.2.3 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.4 Multiple conversion dwelling resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted if it contains no housekeeping or sleeping units.
- 2.2.5 Multiple conversion dwelling, other than resulting from the retention of a character house existing on the site as of January 16, 2018, may be permitted if:
- (a) the Director of Planning considers the quality and liveability of the resulting units and the effect of the conversion on adjacent properties and the character of the area;
  - (b) there are no additions to the building;
  - (c) no housekeeping or sleeping units are created; and
  - (d) the number of dwelling units is limited to 2.
- 2.2.6 Principal dwelling unit with lock-off unit may be permitted only in:
- (a) a duplex and there may be no more than 1 lock-off unit for each dwelling unit; and
  - (b) a duplex with secondary suite if there is only 1 secondary suite and 1 lock-off unit, and the lock-off unit is in the dwelling unit without a secondary suite.
- 2.2.7 Community care facility – class A is subject to the regulations, variations, and relaxations that apply to single detached house.
- 2.2.8 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

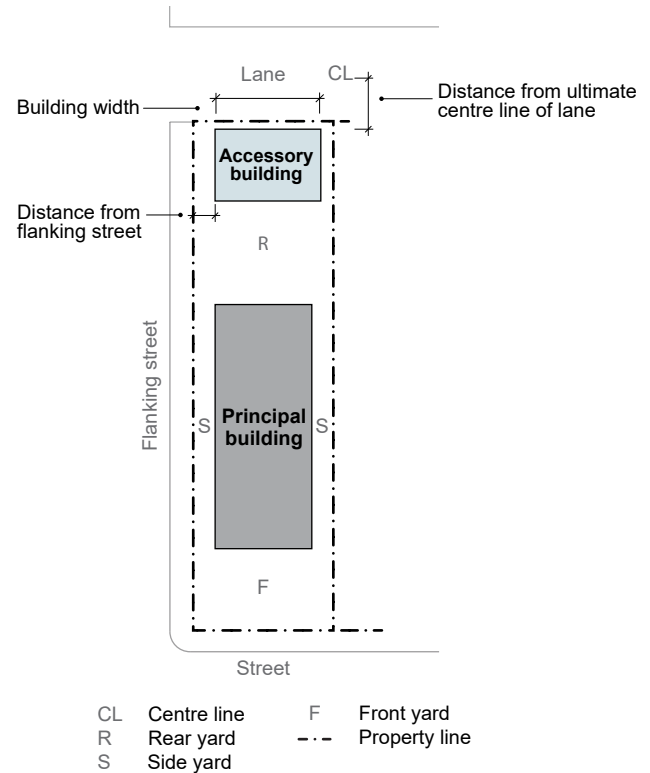
provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:

- (i) in the rear yard,
- (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
- (iii) at least 1.5 m from a flanking street;

- (c) for all uses except for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 35% of the minimum rear yard prescribed in this schedule, or 48 m<sup>2</sup>, whichever is the greater, except that the total allowable accessory building floor area will be reduced by the floor area of a laneway house;
- (d) for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>; and
- (e) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line.

**Diagram: Building placement for accessory building**



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

##### 3.1.1.1 The maximum floor space ratio for all uses except duplex and duplex with secondary suite is 0.60, except that:

- (a) where an existing lot is less than 7.3 m in width, the maximum floor space ratio must not exceed 0.45;
- (b) the floor space ratio is increased to 0.70 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;
- (c) for buildings existing prior to July 7, 2009, the floor space ratio for the area of all floors at, above or below finished grade, is increased to 0.75 to permit the addition of a basement or cellar, 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 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; and
- (d) the Director of Planning may increase the permitted floor space ratio to a maximum of:
  - (i) 0.75 to facilitate an addition to a character house, or
  - (ii) 0.85 for infill in combination with the retention of a character house,if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

##### 3.1.1.2 The maximum floor space ratio for duplex and duplex with secondary suite is 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, must not exceed 371 m<sup>2</sup>.

### 3.1.2 Building Form and Placement

Regulations	RS-1A
3.1.2.1 Minimum site area for:	334 m <sup>2</sup>
(a) duplex and duplex with secondary suite	
(b) single detached house and single detached house with secondary suite	
3.1.2.2 Maximum site area for duplex	511 m <sup>2</sup>
3.1.2.3 Maximum building height	10.7 m and 3 storeys
3.1.2.4 Minimum front yard depth	7.3 m
3.1.2.5 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.1.2.6 Minimum rear yard depth	10.7 m
3.1.2.7 Maximum site coverage for all buildings on:	
(a) an existing site with a site width less than 7.3 m	35% of the site area
(b) sites other than existing sites with a site width less than 7.3 m	45% of the site area
3.1.2.8 Maximum area of impermeable materials	60% of the site area
3.1.2.9 Maximum building depth for duplex and duplex with secondary suite	40% of the site depth

#### Site Area and Site Width

3.1.2.10 The Director of Planning may reduce the minimum site area on an existing lot of lesser site area on record in the Land Title Office.

3.1.2.11 The design of any new building will first require the approval of the Director of Planning if:

- (a) the site width is less than 9.8 m; or
- (b) the site area is less than 334 m<sup>2</sup>.

## Building Height

- 3.1.2.12 Despite the maximum building height in section 3.1.2.3 above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.

## Rear Yard

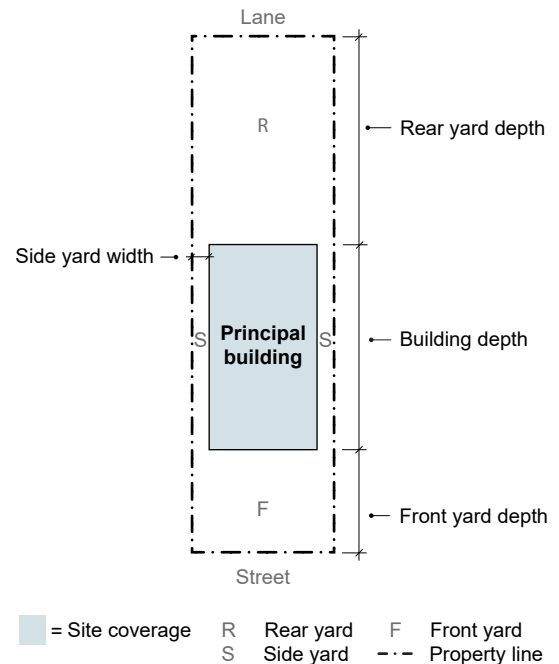
- 3.1.2.13 Despite the minimum rear yard depth in section 3.1.2.6 above, where the rear of the site abuts a lane, this required minimum depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

## Area of Impermeable Materials

- 3.1.2.14 The Director of Planning may increase the maximum area of impermeable materials for buildings existing prior to May 30, 2000 to a maximum of 70% of the total site area if:

- (a) the percentage of the site area covered by existing impermeable materials is not increased by the proposed development; and
- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for principal building**



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor space ratio must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total floor area permitted above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above the base surface and where developed as off-street parking are located in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:
  - (i) for all uses except for duplex and duplex 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 duplex and duplex 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 of these exclusions, when combined with the balcony and deck exclusions under subsection [4.1.2\(a\)](#) above, does not exceed 13% of the permitted floor area,
  - (v) for duplex and duplex with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and
  - (vi) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;
- (h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with section [4.1.2\(g\)](#) above, to which there is no access from the interior of the building;
- (i) the floor area of a laneway house; and
- (j) for duplex and duplex 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, if:
  - (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% of the permitted total floor area,

and despite the definition of “partial storey” in [Section 2](#) of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section [4.1.2\(j\)](#).

## 4.2 Site Coverage and Impermeability: Measurement

- 4.2.1 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 is 30%.
- 4.2.2 The maximum area of impermeable materials includes site coverage for all buildings.
- 4.2.3 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 multiplied by 3.1 m; and
- (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.

### 4.3 Building Depth: Measurement

4.3.1 Building depth means the distance between the front yard and the rear yard of a site.

### 4.4 External Design

4.4.1 For the purpose of this section 4.4, a "main entrance" means a door facing a street not being a lane, which is:

- (a) visible from the street; and
- (b) located at or within 1.8 m of grade, or connected to grade by stairs or a ramp.

4.4.2 For duplex and duplex with secondary suite, there must be:

- (a) 2 main entrances, 1 to each principal dwelling unit;
- (b) on a corner site, 1 main entrance facing the front street and 1 main entrance facing the flanking street; and
- (c) 1 entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.4.3 For duplex and duplex with secondary suite, the roof design must comply with the following provisions:

- (a) all roofs except for dormer roofs must:
  - (i) have a slope not less than 7:12 and not more than 12:12,
  - (ii) be either hip or gable, or a combination of both, and
  - (iii) 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 partial storey or attic above the second storey;
- (b) dormer roofs must be gable, hip or shed in form and must 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 must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and

- (e) despite section 4.4.3(d), 1 dormer, which faces an interior side yard and provides headroom over a stair and any intermediate and top landings that provide access from the second storey to the partial storey above, may have its face wall flush or continuous with the second storey exterior wall face below.

4.4.4 Exterior windows in a secondary suite or lock-off unit must have a minimum total glazing area of:

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

4.4.5 The Director of Planning may vary the requirements of section 4.4 for duplex and duplex 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 RELAXATIONS

5.1 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, the Director of Planning may relax the maximum area of impermeable materials prescribed in this schedule, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.



## SCHEDULE OO

# RS-1B

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of the schedule is to maintain the residential character of the area in the form of duplexes, single detached houses, secondary suites, laneway houses, infill or 2 single detached houses on some sites, and infill and multiple conversion dwellings in combination with the retention of character houses. Duplexes on sites larger than 511 m<sup>2</sup> must include at least 1 secondary suite. Acoustic regulations in [Section 10](#) of this by-law apply for all dwelling units.

Without limitation, applicable Council policies and guidelines for consideration include the [Riverside RS-1B Guidelines](#) and [Guidelines for Additions, Infill and Multiple Conversion Dwelling in Association with the Retention of a Character House in an RS Zone](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RS-1B district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
334 m <sup>2</sup>	Duplex or Duplex with Secondary Suite	<a href="#">3.1</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.1</a>
	Single Detached House in combination with another Single Detached House	<a href="#">3.1</a>
	Infill Single Detached House (other than in combination with the retention of a character house)	<a href="#">3.1</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a>
Infill, in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	
Infill Single Detached House, other than in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.2</a>
Laneway House	Conditional	<a href="#">2.2.3</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.4</a>
Multiple Conversion Dwelling, resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.5</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.6</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	

Use	Approval	Use-Specific Regulations
Single Detached House with Secondary Suite	Conditional	
Single Detached House, in combination with another Single Detached House	Conditional	<a href="#">2.2.2</a>
<b>Institutional Uses</b>		
Child Day Care Facility	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.7</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.8</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.

- 2.2.2 Infill single detached house or single detached house in combination with another single detached house may be permitted if:
- (a) the site has a secondary access, by way of either a lane or a flanking street;
  - (b) the infill single detached house or the second principal single detached house is located within the rear yard; and
  - (c) the number of dwelling units on the site does not exceed 2.
- 2.2.3 Laneway house is regulated by [Section 11](#) of this by-law and sections [3](#) and [4](#) of this schedule do not apply.
- 2.2.4 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.5 Multiple conversion dwelling resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted if it contains no housekeeping or sleeping units.
- 2.2.6 Principal dwelling unit with lock-off unit may be permitted only in:
- (a) a duplex and there may be no more than 1 lock-off unit for each dwelling unit; and
  - (b) a duplex with secondary suite if there is only 1 secondary suite and only 1 lock-off unit, and the lock-off unit is in the dwelling unit without a secondary suite.

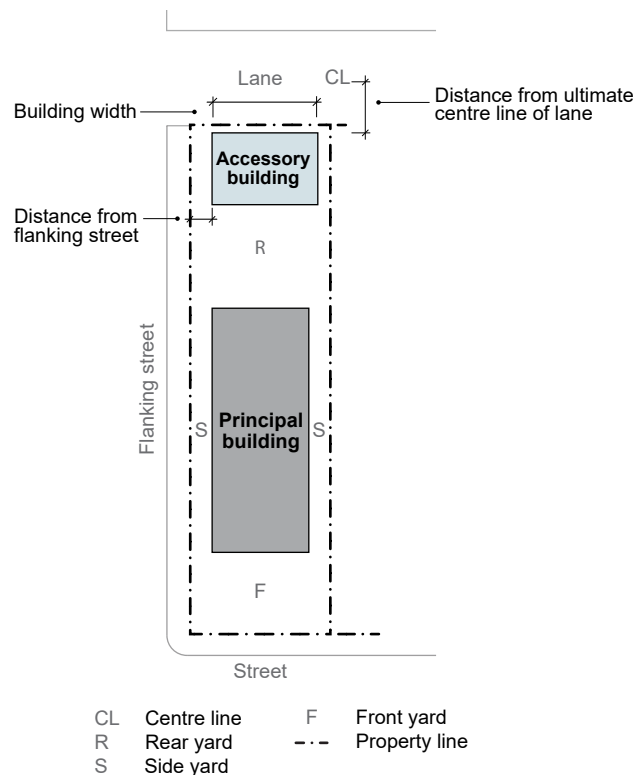
2.2.7 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.8 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.9 Accessory buildings customarily ancillary to any use listed in section [2.1](#) of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or

**Diagram: Building placement for accessory building**





- (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,  
provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
  - (i) in the rear yard,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 1.5 m from a flanking street;
- (c) for all uses except for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 35% of the minimum rear yard prescribed in this schedule, or 48 m<sup>2</sup>, whichever is the greater, except that the total allowable accessory building floor area will be reduced by the floor area of a laneway house;
- (d) for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>; and
- (e) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

Duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, infill single detached house, uses involving character house retention, and all other uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio for all uses except duplex and duplex with secondary suite is 0.60, provided that the floor area of a rear single detached house or infill single detached house must not exceed 40% of the total floor area, except that:

- (a) where an existing lot is less than 7.3 m in width, the maximum floor space ratio must not exceed 0.45;
- (b) the floor space ratio is increased to 0.70 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;
- (c) for buildings existing prior to July 7, 2009, the floor space ratio for the area of all floors at, above or below finished grade, is increased to 0.75 to permit the addition of a basement or cellar, 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 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; and
- (d) the Director of Planning may increase the permitted floor space ratio to a maximum of:
  - (i) 0.75 to facilitate an addition to a character house, or
  - (ii) 0.85 for infill in combination with the retention of a character house,if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.1.1.2 The maximum floor space ratio for duplex and duplex with secondary suite is 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 that has a floor surface located 1.8 m or more above finished grade, must not exceed 371 m<sup>2</sup>.

### 3.1.2 Building Form and Placement

Regulations	RS-1B
3.1.2.1 Minimum site area for:	334 m <sup>2</sup>
(a) duplex or duplex with secondary suite	
(b) single detached house or single detached house with secondary suite	
(c) 2 single detached houses on a site	
(d) infill single detached house	
3.1.2.2 Maximum site area for duplex	511 m <sup>2</sup>
3.1.2.3 Maximum building height for:	
(a) duplex or duplex with secondary suite	10.7 m and 3 storeys
(b) single detached house or single detached house with secondary suite	10.7 m and 3 storeys
(c) rear single detached house or infill single detached house	8.0 m and 2 storeys
3.1.2.4 Minimum front yard depth	7.3 m
3.1.2.5 Minimum side yard width for:	
(a) 1 side of any building	1.5 m
(b) the other side of any building where the site width:	
(i) does not exceed 15.0 m	10% of the site width
(ii) exceeds 15.0 m	1.5 m
3.1.2.6 Minimum rear yard depth for:	
(a) rear single detached house or infill	5.2 m from the ultimate centre line of the lane
(b) for all uses other than rear single detached house or infill	10.7 m

Regulations	RS-1B
3.1.2.7 Minimum building separation for dwelling uses	10.7 m
3.1.2.8 Maximum site coverage for all buildings on:	
(a) an existing site with a site width less than 7.3 m	35% of the site area
(b) sites other than existing sites with a site width less than 7.3 m	45% of the site area
3.1.2.9 Maximum area of impermeable materials	60% of the site area
3.1.2.10 Maximum building depth for duplex and duplex with secondary suite	40% of the site depth

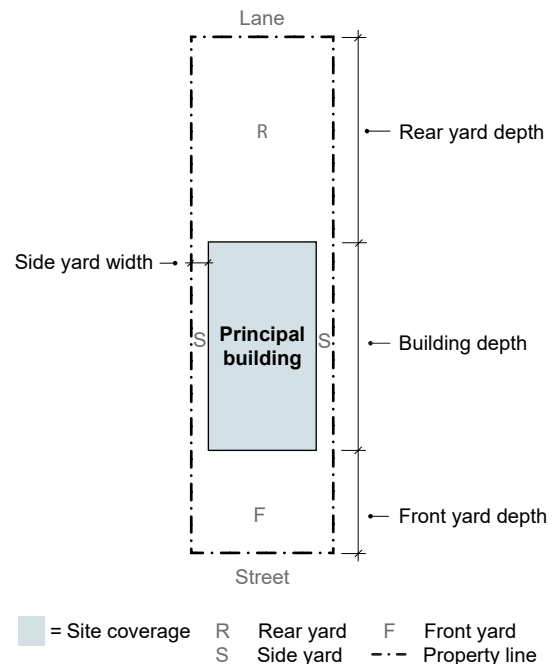
### Site Area and Site Width

- 3.1.2.11 The Director of Planning may reduce the minimum site area if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.1.2.12 The design of any new dwelling will first require the approval of the Director of Planning if:
- (a) the site width is less than 9.8 m; or
  - (b) the site area is less than 334 m<sup>2</sup>.

### Building Height

- 3.1.2.13 Despite the maximum building height in sections [3.1.2.3\(a\)](#) and [3.1.2.3\(b\)](#) above, the third storey of a duplex, duplex with secondary suite, single detached house or single detached house with secondary suite must be a partial storey not exceeding 50% of the storey immediately below.
- 3.1.2.14 Despite the maximum building height in section [3.1.2.3\(c\)](#) above, the second storey of a rear single detached house or single detached house with secondary suite must be a partial storey not exceeding 50% of the storey immediately below.
- 3.1.2.15 Despite the maximum building height in sections [3.1.2.3\(b\)](#) and [3.1.2.3\(c\)](#) above, no portion of a building may extend above 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.

**Diagram: Building placement for principal building**



3.1.2.16 Despite the maximum building height in section 3.1.2.3(c) above, where a rear single detached house or infill single detached house is located adjacent to a lane, the maximum height of the rear single detached house or infill must 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.

3.1.2.17 The Director of Planning may vary the building height requirements if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Side Yard

3.1.2.18 The Director of Planning may vary the minimum side yard if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Rear Yard

3.1.2.19 Despite the minimum rear yard depth in section 3.1.2.6(b) above, where the rear of the site abuts a lane the minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

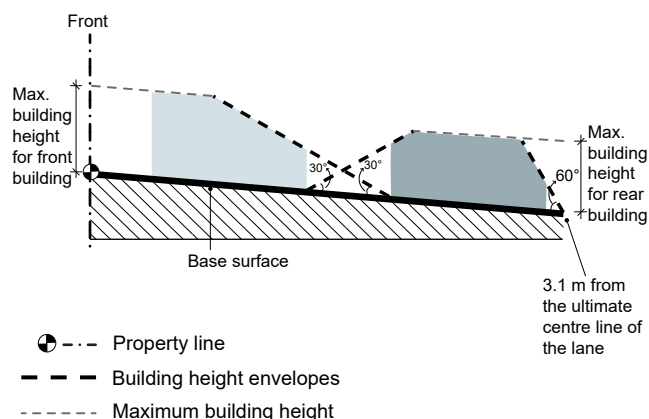
### Building Separation

3.1.2.20 The Director of Planning may vary the minimum building separation for dwelling uses if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

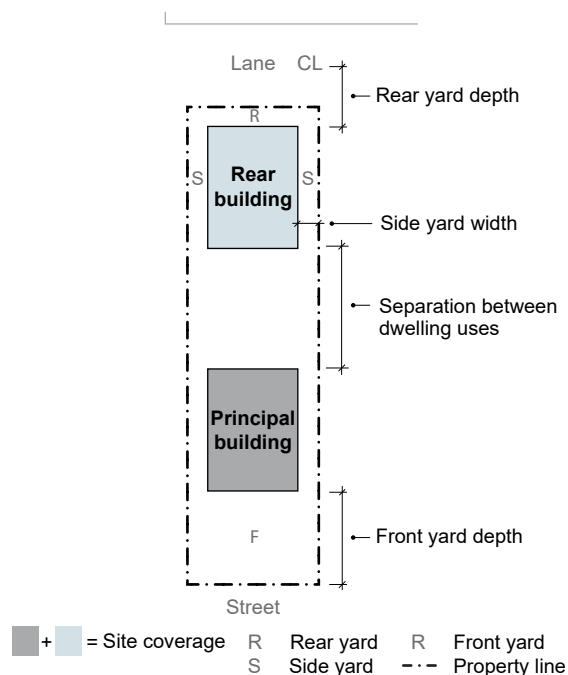
### Area of Impermeable Materials

3.1.2.21 The Director of Planning may increase the maximum area of impermeable materials for buildings existing prior to May 30, 2000 to a maximum of 70% of the total site area if:

**Diagram: Building height envelopes**



**Diagram: Building placement for 2 single detached houses on a site or infill**



- (a) the percentage of the site area covered by existing impermeable materials is not increased by the proposed development; and
- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above 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 does not exceed 7.3 m in length;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:
  - (i) for all uses except for duplex and duplex 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 duplex and duplex 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 of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area,
  - (v) for duplex and duplex with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and
  - (vi) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;
- (h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with section 4.1.2(g) above, to which there is no access from the interior of the building;
- (i) the floor area of a laneway house; and
- (j) for duplex and duplex 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, if:
  - (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% of the permitted total floor area,

and despite the definition of “partial storey” in Section 2 of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section 4.1.2(j).

## 4.2 Height: Measurement

- 4.2.1 For the purpose of calculating a partial storey, the floor area of the storey immediately below must 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 Yards: Measurement

- 4.3.1 Where a building line has been established pursuant to the provisions of section 8.1.2 of this by-law, such building line will be deemed to be the southerly boundary of any required rear yard on a riparian site, despite any dimension contained herein.

### 4.4 Site Coverage and Impermeability: Measurement

- 4.4.1 The maximum site coverage for any portion of the site used as parking area is 30%.
- 4.4.2 The maximum area of impermeable materials includes site coverage for all buildings.
- 4.4.3 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 multiplied by 3.1 m; and
  - (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.

### 4.5 Building Depth: Measurement

- 4.5.1 Maximum building depth means the distance between the front yard and the required minimum rear yard of a site.

### 4.6 External Design

- 4.6.1 Pedestrian access to the front street and lane must be provided and maintained for all dwellings.
- 4.6.2 For the purpose of this section 4.6 “main entrance” means a door facing a street that is not a lane, which is visible from the street and located at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means.
- 4.6.3 For duplex and duplex with secondary suite, there must be:
- (a) 2 main entrances, 1 to each principal dwelling unit;
  - (b) on a corner site, 1 main entrance facing the front street and 1 main entrance facing the flanking street; and
  - (c) 1 entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.
- 4.6.4 For duplex and duplex with secondary suite, the roof design must comply with the following:
- (a) all roofs except for dormer roofs must:

- (i) have a slope not less than 7:12 and not more than 12:12,
  - (ii) be either hip or gable, or a combination of both, and
  - (iii) 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 partial storey, or attic above the second storey;
- (b) dormer roofs must be gable, hip or shed, and must have a minimum slope of 4:12;
  - (c) the maximum total width of dormers provided on a partial storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
  - (d) all exterior dormer walls must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
  - (e) despite section 4.6.4(d) above, 1 dormer, which faces an interior side yard and provides headroom over a stair and any intermediate and top landings that provide access from the second storey to the partial storey above, may have its face wall flush or continuous with the second storey exterior wall face below.

4.6.5 Exterior windows in a secondary suite or lock-off unit must have a minimum total glazing area of:

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

4.6.6 For duplex and duplex with secondary suite, the Director of Planning may vary the requirements of sections 4.6.3, 4.6.4 and 4.6.5 above 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 RELAXATIONS

5.1 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, the Director of Planning may relax the maximum area of impermeable materials prescribed in this schedule, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## SCHEDULE PP

# RS-2

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to maintain the residential character of the area in the form of duplexes, single detached houses, secondary suites, laneway houses, infill, multiple conversion dwellings, multiple dwellings on large lots, and infill and multiple conversion dwellings in combination with the retention of character houses. Duplexes on sites larger than 511 m<sup>2</sup> must include at least 1 secondary suite.

Without limitation, applicable Council policies and guidelines for consideration include the [RS-2 and RS-7 Infill and Multiple Dwelling Guidelines](#), [Multiple Conversion Dwelling Guidelines \(RS-1A, RS-2, RS-7, RT-1 and RT-2 Districts\)](#) and [Guidelines for Additions, Infill and Multiple Conversion Dwelling in Association with the Retention of a Character House in an RS Zone](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RS-2 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
929 m <sup>2</sup>	Multiple Dwelling	<a href="#">3.1</a>
	Infill, other than in combination with a character house	<a href="#">3.1</a>
334 m <sup>2</sup>	Duplex or Duplex with Secondary Suite	<a href="#">3.2</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.2</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.2</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm - Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a>
Infill, in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	
Infill , other than in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	
Laneway House	Conditional	<a href="#">2.2.2</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.3</a>
Multiple Conversion Dwelling, resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.4</a>
Multiple Conversion Dwelling, other than resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.5</a>

Use	Approval	Use-Specific Regulations
Multiple Dwelling	Conditional	
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.6</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.7</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.8</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	

Use	Approval	Use-Specific Regulations
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.
- 2.2.2 Laneway house is regulated by [Section 11](#) of this by-law and sections [3](#) and [4](#) of this schedule do not apply.
- 2.2.3 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.4 Multiple conversion dwelling resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted if it contains no housekeeping or sleeping units.
- 2.2.5 Multiple conversion dwelling, other than resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted if:
- (a) the Director of Planning considers:
    - (i) the quality and liveability of the resulting units,
    - (ii) the suitability of the building for conversion in terms of age and size,
    - (iii) the impact of the conversion on adjacent properties, and
    - (iv) whether the building contributes to the neighbourhood character of the area; and
  - (b) there are no additions to the building.
- 2.2.6 Principal dwelling unit with lock-off unit may be permitted only in:
- (a) a duplex and there may be no more than 1 lock-off unit for each dwelling unit; and
  - (b) a duplex with secondary suite if there is only 1 secondary suite and 1 lock-off unit and the lock-off unit is in the dwelling unit without a secondary suite.
- 2.2.7 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.8 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

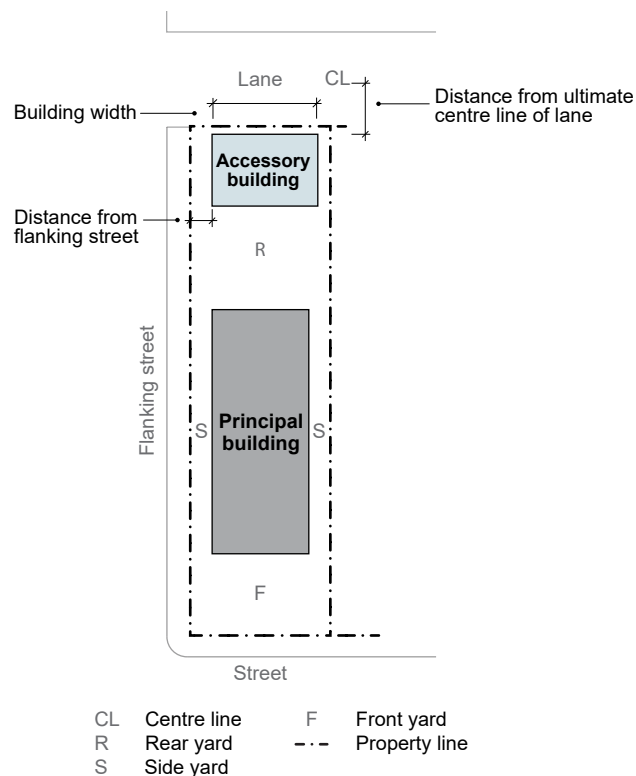
provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:

- (i) in the rear yard,
- (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
- (iii) at least 1.5 m from a flanking street;

- (c) for all uses except for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 35% of the minimum rear yard prescribed in this schedule, or 48 m<sup>2</sup>, whichever is the greater, except that the total allowable accessory building floor area will be reduced by the floor area of a laneway house;
- (d) for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>; and
- (e) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line.

**Diagram: Building placement for accessory building**



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 **Multiple Dwelling and Infill (other than in combination with the retention of a character house)**

Multiple dwelling and infill other than in combination with the retention of character house existing on site as of January 16, 2018 are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 0.75 which, for infill, includes the principal building on the site.

##### 3.1.2 Building Form and Placement

Regulations	RS-2
3.1.2.1 Minimum site area	929 m <sup>2</sup>
3.1.2.2 Maximum building height	10.7 m and 3 storeys
3.1.2.3 Minimum front yard depth	7.3 m
3.1.2.4 Minimum side yard width	2.1 m
3.1.2.5 Minimum rear yard depth	10.7 m
3.1.2.6 Maximum site coverage for all buildings	40% of the site area

##### **Building Height**

3.1.2.7 Despite the maximum building height in section [3.1.2.2](#) above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.

##### **Side Yard**

3.1.2.8 The Director of Planning may vary the minimum side yard width for infill, if:

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



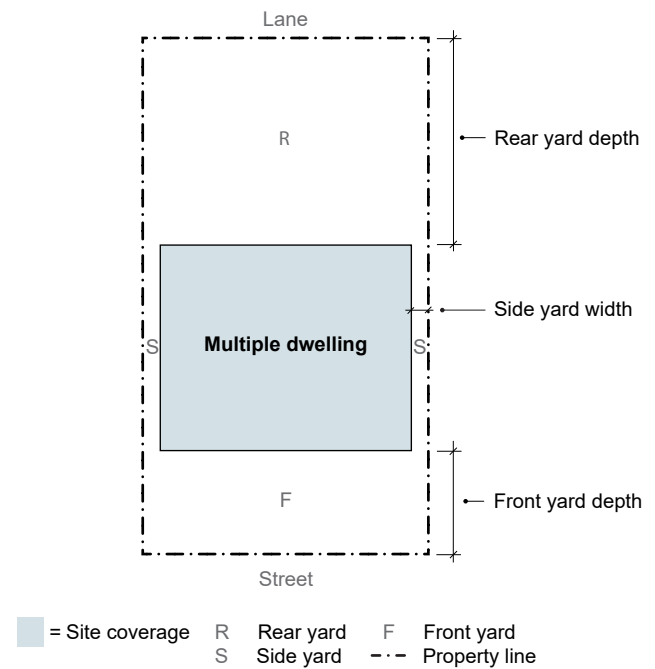
## Rear Yard

- 3.1.2.9 Despite the minimum rear yard depth in section 3.1.2.5 above, where the rear of a site abuts a lane, the minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

## Site Coverage

- 3.1.2.10 Despite the maximum site coverage in section 3.1.2.6 above, where no principal building exceeds 6.1 m or 1 storey plus a cellar in building height, the maximum site coverage is 55% of the site area.
- 3.1.2.11 The maximum site coverage in section 3.1.2.6 above includes coverage of the site by all buildings, surface parking, manoeuvring aisles, driveways, loading areas and other vehicular facilities.

**Diagram: Building placement for multiple dwelling**



## 3.2 Other Uses

Duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, uses involving character house retention, and all other uses not regulated by section 3.1 of this schedule are subject to the following regulations.

### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio for all uses except duplex and duplex with secondary suite is 0.60, except that:

- (a) the maximum floor space ratio is increased to 0.70 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;
- (b) for buildings existing prior to July 7, 2009, the floor space ratio for the area of all floors at, above or below finished grade, is increased to 0.75 to permit the addition of a basement or cellar, 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 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; and
- (c) the Director of Planning may increase the permitted floor space ratio to a maximum of:
  - (i) 0.75 to facilitate an addition to a character house, or
  - (ii) 0.85 for infill in combination with the retention of a character house,if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.2.1.2 The maximum floor space ratio for duplex and duplex with secondary suite is 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 that has a floor surface located 1.8 m or more above finished grade, must not exceed 371 m<sup>2</sup>.

### 3.2.2 Building Form and Placement

Regulations	RS-2
3.2.2.1 Minimum site area for:	334 m <sup>2</sup>
(a) duplex or duplex with secondary suite	
(b) single detached house or single detached house with secondary suite	
3.2.2.2 Maximum site area for duplex	511 m <sup>2</sup>
3.2.2.3 Maximum building height	10.7 m and 3 storeys
3.2.2.4 Minimum front yard depth	7.3 m
3.2.2.5 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of site width
(b) exceeds 15.0 m	1.5 m
3.2.2.6 Minimum rear yard depth	10.7 m
3.2.2.7 Maximum site coverage for all buildings	45% of the site area
3.2.2.8 Maximum area of impermeable materials	60% of the site area
3.2.2.9 Maximum building depth for duplex and duplex with secondary suite	40% of the site depth

#### Site Area and Site Width

3.2.2.10 The Director of Planning may reduce the minimum site area if the existing lot is on record in the Land Title Office.

3.2.2.11 The design of any new dwelling will first require the approval of the Director of Planning if:

- (a) the site width is less than 9.8 m; or
- (b) the site area is less than 334 m<sup>2</sup>.

#### Building Height

3.2.2.12 Despite the maximum building height in section [3.2.2.3](#) above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.

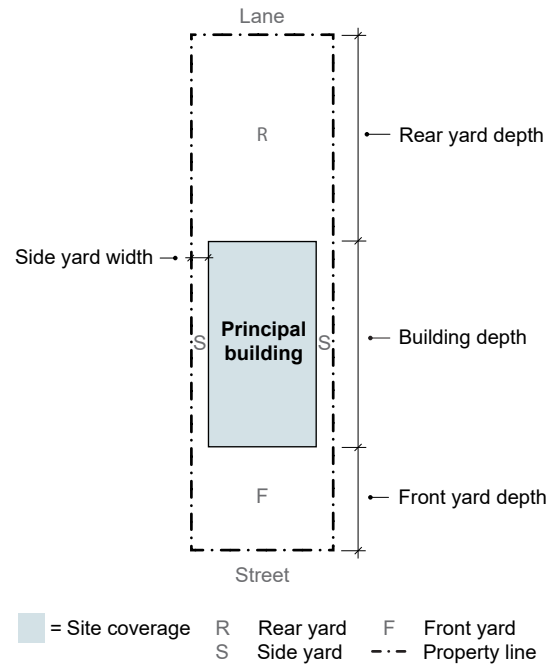
## Rear Yard

- 3.2.2.13 Despite the minimum rear yard depth in section 3.2.2.6 above, where the rear of a site abuts a lane, the minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

## Area of Impermeable Materials

- 3.2.2.14 The Director of Planning may increase the maximum area of impermeable materials for buildings existing prior to May 30, 2000 to a maximum of 70% of the total site area if:
- (a) the percentage of the site area covered by existing impermeable materials is not increased by the proposed development; and
  - (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for other uses**



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total floor area permitted above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units or in multiple dwellings, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above 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 does not exceed 7.3 m in length;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:
  - (i) for all uses except for duplex and duplex 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 duplex and duplex 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 of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area,
  - (v) for duplex and duplex with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and
  - (vi) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;
- (h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with section 4.1.2(g) above, to which there is no access from the interior of the building;
- (i) the floor area of a laneway house; and
- (j) for duplex and duplex 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, if:
  - (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% of the permitted total floor area,

and despite the definition of “partial storey” in Section 2 of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section 4.1.2(j).

## 4.2 Yards: Measurement

- 4.2.1 Where a building line has been established pursuant to section 8.1.2 of this by-law, such building line will 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, despite any dimension contained herein.

## 4.3 Site Coverage and Impermeability: Measurement

- 4.3.1 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 is 30%.

- 4.3.2 The maximum area of impermeable materials includes site coverage for all buildings.
- 4.3.3 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 multiplied by 3.1 m; and
  - (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.
- 4.4 Building Depth: Measurement
- 4.4.1 Maximum building depth means the maximum permitted distance between the front yard and the rear yard of a site.
- 4.5 Horizontal Angle of Daylight
- 4.5.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.5.2 For the purposes of section 4.5.1 above, habitable room means any room except a bathroom or kitchen.
- 4.5.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.5.4 The plane or planes referred to in section 4.5.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.5.5 An obstruction referred to in section 4.5.3 above means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.5.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 3.7 m.
- 4.6 External Design
- 4.6.1 For the purpose of this section 4.6, a "main entrance" means a door facing a street that is not a lane, and which is:
- (a) visible from the street; and

- (b) located at or within 1.8 m of grade or connected to grade by stairs or a ramp.

4.6.2 For duplex and duplex with secondary suite, there must be:

- (a) 2 main entrances, 1 to each principal dwelling unit;
- (b) on a corner site, 1 main entrance facing the front street and 1 main entrance facing the flanking street; and
- (c) 1 entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.6.3 For duplex and duplex with secondary suite, the roof design must comply with the following provisions:

- (a) all roofs except for dormer roofs must:
  - (i) have a slope not less than 7:12 and not more than 12:12,
  - (ii) be either hip or gable, or a combination of both, and
  - (iii) 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 partial storey or attic above the second storey;
- (b) dormer roofs must be gable, hip or shed, and must have a minimum slope of 4:12;
- (c) the maximum total width of dormers provided on a partial storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
- (d) all exterior dormer walls must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
- (e) despite section 4.6.3(d) above, 1 dormer, which faces an interior side yard and provides headroom over a stair and any intermediate and top landings that provide access from the second storey to the partial storey above, may have its face wall flush or continuous with the second storey exterior wall face below.

4.6.4 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.

4.6.5 For duplex and duplex with secondary suite, the Director of Planning may vary the requirements of this section 4.6 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 RELAXATIONS

- 5.1 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, the Director of Planning may relax the maximum area of impermeable materials prescribed in this schedule, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## SCHEDULE QQ

# RS-3 and RS-3A

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to maintain the residential character of the area in the form of single detached houses, secondary suites and laneway houses. Retention of character houses is encouraged by permitting infill and multiple conversion dwellings where a character house is retained. Emphasis is placed on encouraging neighbourly development by preserving outdoor space and views and by ensuring that the bulk and size of new development is similar to existing development. The RS-3 district permits a higher non-discretionary density than the RS-3A district.

Without limitation, applicable Council policies and guidelines for consideration include the [RS-3, RS-3A and RS-5 Design Guidelines](#) and [Guidelines for Additions, Infill and Multiple Conversion Dwelling in Association with the Retention of a Character House in an RS Zone](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RS-3 and RS-3A districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Infill, in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	
Laneway House	Conditional	2.2.1
Mixed-Use Residential Building	Conditional	2.2.2
Multiple Conversion Dwelling, resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	2.2.3
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	2.2.4
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	

Use	Approval	Use-Specific Regulations
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.5</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.6</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> , other than accessory buildings providing parking, and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.7</a>
Accessory Uses, customarily ancillary to any use listed in this section <a href="#">2.1</a> , and not permitted as an outright approval use	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Laneway house is regulated by [Section 11](#) of this by-law and sections [3](#) and [4](#) of this schedule do not apply.
- 2.2.2 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.3 Multiple conversion dwelling resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted if it contains no housekeeping or sleeping units.

- 2.2.4 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.5 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

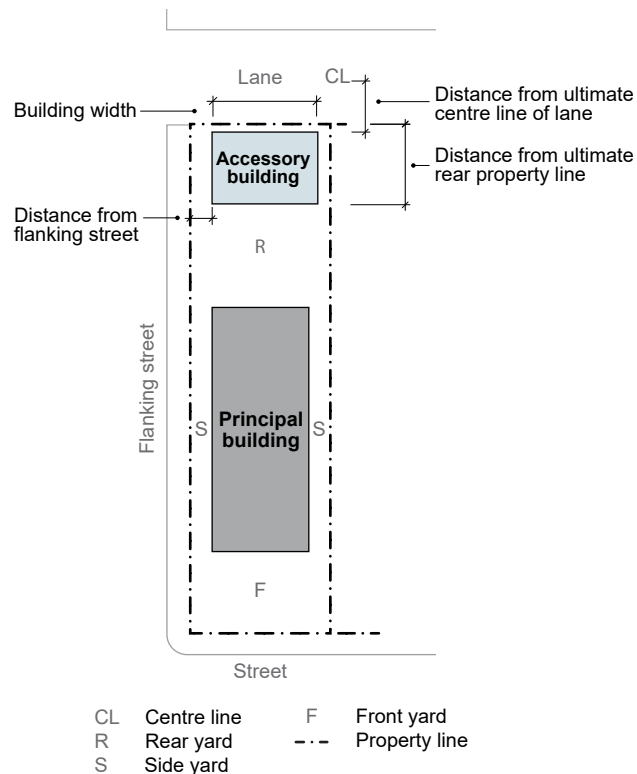
2.2.6 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
- (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:
- (i) within 7.9 m of the ultimate rear property line or within the permitted building depth and width as prescribed in this schedule,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 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, does not exceed 20% of the minimum rear yard prescribed in this schedule, or 48 m<sup>2</sup>, whichever is the greater, except that the total allowable accessory floor area will be reduced by the floor area of a laneway house;
- (d) the combined building width for all accessory buildings does not exceed 50% of the width of the site at the rear property line; and
- (e) roof decks and decks are not located on an accessory building that is not located within the permitted building depth as prescribed in this schedule.

**Diagram: Building placement for accessory building**



- 2.2.7      Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 of this schedule must be located within 7.9 m of the ultimate rear property line.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

Single detached house and single detached house with secondary suite, uses involving character retention, and all other uses in these districts are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 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 that has a floor surface located 2.0 m or more above finished grade, must not exceed a floor space ratio of:

- (a) 0.16 plus 130 m<sup>2</sup> in the RS-3 district; and
- (b) 0.12 plus 130 m<sup>2</sup> in the RS-3A district.

3.1.1.2 In all cases other than those described in 3.1.1.1 above, the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey that has a floor surface located 1.8 m or more above finished grade, must not exceed a floor space ratio of:

- (a) 0.16 plus 130 m<sup>2</sup> in the RS-3 district; and
- (b) 0.12 plus 130 m<sup>2</sup> in the RS-3A district.

3.1.1.3 The Director of Planning may increase the permitted floor space ratio to a maximum of 0.20 plus 130 m<sup>2</sup> if the Director of Planning first approves a plan showing existing and proposed landscaping and considers:

- (a) the intent of this schedule and all applicable Council policies and guidelines;
- (b) the impact of the increase in floor area on adjacent properties; and
- (c) the preservation of the architectural character of the area.

3.1.1.4 Despite sections 3.1.1.1, 3.1.1.2 and 3.1.1.3 above, the maximum floor area must not exceed 604 m<sup>2</sup>.

3.1.1.5 Despite sections 3.1.1.1, 3.1.1.2, 3.1.1.3 and 3.1.1.4 above, the Director of Planning may increase the permitted floor space ratio to a maximum of:

- (a) 0.25 plus 130 m<sup>2</sup> to facilitate an addition to a character house; or
- (b) 0.30 plus 130 m<sup>2</sup> for infill in combination with retention of a character house,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### 3.1.2 Building Form and Placement

Regulations		RS-3	RS-3A
3.1.2.1	Maximum building height	10.7 m and 3 storeys	9.2 m and 3 storeys
3.1.2.2	Required front yard depth	the average depth of the front yards of 2 adjacent sites on each side of the site	
3.1.2.3	Minimum side yard width	10% of the site width	
3.1.2.4	Minimum rear yard depth	10.7 m	
3.1.2.5	Maximum site coverage for all buildings	35% of the site area	
3.1.2.6	Maximum area of impermeable materials	60% of the site area	
3.1.2.7	Maximum building depth	40% of the site depth	
3.1.2.8	Maximum building width	70% of the site width	

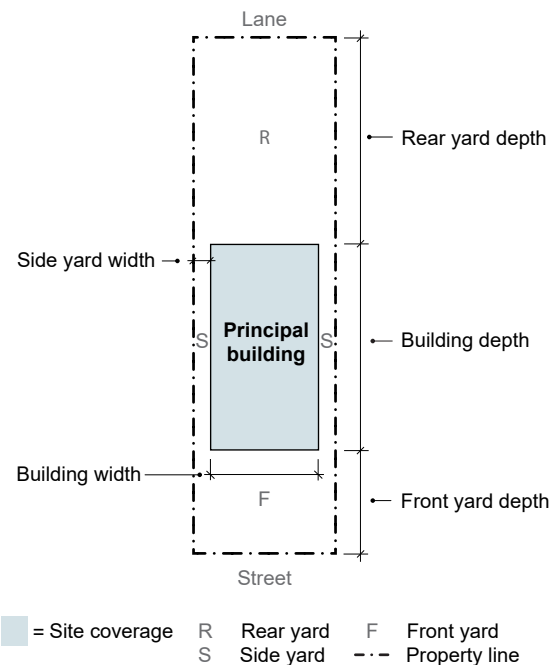
#### Building Height

3.1.2.9 Despite the maximum building height in section 3.1.2.1 above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.

3.1.2.10 In the RS-3A district, the Director of Planning may increase the permitted building height to a maximum of 10.7 m if:

- (a) all roofs are either gable, hip or gambrel roofs, and have a minimum slope of 7:12 over the whole roof area, except that:
  - (i) roofs covering only the first storey do not require a minimum slope, and
  - (ii) dormer roofs may have a minimum slope of 4:12 over their area; or
- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for principal building**





## **Front Yard**

3.1.2.11 Despite the required front yard depth in section 3.1.2.2 above:

- (a) where an adjacent site is vacant, it is deemed to have a front yard depth of 20% of the site depth;
- (b) if 1 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 will not be used in computing the average; and
- (c) where the site is adjacent to a flanking street or lane, the average depth will be computed using the remainder of the adjacent sites.

3.1.2.12 The Director of Planning may vary the required front yard depth on a double fronting site or a site where a building line has been established pursuant to section 8.1.1 of this by-law.

## **Area of Impermeable Materials**

3.1.2.13 The Director of Planning may increase the maximum area of impermeable materials for buildings existing prior to May 30, 2000 to a maximum of 70% of the total site area if:

- (a) the percentage of the site area covered by existing impermeable materials is not increased by the proposed development; and
- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 in building or relationship to yard setbacks, which exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, 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 and width prescribed in this schedule, up to a maximum of 42 m<sup>2</sup>;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;

- (f) basements, cellars and other spaces below floor surfaces:
  - (i) located less than 1.8 m above finished grade, or
  - (ii) for buildings existing prior to April 12, 1988, located less than 2.0 m above finished grade, and not extending beyond the outermost walls of the first or second storey at or above finished grade of the principal building, but including entries, porches and verandahs complying with the conditions of section 4.3.1 of this schedule;
- (g) entries, porches and verandahs, and covered porches above the first storey, if:
  - (i) they face a street or a rear property line and entries, porches and verandahs are located at the basement or first storey,
  - (ii) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height,
  - (iii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area, and
  - (iv) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the 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 section 4.1.2(g) above, to which there is no access from the interior of the building; and
- (i) the floor area of a laneway house.

- 4.1.3 In the case of a corner site, where the rear property line of a site adjoins the side yard of a site in an R district, without the intervention of a lane, the Director of Planning may vary the provisions of section 4.1.2 above to permit the exclusion of floor area used for off-street parking in the principal building up to a maximum of 42 m<sup>2</sup>.

## 4.2 Building Height: Measurement

- 4.2.1 Building height in this district must be measured from a hypothetical surface determined by joining the existing grades at the intersections of the hypothetical lines defining the front and rear yards and the side property lines, except that if 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 building height be measured from base surface.

## 4.3 Site Coverage and Impermeability: Measurement

- 4.3.1 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 is 30%.

- 4.3.2 The maximum area of impermeable materials includes site coverage for all buildings.
- 4.3.3 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 multiplied by 3.1 m; and
  - (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.
- 4.4 Building Depth: Measurement
- 4.4.1 Building depth means 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 will be measured from the front exterior wall rather than the required front yard.
- 4.4.2 Projections into front yards permitted in [Section 10](#) of this by-law will not be included in the calculation of building depth.
- 4.5 External Design
- 4.5.1 For the purpose of this section [4.5](#), “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.
- 4.5.2 For single detached house, there must be no more than 1 separate and distinct front entrance.
- 4.5.3 For single detached house with secondary suite, there must be no more than 2 separate and distinct front entrances.
- 4.5.4 Despite sections [4.5.2](#) and [4.5.3](#) above, the Director of Planning may, on the advice of the Chief Building Official, permit 1 additional front entrance if it provides access to a building existing prior to March 14, 1989.
- 4.5.5 The surface of the ground adjoining a building may be lowered only for the purpose of providing:
- (a) a window well for a basement or a cellar, if the lowered surface does not extend more than 1.0 m from the surface of a wall;
  - (b) a sunken entrance for a basement, if:
    - (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 building width or 4.6 m, whichever is the lesser; or
- (c) a sunken entrance for a cellar in buildings existing prior to June 23, 2020, if:
  - (i) it complies with section **4.5.5(b)** above, and
  - (ii) the depth of the lowered surface does not exceed 1.83 m below the average finished grade.

4.5.6 Exterior windows in a secondary suite must have:

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

## 5 RELAXATIONS

5.1 Where, due to conditions peculiar either to the site or to the proposed development, literal enforcement would result in unnecessary hardship, the Director of Planning may relax:

- (a) the minimum front yard depth, but in no case may the depth be reduced to less than 60% of the depth required in this schedule;
- (b) the minimum side yard width, but in no case may the width be reduced to less than 60% of the width required in this schedule;
- (c) the minimum rear yard depth, but in no case may the depth be reduced to less than 60% of the depth required in this schedule;
- (d) the maximum building depth;
- (e) the maximum building width; and
- (f) the floor space ratio exclusions for parking in accessory buildings in section **4.1.2(c)(i)** of this schedule,

if the Director of Planning considers the submission of any advisory group, property owner or tenant and the intent of this schedule and all applicable Council policies and guidelines.

5.2 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, the Director of Planning may relax the maximum area of impermeable materials prescribed in this schedule if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## SCHEDULE RR

# RS-5

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to maintain the residential character of the area in the form of duplexes, single detached houses, secondary suites, and laneway houses by encouraging new development that is compatible with the form and design of existing development and the established streetscape. Duplexes on sites larger than 511 m<sup>2</sup> must include at least 1 secondary suite. Retention of character houses is encouraged by permitting infill and multiple conversion dwellings where a character house is retained.

Without limitation, applicable Council policies and guidelines for consideration include the [RS-3, RS-3A and RS-5 Design Guidelines](#) and [Guidelines for Additions, Infill and Multiple Conversion Dwelling in Association with the Retention of a Character House in an RS Zone](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RS-5 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
334 m <sup>2</sup>	Duplex or Duplex with Secondary Suite	<a href="#">3.1</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.1</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Community Centre or Neighbourhood House	Conditional	
Golf Course or Driving Range	Conditional	
Library, in combination with Community Centre	Conditional	
Marina	Conditional	
Park or Playground	Conditional	
Stadium or Arena	Conditional	
Zoo or Botanical Garden	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a>
Infill, in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	
Infill Single Detached House, other than in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.2</a>
Laneway House	Conditional	<a href="#">2.2.3</a>

Use	Approval	Use-Specific Regulations
Mixed-Use Residential Building	Conditional	<a href="#">2.2.4</a>
Multiple Conversion Dwelling, resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.5</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.6</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.7</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.8</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.9</a>



Use	Approval	Use-Specific Regulations
Accessory Buildings, customarily ancillary to any use listed in this section 2.1 and not permitted as an outright approval use	Conditional	2.2.10
Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1	Outright	2.2.11
Accessory Uses, customarily ancillary to any conditional approval use listed in this section 2.1	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.

2.2.2 Infill single detached house may be permitted if:

- (a) it is for a caretaker;
- (b) it complies with the following:
  - (i) section 2.2.9(a) below for any portion of the building located within 7.9 m of the ultimate rear property line, and
  - (ii) sections 2.2.9(b), 2.2.9(d), 2.2.9(e) and 2.2.9(f) below; and
- (c) the floor area does not exceed 75 m<sup>2</sup> and is also counted in the accessory building area.

2.2.3 Laneway house is regulated by Section 11 of this by-law and sections 3 and 4 of this schedule do not apply.

2.2.4 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.

2.2.5 Multiple conversion dwelling resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted if it contains no housekeeping or sleeping units.

2.2.6 Principal dwelling unit with lock-off unit may be permitted only in:

- (a) a duplex and there may be no more than 1 lock-off unit for each dwelling unit; and
- (b) a duplex with secondary suite if there is only 1 secondary suite and only 1 lock-off unit, and the lock-off unit is in the dwelling unit without a secondary suite.

2.2.7 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.8 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

(b) all accessory buildings are located:

- (i) within 7.9 m of the ultimate rear property line or within the permitted building depth as prescribed in this schedule,
- (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
- (iii) at least 1.5 m from a flanking street;

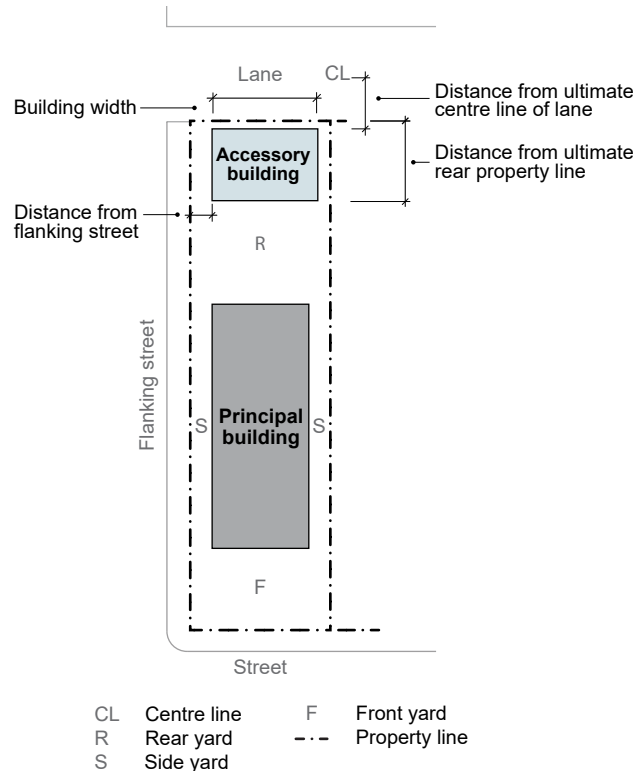
(c) for all uses except for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed the area given by the formula (site width in metres x 3.0 m) + 20 m<sup>2</sup>, except:

- (i) this area need not be less than 48 m<sup>2</sup>, and
- (ii) the floor area of a laneway house will be deducted from the total allowable accessory building floor area;

(d) for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>;

(e) the combined building width for all accessory buildings does not exceed 40% of the width of the site plus 4.2 m, where the width of the site is the average width of the portion of the site located within 7.9 m of the ultimate rear property line; and

**Diagram: Building placement for accessory building**



(f) roof decks and decks may only be located on an accessory building that is within the permitted building depth as prescribed in this schedule.

2.2.10 Accessory buildings customarily ancillary to any dwelling use listed in section 2.1 and not permitted as an outright approval use must not exceed the total floor area permitted in section 2.2.9 above.

2.2.11 Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 of this schedule must be located within 7.9 m of the ultimate rear property line.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

Duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, uses involving character house retention, and all other uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio for all uses except duplex and duplex with secondary suite is 0.60, except that:

- (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 that has a floor surface located 2.0 m or more above finished grade, must not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>;
- (b) in all cases other than those specified in section [3.1.1.1\(a\)](#) above, the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey that has a floor surface located 1.8 m or more above finished grade, must not exceed a floor space ratio of 0.16 plus 130 m<sup>2</sup>;
- (c) the Director of Planning may increase the permitted floor space ratio to a maximum of 0.70, and may permit an increase in the area of all floors described in sections [3.1.1.1\(a\)](#) and [3.1.1.1\(b\)](#) above to a floor space ratio not exceeding 0.24 plus 130 m<sup>2</sup>, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (d) the maximum floor space ratio is increased to 0.70 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 sections [3.1.1.1\(a\)](#) and [3.1.1.1\(b\)](#) above,
  - (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;
- (e) for buildings existing prior to July 7, 2009, the floor space ratio for the area of all floors at, above or below finished grade, is increased to 0.75 to permit the addition of a basement or cellar, 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 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; and

(f) the Director of Planning may increase the permitted floor space ratio to a maximum of:

(i) 0.75 to facilitate converting a character house to a multiple conversion dwelling, or

(ii) 0.85 for infill in combination with retention of a character house,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.1.1.2 The maximum floor space ratio for duplex and duplex with secondary suite is 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 that has a floor surface located 1.8 m or more above finished grade, must not exceed 371 m<sup>2</sup>.

### 3.1.2 Building Form and Placement

Regulations	RS-5
3.1.2.1 Minimum site area for:	
(a) duplex and duplex with secondary suite	334 m <sup>2</sup>
(b) single detached house and single detached house with secondary suite	334 m <sup>2</sup>
(c) a dwelling unit for a caretaker	3,000 m <sup>2</sup>
3.1.2.2 Maximum site area for duplex	511 m <sup>2</sup>
3.1.2.3 Minimum site width for:	7.3 m
(a) single detached house and single detached house with secondary suite	
(b) duplex and duplex with secondary suite	
3.1.2.4 Maximum building height for:	
(a) duplex and duplex with secondary suite	10.7 m and 3 storeys
(b) all other uses	9.2 m and 3 storeys
3.1.2.5 Required front yard depth	the average depth of the front yards of 2 adjacent sites on each side of the site

Regulations	RS-5
3.1.2.6 Minimum side yard width where the site width:	
(a) does not exceed 10.0 m	12% of the site width
(b) exceeds 10.0 m and is less than 13.0 m	percentage of site width = site width in metres + 2
(c) is equal to or exceeds 13.0 m	15% of the site width
3.1.2.7 Minimum rear yard depth	10.7 m
3.1.2.8 Maximum site coverage for all buildings for:	
(a) duplex and duplex with secondary suite	45% of the site area
(b) all other uses	40% of the site area
3.1.2.9 Maximum area of impermeable materials	60% of the site area
3.1.2.10 Maximum building depth	40% of the site depth

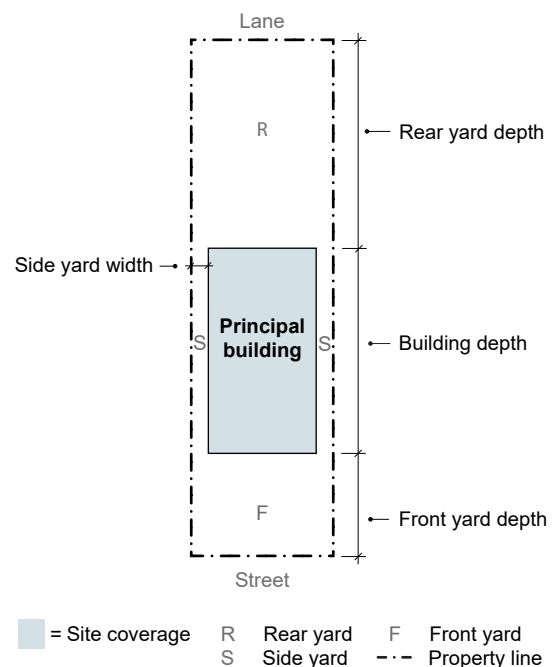
### Site Area and Site Width

- 3.1.2.11 The Director of Planning may reduce the minimum site area in sections [3.1.2.1\(a\)](#) and [3.1.2.1\(b\)](#) above if the existing lot is on record in the Land Title Office.
- 3.1.2.12 The design of any new dwelling will first require the approval of the Director of Planning if:
- (a) the site width is less than 9.8 m; or
  - (b) the site area is less than 334 m<sup>2</sup>.

### Building Height

- 3.1.2.13 Despite the maximum building height in section [3.1.2.4](#) above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.
- 3.1.2.14 The Director of Planning may increase the permitted building height in section [3.1.2.4\(b\)](#) above to a height not exceeding 10.7 m if:

**Diagram: Building placement for principal building**



- (a) all roofs, other than roofs covering only the first storey:
  - (i) have no flat portions,
  - (ii) have a minimum slope of 7:12 over the whole roof area, except for dormer roofs which may have a minimum slope of 4:12, and
  - (iii) are limited to gable, hip or gambrel roofs; or
- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Front Yard

3.1.2.15 Despite the required front yard depth in section 3.1.2.5 above:

- (a) where an adjacent site is vacant, it is deemed to have a front yard depth of 20% of the site depth;
- (b) if 1 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 will not be used in computing the average; and
- (c) where the site is adjacent to a flanking street or lane, the average depth will be computed using the remainder of the adjacent sites.

3.1.2.16 If the provisions of sections 3.1.2.5, 3.1.2.7 and 3.1.2.15 above result in a distance between the front yard and the rear yard that is less than 40% of the site depth, and if the principal building is sited so that it abuts the required rear yard, the required front yard depth will be reduced so that the distance between the front yard and the rear yard is equal to 40% of the site depth.

3.1.2.17 If the depth of the required front yard is greater than 20% of the site depth, the Director of Planning may permit a reduction in the required front yard depth by an amount not exceeding 60% of the difference between the required front yard depth and 20% of the site depth, provided that the reduction must not exceed 1.5 m.

3.1.2.18 The Director of Planning may decrease the required front yard depth on a double fronting site or a site where a building line has been established pursuant to section 8.1.1 of this by-law.

## Side Yard

3.1.2.19 Despite the minimum side yard width in section 3.1.2.6(c) above, a side yard on 1 side of a building may be decreased to 10% of the site width provided that the portion of the building abutting the decreased side yard:

- (a) does not exceed 65% of the permitted building depth;
- (b) is set back a minimum of 1.0 m from the required front yard;
- (c) does not exceed 1 storey in height; and

- (d) does not include a roof deck, except that the Director of Planning may permit a roof deck if the Director of Planning considers the impact on the privacy of the adjacent property.

3.1.2.20 Despite the minimum side yard width in section 3.1.2.6 above and the requirements of section 10.4 of this by-law, in the case of a corner site that has located at its rear, with or without the intervention of a lane, a site that fronts on the street flanking the corner site, the exterior side yard may be reduced to 10% of the site width provided that the portion of building abutting the decreased side yard:

- (a) does not exceed 65% of the permitted building depth;
- (b) is set back a minimum of 1.0 m from the required front yard; and
- (c) does not exceed 1 storey in height.

#### **Area of Impermeable Materials**

3.1.2.21 The Director of Planning may increase the maximum area of impermeable materials for buildings existing prior to October 8, 1996 to a maximum of 70% of the total site area if:

- (a) the percentage of the site area covered by existing impermeable materials is not increased by the proposed development; and
- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 in building or relationship to yard setbacks, which exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, 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 prescribed in this schedule, up to a maximum of 42 m<sup>2</sup>;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, provided the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:
  - (i) for all uses except for duplex and duplex 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 duplex and duplex 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 of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area,
  - (v) for duplex and duplex with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and
  - (vi) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;
- (h) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with section 4.1.2(g) above, to which there is no access from the interior of the building;
- (i) the floor area of a laneway house; and
- (j) 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, if:
  - (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% of the permitted floor area above finished grade, and despite the definition of “partial storey” in Section 2 of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section 4.1.2(j).

- 4.1.3 In the case of a corner site, where the rear property line of a site adjoins the side yard of a site in an R district, without the intervention of a lane, the Director of Planning may vary the provisions of section 4.1.2 above 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>.

## 4.2 Building Height: Measurement

- 4.2.1 Building height in this district must be measured from a hypothetical surface determined by joining the existing grades at the intersections of the hypothetical lines defining the front and rear yards and the

side property lines, except that if 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 building height be measured from base surface.

#### 4.3 Site Coverage and Impermeability: Measurement

- 4.3.1 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 is 30%.
- 4.3.2 The maximum area of impermeable materials includes site coverage for all buildings.
- 4.3.3 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 multiplied by 3.1 m; and
  - (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.

#### 4.4 Building Depth: Measurement

- 4.4.1 Building depth means 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 will be measured from the front exterior wall rather than the required front yard.
- 4.4.2 Projections into front yards permitted under [Section 10](#) of this by-law will not be included in the calculation of building depth.

#### 4.5 External Design

- 4.5.1 For the purpose of this section [4.5](#):
  - (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
  - (b) “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.
- 4.5.2 For single detached house, there must be no more than 1 separate and distinct front entrance.
- 4.5.3 For single detached house with secondary suite, there must be no more than 2 separate and distinct front entrances.

- 4.5.4 For single detached house and single detached house with secondary suite, a side entrance must face a street or lane, or be located no less than 5.0 m from the side property line, except that there must be no more than 1 side entrance facing each side property line.
- 4.5.5 Despite sections 4.5.2, 4.5.3 and 4.5.4 above, the Director of Planning may, on the advice of the Chief Building Official, permit 1 additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989.
- 4.5.6 The surface of the ground adjoining a building may be lowered only for the purpose of providing:
- (a) a window well for a basement or a cellar, if the lowered surface does not extend more than 1.0 m from the surface of a wall;
  - (b) a sunken entrance for a basement, if:
    - (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 building width or 4.6 m, whichever is the lesser; or
  - (c) a sunken entrance for a cellar in buildings existing prior to June 23, 2020, if:
    - (i) it complies with section 4.5.6(b) above, and
    - (ii) the depth of the lowered surface does not exceed 1.83 m below the average finished grade.
- 4.5.7 For duplex and duplex with secondary suite, there must be:
- (a) 2 main entrances, 1 to each principal dwelling unit;
  - (b) on a corner site, 1 main entrance facing the front street and 1 main entrance facing the flanking street; and
  - (c) 1 entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.
- 4.5.8 For duplex and duplex with secondary suite, the roof design must comply with the following provisions:
- (a) all roofs except for dormer roofs must:
    - (i) have a slope not less than 7:12 and not more than 12:12,
    - (ii) be either hip or gable, or a combination of both, and
    - (iii) 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 partial storey, or attic above the second storey;

- (b) dormer roofs must be gable, hip or shed, and must have a minimum slope of 4:12;
- (c) the maximum total width of dormers provided on a partial storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
- (d) all exterior dormer walls must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
- (e) despite section 4.5.8(d) above, 1 dormer, which faces an interior side yard and provides headroom over a stair and any intermediate and top landings that provide access from the second storey to the partial storey above, may have its face wall flush or continuous with the second storey exterior wall face below.

4.5.9 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.

4.5.10 For duplex and duplex with secondary suite, the Director of Planning may vary the requirements of sections 4.5.6, 4.5.7, 4.5.8, and 4.5.9 above 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 RELAXATIONS

5.1 Where, due to conditions peculiar either to the site or to the proposed development, literal enforcement would result in unnecessary hardship, the Director of Planning may relax:

- (a) the minimum front yard depth, but in no case may the depth be reduced to less than 60% of the depth required in this schedule;
- (b) the minimum side yard width, but in no case may the width be reduced to less than 60% of the width required in this schedule;
- (c) the minimum rear yard depth, but in no case may the depth be reduced to less than 60% of the depth required in this schedule;
- (d) the maximum building depth; and
- (e) the floor space ratio exclusions for parking in accessory buildings in section 4.1.2(c)(i) of this schedule,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

- 5.2 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, the Director of Planning may relax the maximum area of impermeable materials prescribed in this schedule if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## SCHEDULE SS

# RS-6

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to maintain the residential character of the area in the form of duplexes, single detached houses, secondary suites and laneway houses. Duplexes on sites larger than 511 m<sup>2</sup> must include at least 1 secondary suite. Retention of character houses is encouraged by permitting infill and multiple conversion dwellings where a character house is retained. This schedule encourages a high standard of building design, materials, and landscape development, while allowing design diversity in new development. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting that reflects the established streetscape.

Without limitation, applicable Council policies and guidelines for consideration include the [RS-6 Design Guidelines](#) and [Guidelines for Additions, Infill and Multiple Conversion Dwelling in Association with the Retention of a Character House in an RS Zone](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RS-6 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
334 m <sup>2</sup>	Duplex or Duplex with Secondary Suite	<a href="#">3.1</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.1</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Community Centre or Neighbourhood House	Conditional	
Golf Course or Driving Range	Conditional	
Library, in combination with Community Centre	Conditional	
Marina	Conditional	
Park or Playground	Conditional	
Stadium or Arena	Conditional	
Zoo or Botanical Garden	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a>
Infill, in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	
Infill Single Detached House	Conditional	<a href="#">2.2.2</a>
Laneway House	Conditional	<a href="#">2.2.3</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.4</a>



Use	Approval	Use-Specific Regulations
Multiple Conversion Dwelling, resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.5</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.6</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.7</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.8</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	

Use	Approval	Use-Specific Regulations
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.
- 2.2.2 Infill single detached house, other than in combination with the retention of a character house existing on the site as of January 16, 2018, may be permitted if:
- (a) it is for a caretaker;
  - (b) it complies with the following:
    - (i) section [2.2.9\(a\)](#) below for any portion of the building located within 7.9 m of the ultimate rear property line, and
    - (ii) sections [2.2.9\(b\)](#), [2.2.9\(d\)](#), [2.2.9\(e\)](#) and [2.2.9\(f\)](#) below; and
  - (c) the floor area does not exceed 75 m<sup>2</sup> and is also counted in the accessory building area.
- 2.2.3 Laneway house is regulated by [Section 11](#) of this by-law and sections [3](#) and [4](#) of this schedule do not apply.
- 2.2.4 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.5 Multiple conversion dwelling resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted if it contains no housekeeping or sleeping units.
- 2.2.6 Principal dwelling unit with lock-off unit may be permitted only in:
- (a) a duplex and there may be no more than 1 lock-off unit for each dwelling unit; and
  - (b) a duplex with secondary suite if there is only 1 secondary suite and only 1 lock-off unit and the lock-off unit is in the dwelling unit without a secondary suite.
- 2.2.7 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.8 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

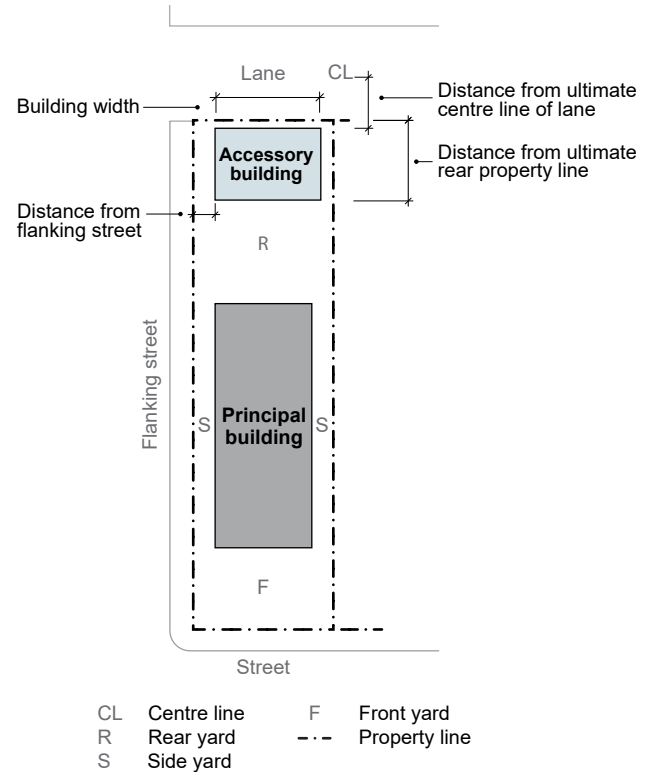
- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:
  - (i) within 7.9 m of the ultimate rear property line or within the permitted building depth as prescribed in this schedule,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 1.5 m from a flanking street;

- (c) for all uses except for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 30% of the minimum rear yard prescribed in this schedule, or 48 m<sup>2</sup>, whichever is the greater, except that the total allowable accessory building floor area will be reduced by the floor area of a laneway house;
- (d) for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>;
- (e) the combined building width for all accessory buildings does not exceed 67% of the width of the site at the rear property line; and
- (f) roof decks and decks are only located on an accessory building that is within the permitted building depth as prescribed in this schedule.

**Diagram: Building placement for accessory building**



- 2.2.10 Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 of this schedule must comply with the provisions of section 2.2.9(b) above.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

Duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, uses involving character retention, and all other uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio for all uses except duplex and duplex with secondary suite is 0.60, except that:

- (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 that has a floor surface located 2.0 m or more above finished grade, all of which floors are located within the building depth prescribed in sections [3.1.2.10\(b\)](#) and [3.1.2.10\(c\)](#) of this schedule, must 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 that has a floor surface located 1.8 m or more above finished grade, all of which floors are located within the building depth prescribed in sections [3.1.2.10\(b\)](#) and [3.1.2.10\(c\)](#) of this schedule, must not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>;
- (c) in all cases other than those described in sections [3.1.1.1\(a\)](#) and [3.1.1.1\(b\)](#) above, the area of all floors at or above finished grade and of the floors of any storey, basement, or cellar located below a storey that has a floor surface located 1.8 m or more above finished grade, all of which floors are located within the building depth prescribed in sections [3.1.2.10\(b\)](#) and [3.1.2.10\(c\)](#) of this schedule, must not exceed a floor space ratio of 0.16 plus 130 m<sup>2</sup>;
- (d) the Director of Planning may increase the permitted floor space ratio to 0.64 if:
  - (i) the first and second storeys of the building do not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>,
  - (ii) where a partial storey is provided above the second storey, the area of all floors on the first, second and partial storey above the second storey do not exceed a floor space ratio of 0.24 plus 130 m<sup>2</sup>,
  - (iii) the total floor space ratio does 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, and
  - (iv) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (e) the floor space ratio is increased to 0.70 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 sections **3.1.1.1(a)**, **3.1.1.1(b)**, **3.1.1.1(c)** and **3.1.1.1(d)** above,
  - (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;
- (f) for buildings existing prior to July 7, 2009, the floor space ratio for the area of all floors at, above or below finished grade, is increased to 0.75 to permit the addition of a basement or cellar, 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 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; and
- (g) the Director of Planning may increase the permitted floor space ratio to a maximum of:
- (i) 0.75 to facilitate an addition to a character house, or
  - (ii) 0.85 for infill in combination with the retention of a character house,
- if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**3.1.1.2** The Director of Planning may vary section **3.1.1.1(d)(ii)** above for:

- (a) 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 partial storey above an existing second storey is not possible due to designated flood construction levels; and
- (b) 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 partial 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.

**3.1.1.3** The maximum floor space ratio for duplex and duplex with secondary suite is 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 that has a floor surface located 1.8 m or more above finished grade, must not exceed 371 m<sup>2</sup>.

### 3.1.2 Building Form and Placement

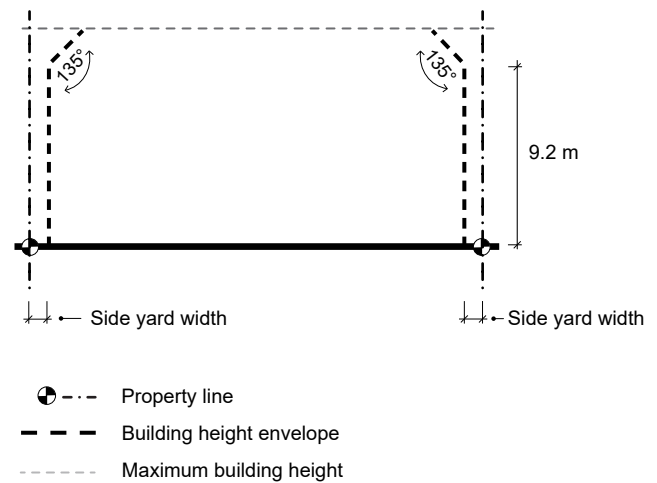
Regulations		RS-6
3.1.2.1	Minimum site area for:	
	(a) duplex or duplex with secondary suite	334 m <sup>2</sup>
	(b) single detached house or single detached house with secondary suite	334 m <sup>2</sup>
	(c) a dwelling unit for a caretaker	3000 m <sup>2</sup>
3.1.2.2	Maximum site area for duplex	511 m <sup>2</sup>
3.1.2.3	Minimum site width for:	7.3 m
	(a) duplex or duplex with secondary suite	
	(b) single detached house or single detached house with secondary suite	
3.1.2.4	Maximum building height	10.7 m and 3 storeys
3.1.2.5	Minimum front yard depth	20% of the site depth
3.1.2.6	Minimum side yard width where the site width:	
	(a) does not exceed 21.3 m	12% of the site width
	(b) exceeds 21.3 m	% of the site width = [(site width in metres – 21.3 m) x 0.66] + 12
3.1.2.7	Minimum rear yard depth	40% of the site depth
3.1.2.8	Maximum site coverage for all buildings for:	
	(a) duplex or duplex with secondary suite	45% of the site area
	(b) all other uses	40% of the site area
3.1.2.9	Maximum area of impermeable materials	60% of the site area
3.1.2.10	Maximum building depth for:	
	(a) duplex or duplex with secondary suite	45% of the site depth
	(b) all other uses, for the centre 60% of the maximum permitted building width	40% of the site depth





- (a) where an adjacent site is vacant, it is deemed to have a front yard depth of 20% of the site depth;
- (b) if 1 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 will not be used in computing the average; and
- (c) where the site is adjacent to a flanking street or lane, the average depth will be computed using the remainder of the adjacent sites.

**Diagram: Maximum building height envelope**



- 3.1.2.16 The Director of Planning may vary the required front yard depth on a double fronting site or a site where a building line has been established pursuant to section 8.1.1 of this by-law.
- 3.1.2.17 If the provisions of sections 3.1.2.7 and 3.1.2.15 above result in a distance between the front yard and the rear yard that is less than 40% of the site depth, and if the principal building is sited so that it abuts the required rear yard, the required front yard depth will be reduced so that the distance between the front yard and the rear yard is equal to 40% of the site depth.

### Side Yard

- 3.1.2.18 Despite the minimum side yard width in section 3.1.2.6(b) above, a side yard need not exceed a width of 20% of the site width.

### Rear Yard

- 3.1.2.19 Despite the minimum rear yard depth in section 3.1.2.7 above, the required rear yard depth will be reduced to a depth of not less than the largest of the rear yard depths of the sites on either side, subject to the following:
  - (a) where an abutting site is vacant, it is deemed to have a rear yard depth of 40% 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 will not be used in determining the reduction of the required rear yard depth;
  - (c) where the site has an exterior side yard, the required rear yard depth will be reduced to that of the abutting site; and
  - (d) any portion of the principal building to be located within that part of the minimum rear yard depth decreased as provided for in this section 3.1.2.19 must comply with the provisions of section 2.2.9(a) of this schedule.

- 3.1.2.20 For buildings existing prior to April 12, 1988, the required rear yard depth will be reduced by an amount not exceeding 3.1 m, provided that the resulting depth of the principal building does not exceed 40% of the site depth. The floor of a roof deck or deck located within that part of the rear yard decreased as provided for in this section **3.1.2.20** must not be any higher than the floor of the first storey of the principal building.

#### **Area of Impermeable Materials**

- 3.1.2.21 The Director of Planning may increase the maximum area of impermeable materials for buildings existing prior to March 26, 1996 to a maximum of 70% of the total site area if:
- (a) the percentage of the site area covered by existing impermeable materials is not increased by the proposed development; and
  - (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### **Building Depth**

- 3.1.2.22 Despite the maximum building depth in section **3.1.2.10(c)** above, for corner sites, the maximum building depth for the 20% portion of the maximum building width facing a flanking street or lane is 40%.
- 3.1.2.23 Despite the maximum building depth in section **3.1.2.10(c)** above, where a 20% portion of the maximum building width is adjacent to a site fronting the same street, and the projected rear of the principal building on that site, excluding any decks at or below the first storey floor level, extends further back than the 35% building depth of the subject site, the building depth for this portion of the subject site may be increased to match the projected building depth of the principal building on the adjacent site to a maximum of 40%.
- 3.1.2.24 Despite the maximum building depth in section **3.1.2.10(c)** above, open and covered decks, at or below the first storey floor level, and basements and cellars may project to a maximum 40% of the site depth.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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) in the computation of the above-grade floor space ratio, areas of basement or cellar below those decks, skylights or roofs that are greater than 1.8 m above the horizontal datum plane as described in section 4.2.2 and section 4.2.3; and
- (e) the floor area of bay windows, regardless of seat height, location in building or relationship to yard setbacks, which exceeds the product of the total floor area permitted above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, 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 prescribed in this schedule, up to a maximum of 42 m<sup>2</sup>;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located above the highest storey or partial 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 partial 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) floors located below the first storey as defined in section 4.1.3(a) below with a height of less than 1.2 m measured to the underside of floor joists;
- (h) entries, porches and verandahs, and covered porches above the first storey, if:
  - (i) for all uses except for duplex and duplex 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 duplex and duplex 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 of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area,
  - (v) for duplex and duplex with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m,
  - (vi) for duplex and duplex with secondary suite, the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor, and
  - (vii) for all uses except for duplex and duplex with secondary suite, the maximum height must comply with section 4.6.2.15 of this schedule;
- (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 section 4.1.2(h) above, to which there is no access from the interior of the building;
- (j) the floor area of a laneway house; and
- (k) 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, if:
  - (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% of the permitted floor area above the basement or cellar level,

and despite the definition of “partial storey” in Section 2 of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section 4.1.2(k).

- 4.1.3 For the purposes of this schedule:
- (a) the first storey must 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 must be the next storey above the first storey, but no portion of the second storey floor level must exceed 3.7 m above the first storey floor level.
- 4.1.4 In the case of a corner site, where the rear property line of a site adjoins the side yard of a site in an R district, without the intervention of a lane, the Director of Planning may vary the provisions of section 4.1.2 above 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>.

## 4.2 Building Height: Measurement

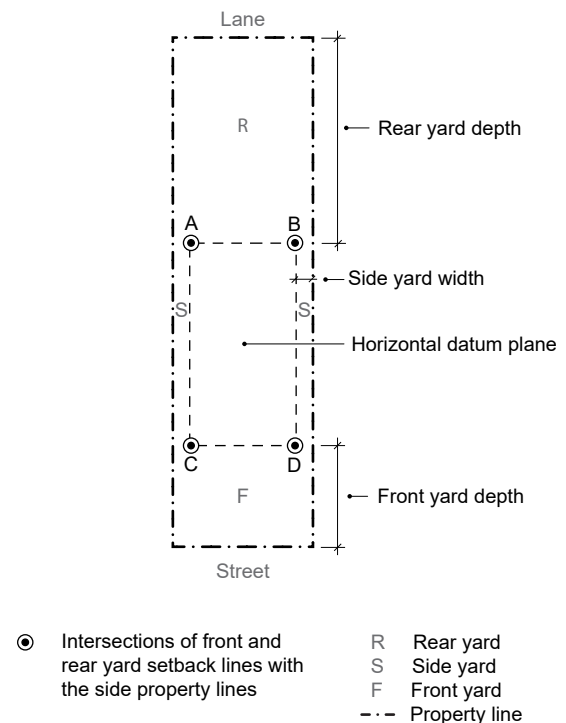
- 4.2.1 The height of any building, including any accessory building, located within the permitted building depth prescribed in this schedule must be measured from the horizontal datum plane.

- 4.2.2 For the purposes of this schedule, the horizontal datum plane is a single horizontal, flat surface, the elevation of which is 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.

- 4.2.3 Despite section 4.2.2 above, the elevation of the horizontal datum plane must not exceed an elevation of 1.5 m above the lowest of the elevations averaged to determine the elevation of this plane.

- 4.2.4 Despite sections 4.2.1, 4.2.2 and 4.2.3 above, the height of an accessory building not within the permitted building depth prescribed in this schedule must be measured from existing grade around the perimeter of the accessory building.

**Diagram: Horizontal datum plane**



$$\text{HDP} = \frac{A + B + C + D}{4}$$

#### 4.3 Yards: Projections and Measurement

- 4.3.1 Despite the yard projection regulations in [Section 10](#) of this by-law, no decks are permitted to be directly above those portions of an entry, porch and verandah which project into a required front yard;
- 4.3.2 Entries, porches and verandahs complying with section [4.1.2\(h\)](#) of this schedule, may project up to 2.0 m into the required rear yard if:
- (a) such a projection is limited to 30% of the building width;
  - (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 does not extend more than 2.0 m beyond the permitted building depth.
- 4.3.3 Where a building line has been established pursuant to section [8.1.2](#) of this by-law, such building line will 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, despite any dimension contained herein.

#### 4.4 Site Coverage and Impermeability: Measurement

- 4.4.1 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 is 30%.
- 4.4.2 The maximum area of impermeable materials includes site coverage for all buildings.
- 4.4.3 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 multiplied by 3.1 m; and
  - (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.

#### 4.5 Building Depth: Measurement

- 4.5.1 Building depth means the distance measured from the required front yard, in a straight line perpendicular to the front yard to a point directly opposite at the furthest extent of the building, including decks, except that where an existing building encroaches into the required front yard, the distance must be measured from the front exterior wall rather than the required front yard.
- 4.5.2 Projections into yards permitted in [Section 10](#) of this by-law and in sections [4.3.1](#) and [4.3.2](#) of this schedule will not be included in the calculation of building depth.

## 4.6 External Design

### 4.6.1 External design regulations for all uses

4.6.1.1 All uses are subject to the external design regulations in this section [4.6.1](#).

4.6.1.2 The surface of the ground adjoining a building may be lowered only for the purpose of providing:

- (a) a window well for a basement or a cellar, if the lowered surface does not extend more than 1.0 m from the surface of a wall;
- (b) a sunken entrance for a basement, if:
  - (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 building width or 4.6 m, whichever is the lesser; or
- (c) a sunken entrance for a cellar in buildings existing prior to June 23, 2020, if:
  - (i) it complies with section [4.6.1.2\(b\)](#) above, and
  - (ii) the depth of the lowered surface does not exceed 1.83 m below the average finished grade.

4.6.1.3 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.

4.6.2 External design regulations for all uses, except duplex and duplex with secondary suite

4.6.2.1 All uses, except duplex and duplex with secondary suite, are subject to the external design regulations in this section [4.6.2](#).

4.6.2.2 For the purposes of this section [4.6.2](#):

- (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

- (b) “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.

- 4.6.2.3 For single detached house, there must be no more than 1 separate and distinct front entrance.
- 4.6.2.4 For single detached house with secondary suite, there must be no more than 2 separate and distinct front entrances.
- 4.6.2.5 For single detached house and single detached house with secondary suite, a side entrance must face a street or lane, or be located at least 5.0 m from the side property line, and there must be no more than 1 side entrance facing each side yard, except that 2 side doors may be permitted to face a side yard that abuts a street or lane.
- 4.6.2.6 Despite sections 4.6.2.3, 4.6.2.4 and 4.6.2.5 above, the Director of Planning may, on the advice of the Chief Building Official, permit 1 additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989.
- 4.6.2.7 For portions of a building more than 7.3 m above the horizontal datum plane as defined in sections 4.2.2 and 4.2.3 of this schedule:
  - (a) dormer roofs must:
    - (i) be either gable, hip or shed in form,
    - (ii) have a slope not less than 4:12 and not more than 14:12, and
    - (iii) not exceed 9.1 m above the horizontal datum plane, except for dormers described under section 4.6.2.10(c) below; and
  - (b) all roofs other than dormer roofs must:
    - (i) be either hip or gable or a combination of both,
    - (ii) have a slope not less than 6:12 and not more than 14:12, and
    - (iii) 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 partial storey or attic above the second storey.
- 4.6.2.8 Portions of a building conforming to sections 10.1.1(a), 10.1.1(c) and 10.1.1(d) of this by law will not be considered for the determination of building height under section 4.6.2.7 above.
- 4.6.2.9 Roof decks are permitted above the second storey if:
  - (a) the total area of the roof deck does not exceed 0.03 multiplied by the site area;
  - (b) the base of the roof deck does not exceed 0.6 m above the floor level of a partial storey or attic above the second storey; and



- (c) the roof deck is entirely contained in the rear half of the permitted building depth and is set back a minimum of 0.6 m from the perimeter walls of the second storey.

4.6.2.10 Where a dormer or dormers are provided on a partial storey above the second storey:

- (a) the total width of the dormer or dormers:
  - (i) facing a rear yard must not exceed 40% of the total width of the elevation of the storey below,
  - (ii) facing an interior side yard must not exceed 25% of the total width of the elevation of the storey below, and
  - (iii) facing a street or flanking lane must not exceed:
    - (A) 25% of the width of the storey below where there is 1 dormer, or
    - (B) 30% of the width of the storey below where there are 2 or more dormers, each separated by at least 1.5 m;
- (b) all exterior dormer walls must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below;
- (c) despite sections [4.6.2.10\(a\)](#) and [4.6.2.10\(b\)](#) above, where a site is less than 13.7 m in width, 1 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 partial 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; and
- (d) they must face only 1 side yard on lots less than 13.7 m in width, except where a lot is a corner lot, in which case dormers may face both side yards.

4.6.2.11 Gable end walls must be designed so that:

- (a) a gable roof, any portion of which is greater than 7.3 m above the horizontal datum plane, does not have gable end walls with ridges more than 7.3 m above the horizontal datum plane on more than 2 building elevations; and
- (b) no more than 1 gable end wall on a building elevation exceeds 9.1 m in height above the horizontal datum plane.

4.6.2.12 A bay window projecting into a required yard, as permitted under [Section 10](#) of this by-law, must 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, must not exceed 25% of the width of the storey on that elevation where they are located.

- 4.6.2.13 Where a basement or cellar horizontally projects beyond the first storey, the projecting area must:
- (a) face the rear property line or an interior side yard;
  - (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;
  - (c) on a corner lot, face a street other than as described in section 4.6.2.13(b) above, 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 or verandah as described in sections 4.3.1 or 4.3.2 of this schedule,
- except in no case may a basement or cellar project into a required yard or exceed permitted building depth requirements.
- 4.6.2.14 Metal chimney flues or vents must be visually screened from view by a non-combustible enclosure except that this requirement will not apply to through-wall-direct-vented gas fireplaces.
- 4.6.2.15 The maximum height of entries, porches and verandahs will be governed by the following:
- (a) the height above the entry, porch or verandah floor to the ceiling must 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 must 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, must not exceed 4.9 m.
- 4.6.2.16 Where a front entry, porch or verandah area includes columns, piers, pillars or posts or other similar elements, these must 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 may exceed 1.2 m in height above the second storey floor level.
- 4.6.2.17 Except for front door side lights to a total maximum of 2.3 m<sup>2</sup>, and transom lights over front doors to a maximum of 2.3 m<sup>2</sup>, windows must 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.
- 4.6.2.18 Exterior wall cladding materials must:
- (a) include wood, unglazed brick with a minimum thickness of 50 mm, non-polished stone with a minimum thickness of 76 mm, split-face stone, split-face concrete block, stone-dash stucco, pebble-dash stucco, acrylic stucco, paint, stain or similar coatings;
  - (b) include, in addition to the materials listed in section 4.6.2.18(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 2 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 partial storey above the second storey, more than 1 wall cladding system will be required above the basement level;
- (e) be used so that, despite sections [4.6.2.18\(c\)](#) and [4.6.2.18\(d\)](#) above, 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 are 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 window or chimney projection.

4.6.2.19 Roofing materials must consist of:

- (a) wood shingles or wood shakes in natural finish, or asphalt shingles coloured black, blue, grey, green, brown, burgundy, tan or beige;
- (b) slate or slate composites coloured black, green or grey;
- (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.

4.6.2.20 Nothing in section [4.6.2.19](#) above precludes the use of skylights or flashing.

4.6.2.21 Roofs with a slope of less than 4:12 will be exempt from the requirements of section [4.6.2.19](#) above and the roof materials thereon are not regulated by this schedule.

4.6.2.22 Except where a window or door is recessed at least 100 mm behind the adjacent exterior wall faces, all doors and windows must have a minimum 75 mm wide trim all around, except door sill trim may be omitted.

4.6.2.23 The Director of Planning may vary the requirements of sections [4.6.2.7](#) roof form, [4.6.2.9](#) roof decks, [4.6.2.10](#) dormers, [4.6.2.11](#) gables, [4.6.2.12](#) bay windows, [4.6.2.13](#) basements, [4.6.2.14](#) chimneys, [4.6.2.15](#) and [4.6.2.16](#) entries, porches or verandahs, [4.6.2.17](#) windows, [4.6.2.18](#) exterior wall cladding, [4.6.2.19](#) roofing materials, and [4.6.2.22](#) window trim provided that the Director of Planning:

- (a) considers the intent of this schedule and all applicable Council policies and guidelines;
- (b) considers the impact on adjacent properties with regard to shadowing and loss of privacy;
- (c) considers the design of the proposed development in relationship to neighbourhood character;

- (d) may require the submission of photographs or drawings showing the subject property and surrounding properties; and
- (e) may consider the submission of any advisory group, property owner or tenant.

4.6.2.24 For renovations and additions to a building existing prior to March 26, 1996, the Director of Planning may vary the requirements of sections [4.6.2.7](#) roof form, [4.6.2.9](#) roof decks, [4.6.2.10](#) dormers, [4.6.2.11](#) gables, [4.6.2.12](#) bay windows, [4.6.2.13](#) basements, [4.6.2.14](#) chimneys, [4.6.2.15](#) and [4.6.2.16](#) entries, porches or verandahs, [4.6.2.17](#) windows, [4.6.2.18](#) exterior wall cladding, [4.6.2.19](#) roofing materials, and [4.6.2.22](#) window trim where the Director of Planning considers these requirements to be unduly restrictive, and provided that the Director of Planning:

- (a) considers the intent of this schedule and all applicable Council policies and guidelines;
- (b) considers the impact on neighbouring properties with particular regard to shadowing and loss of privacy;
- (c) considers the presence of original materials and detailing and their architectural merit;
- (d) considers the extent and exterior design of the proposed new work as related to the existing buildings character and design;
- (e) may require the submission of photographs and drawings showing the existing property and surrounding properties; and
- (f) may consider the submission of any advisory group, property owner or tenant.

4.6.3 External design regulations for duplex and duplex with secondary suite

4.6.3.1 Duplex and duplex with secondary suite are subject to the external design regulations in this section [4.6.3](#).

4.6.3.2 There must be:

- (a) 2 main entrances, 1 to each principal dwelling unit;
- (b) on a corner site, 1 main entrance facing the front street and 1 main entrance facing the flanking street; and
- (c) 1 entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.6.3.3 The roof design must comply with the following provisions:

- (a) all roofs except for dormer roofs must:
  - (i) be either hip or gable, or a combination of both,
  - (ii) have a slope not less than 7:12 and not more than 12:12, and

(iii) 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 partial storey, or attic above the second storey;

- (b) dormer roofs must be gable, hip or shed, and must have a slope of not less than 4:12;
- (c) the maximum total width of dormers provided on a partial storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
- (d) all exterior dormer walls must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
- (e) despite section 4.6.3.3(d) above, 1 dormer, which faces an interior side yard and provides headroom over a stair and any intermediate and top landings that provide access from the second storey to the partial storey above, may have its face wall flush or continuous with the second storey exterior wall face below.

4.6.3.4 The Director of Planning may vary the requirements of sections 4.6.3.2 and 4.6.3.3 above 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 RELAXATIONS

5.1 For sites where the average slope within the allowable building envelope as determined by yard setbacks exceeds 15%, 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 4.2.2 and 4.2.3 of this schedule would result in an unnecessary hardship, the Director of Planning may relax the height regulations in sections 3 and 4 of this schedule 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 Where, due to conditions peculiar to the site or to the proposed development, literal enforcement would result in unnecessary hardship, the Director of Planning may relax:

- (a) the minimum front yard depth;
- (b) the minimum side yard width;
- (c) the minimum rear yard depth;
- (d) the maximum building depth;
- (e) the height of roofs in section 4.6.2.7; and
- (f) the floor space ratio exclusions for parking in accessory buildings in section 4.1.2(c)(i) of this schedule,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

- 5.3 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, the Director of Planning may relax the maximum area of impermeable materials if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## SCHEDULE TT

# RS-7

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to maintain the residential character of the area in the form of duplexes, single detached houses, secondary suites, laneway houses, infill, multiple conversion dwellings, multiple dwellings on large lots, and infill and multiple conversion dwellings in combination with retention of a character house. Duplexes on sites larger than 511 m<sup>2</sup> must include at least 1 secondary suite.

Without limitation, applicable Council policies and guidelines for consideration include the [RS-7 Design Guidelines](#), [RS-2 and RS-7 Infill and Multiple Dwelling Guidelines](#), [Multiple Conversion Dwelling Guidelines \(RS-1A, RS-2, RS-7, RT-1 and RT-2 Districts\)](#) and [Guidelines for Additions, Infill and Multiple Conversion Dwelling in Association with the Retention of a Character House in an RS Zone](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RS-7 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
929 m <sup>2</sup>	Multiple Dwelling	<a href="#">3.1</a>
	Infill (other than in combination with the retention of a character house)	<a href="#">3.1</a>
	2 or more principal residential buildings on a site	<a href="#">3.1</a>
334 m <sup>2</sup>	Duplex or Duplex with Secondary Suite	<a href="#">3.2</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.2</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.2</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	<a href="#">2.2.1</a>
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Infill, in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	
Infill	Conditional	
Laneway House	Conditional	<a href="#">2.2.3</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
Multiple Conversion Dwelling, resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.5</a>
Multiple Conversion Dwelling, other than resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.6</a>



Use	Approval	Use-Specific Regulations
Multiple Dwelling	Conditional	<a href="#">2.2.1</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.7</a>
Seniors Supportive or Assisted Housing	Conditional	<a href="#">2.2.1</a>
Single Detached House	Outright	<a href="#">2.2.1</a>
Single Detached House with Secondary Suite	Conditional	<a href="#">2.2.1</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.8</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.9</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.10</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	

Use	Approval	Use-Specific Regulations
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.11</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 The Director of Planning may permit more than 1 principal residential building on a site, if the Director of Planning considers:
- (a) the height, bulk, location and overall design of the buildings and their impact on the site, surrounding buildings, streets and existing views;
  - (b) the amount of open space and the impact of overall design on the general amenity of the area;
  - (c) the preservation of the architectural character and general amenity desired for the area; and
  - (d) the intent of this schedule and all applicable Council policies and guidelines.
- 2.2.2 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.
- 2.2.3 Laneway house is regulated by [Section 11](#) of this by-law and sections [3](#) and [4](#) of this schedule do not apply.
- 2.2.4 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.5 Multiple conversion dwelling resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted if it contains no housekeeping or sleeping units.
- 2.2.6 Multiple conversion dwelling, other than resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted if:
- (a) the Director of Planning considers the quality and liveability of the resulting units, and the impact of the conversion on adjacent properties and the character of the area; and
  - (b) no development permit is 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.
- 2.2.7 Principal dwelling unit with lock-off unit may be permitted only in:
- (a) a duplex and there may be no more than 1 lock-off unit for each dwelling unit; and

- (b) a duplex with secondary suite if there is only 1 secondary suite and only 1 lock-off unit and the lock-off unit is in the dwelling unit without a secondary suite.

- 2.2.8 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.9 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

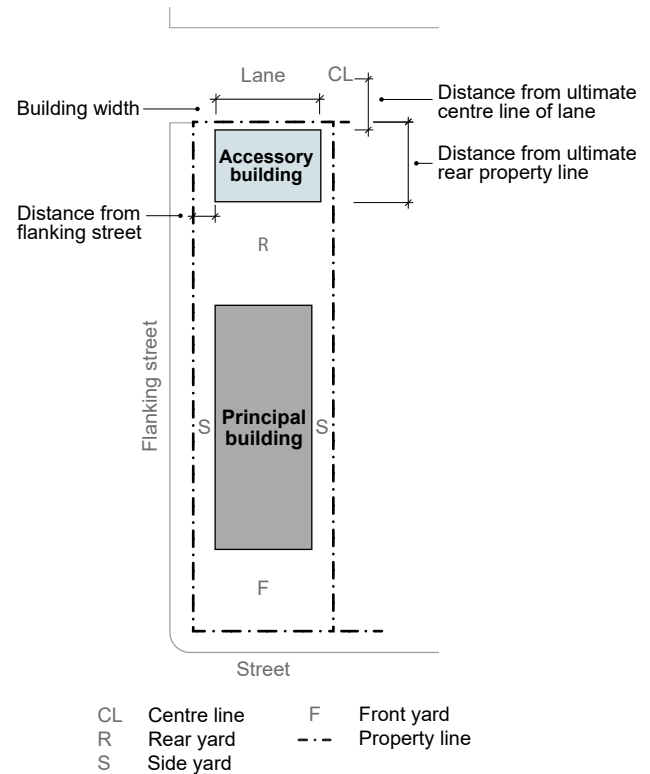
2.2.10 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:
  - (i) within 7.9 m of the ultimate rear property line or within the permitted building depth as prescribed in this schedule,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 1.5 m from a flanking street;

- (c) for all uses except for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 45% of the minimum rear yard prescribed in this schedule, or 48 m<sup>2</sup>, whichever is the greater, except that the total allowable accessory building floor area will be reduced by:
  - (i) floor area previously excluded from existing development pursuant to section 4.1.2(c) of this schedule, and

**Diagram: Building placement for accessory building**



- (ii) the floor area of a laneway house;
- (d) for duplex and duplex with secondary suite, the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>;
- (e) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line; and
- (f) roof decks and decks are only located on an accessory building that is within the permitted building depth as prescribed in this schedule.

2.2.11 Accessory parking spaces customarily ancillary to any outright approval use listed in section [2.1](#) of this schedule must comply with the provisions of section [2.2.10\(b\)](#) above.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Multiple Dwelling, 2 or more Principal Residential Buildings on a Site, **and Infill (other than in combination with a character house)**

Multiple dwelling, 2 or more principal residential buildings on a site, and infill other than in combination with a character house existing on the site as of January 16, 2018, are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is 0.60, except that:

- (a) the floor space ratio is increased to 0.70 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;
- (b) for buildings existing prior to July 7, 2009, the floor space ratio for the area of all floors at, above or below finished grade, is increased to 0.75 to permit the addition of a basement or cellar, 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 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; and
- (c) the Director of Planning may increase the permitted floor space ratio to a maximum of 0.75 if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines and the submission of any advisory group, property owner, or tenant.

###### 3.1.1.2 The total number of units on a site must not exceed 62 units per hectare, except it need not be less than 2 units.

##### 3.1.2 Building Form and Placement

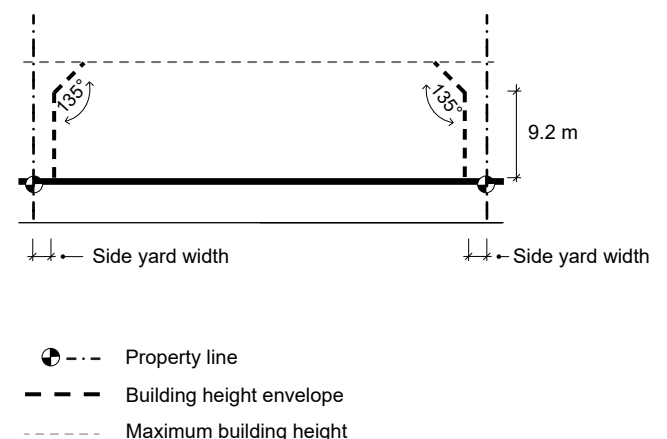
Regulations		RS-7
3.1.2.1	Minimum site area	929 m <sup>2</sup>

Regulations	RS-7
3.1.2.2 Maximum building height	10.7 m and 3 storeys
3.1.2.3 Required front yard depth	20% of the site depth
3.1.2.4 Minimum side yard width for:	
(a) multiple dwelling	2.1 m
(b) infill and 2 or more principal residential buildings where the site width does not exceed 15.0 m	10% of the site width
(c) infill and 2 or more principal residential buildings where the site width exceeds 15.0 m	1.5 m
3.1.2.5 Minimum rear yard depth for a site with an average depth:	
(a) not exceeding 36.6 m	10.7 m
(b) exceeding 36.6 m	30% of the site depth
3.1.2.6 Maximum site coverage for all buildings	40% of the site area
3.1.2.7 Maximum area of impermeable materials for infill and 2 or more principal residential buildings on a site	60% of the site area
3.1.2.8 Maximum building depth	40% of the site depth

## Building Height

- 3.1.2.9 Despite the maximum building height in section 3.1.2.2 above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.
- 3.1.2.10 Despite the maximum building height in section 3.1.2.2 above, the building height must not exceed 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 135 degrees from the vertical.

**Diagram: Maximum building height envelope**



## Front Yard

3.1.2.11 Despite the required front yard depth in section 3.1.2.3 above, on a site where the average front yard depth of the 2 adjacent sites on each side of the site is more than 20% of the site depth by at least 1.5 m, or is less than 20% of the site depth, the minimum front yard depth will be that average, subject to the following:

- (a) where an adjacent site is vacant, it is deemed to have a front yard depth of 20% of the site depth;
- (b) if 1 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 will not be used in computing the average; and
- (c) where the site is adjacent to a flanking street or lane, the average depth will be computed using the remainder of the adjacent sites.

3.1.2.12 The Director of Planning may vary the required front yard depth on a double fronting site or a site where a building line has been established pursuant to section 8.1.1 of this by-law.

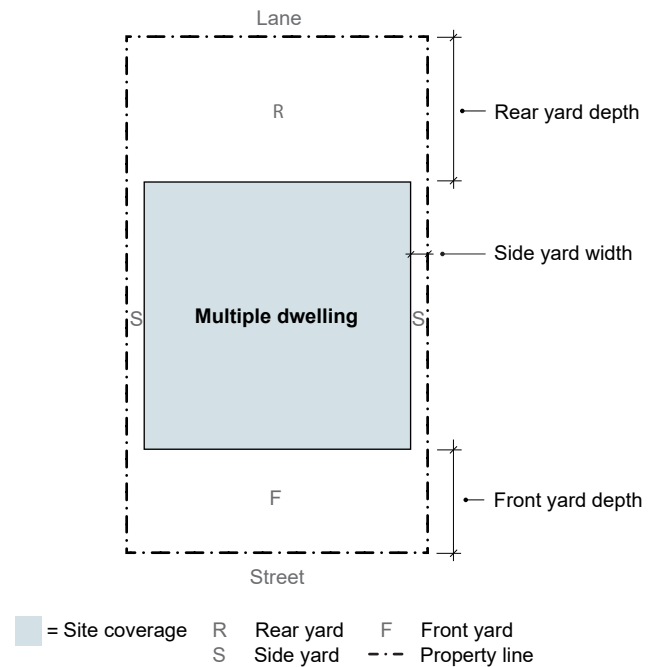
3.1.2.13 If the provisions of sections 3.1.2.5 and 3.1.2.11 above result in a distance between the front yard and the rear yard that is less than 40% of the site depth, and if the principal building is sited so that it abuts the required rear yard, the required front yard depth will be reduced so that the distance between the front yard and the rear yard is equal to 40% of the site depth.

## Side Yard

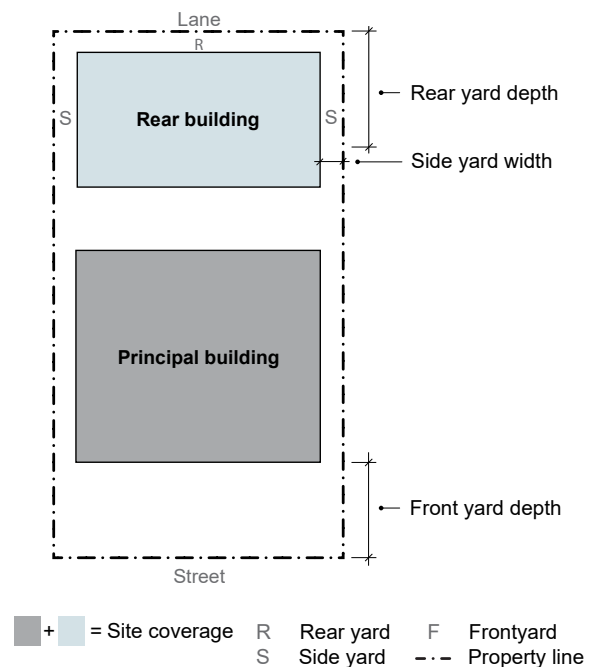
3.1.2.14 The Director of Planning may vary:

- (a) the minimum side yard width in section 3.1.2.4(a) above; and

**Diagram: Building placement for multiple dwelling**



**Diagram: Building placement for 2 or more principal buildings or infill**



- (b) the minimum side yard width in sections 3.1.2.4(b) and 3.1.2.4(c) above, provided that:
  - (i) any building not within the building depth specified in section 3.1.2.8 above must have a building 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 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 building height, and
  - (ii) the Director of Planning considers:
    - (A) the height, bulk, location, and overall design of buildings and their impact on the site, surrounding buildings, adjacent properties, and the streetscape,
    - (B) the amount of open space and the impact of the overall design on the general amenity of the area, and
    - (C) the intent of this schedule and all applicable Council policies and guidelines.

### **Rear Yard**

3.1.2.15 The Director of Planning may vary the minimum rear yard depth for infill or 2 or more principal residential buildings on a site, provided that:

- (a) any building not within the building depth specified in section 3.1.2.8 above must have a building 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 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 building height; and
- (b) the Director of Planning considers:
  - (i) the height, bulk, location, and overall design of buildings and their impact on the site, surrounding buildings, adjacent properties, and the streetscape,
  - (ii) the amount of open space and the impact of the overall design on the general amenity of the area, and
  - (iii) the intent of this schedule and all applicable Council policies and guidelines.

### **Site Coverage**

3.1.2.16 The Director of Planning may vary the maximum site coverage.

### **Area of Impermeable Materials**

3.1.2.17 The Director of Planning may vary the maximum area of impermeable materials.



## 3.2 Other Uses

Duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, uses involving character retention, and all other uses not regulated by section 3.1 of this schedule are subject to the following regulations.

### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio for all uses except duplex and duplex with secondary suite is 0.60, except that:

- (a) for single detached house, single detached house with secondary suite and multiple conversion dwelling, the Director of Planning may increase the permitted floor space ratio to 0.64, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (b) the floor space ratio is increased to 0.70 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;
- (c) for buildings existing prior to July 7, 2009, the floor space ratio for the area of all floors at, above or below finished grade, is increased to 0.75 to permit the addition of a basement or cellar, 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 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; and
- (d) the Director of Planning may increase the permitted floor space ratio to a maximum of:
  - (i) 0.75 to facilitate converting a character house to a multiple conversion dwelling; and
  - (ii) 0.85 for infill in combination with the retention of a character house,if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.2.1.2 For duplex and duplex with secondary suite, the maximum floor space ratio is 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 that has a floor surface located 1.8 m or more above finished grade, must not exceed 371 m<sup>2</sup>.

3.2.1.3 For multiple conversion dwelling, the total number of units on a site must not exceed 62 units per hectare, except it need not be less than 2 units.

### 3.2.2 Building Form and Placement

Regulations	RS-7
3.2.2.1 Minimum site area for:	334 m <sup>2</sup>
(a) duplex or duplex with secondary suite	
(b) single detached house or single detached house with secondary suite	
(c) multiple conversion dwelling	
3.2.2.2 Maximum site area for duplex	511 m <sup>2</sup>
3.2.2.3 Maximum building height	10.7 m and 3 storeys
3.2.2.4 Minimum front yard depth	20% of the site depth
3.2.2.5 Minimum side yard width for:	10% of the site width
(a) single detached house, single detached house with secondary suite, duplex, duplex with secondary suite, multiple conversion dwelling and community care facility – class A, where the site width does not exceed 15.0 m	
(b) single detached house, single detached house with secondary suite, duplex, duplex with secondary suite, multiple conversion dwelling and community care facility – class A, where the site width exceeds 15.0 m	
(c) all other uses	2.1 m
3.2.2.6 Minimum rear yard depth for a site with an average depth:	10.7 m
(a) not exceeding 36.6 m	
(b) exceeding 36.6 m	30% of the site depth
3.2.2.7 Maximum site coverage for all buildings for:	45% of the site area
(a) duplex or duplex with secondary suite	
(b) all other uses	40% of the site area
3.2.2.8 Maximum area of impermeable materials	60% of the site area

Regulations	RS-7
3.2.2.9 Maximum building depth	40% of the site depth

### Site Area and Site Width

- 3.2.2.10 The Director of Planning may reduce the minimum site area in section 3.2.2.1 above if the existing lot is on record in the Land Title Office.
- 3.2.2.11 The design of any new dwelling will first require the approval of the Director of Planning if:
- the site width is less than 9.8 m; or
  - the site area is less than 334 m<sup>2</sup>.

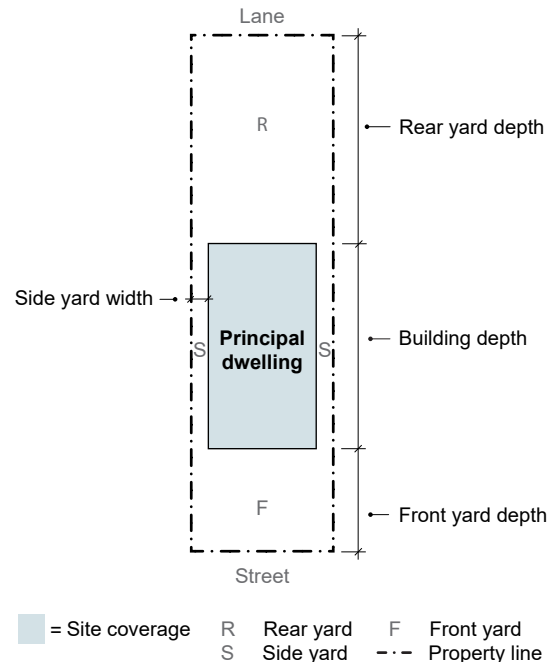
### Building Height

- 3.2.2.12 Despite the maximum building height in section 3.2.2.3 above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.
- 3.2.2.13 Despite the maximum building height in section 3.2.2.3 above, the building height must not exceed 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 135 degrees from the vertical.

### Front Yard

- 3.2.2.14 Despite the required front yard depth in section 3.2.2.4 above on a site where the average front yard depth of the 2 adjacent sites on each side of the site is more than 20% of the site depth by at least 1.5 m, or is less than 20% of the site depth, the minimum front yard depth will be that average, subject to the following:
- where an adjacent site is vacant, it is deemed to have a front yard depth of 20% of the site depth;
  - if 1 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 will not be used in computing the average; and
  - where the site is adjacent to a flanking street or lane, the average depth will be computed using the remainder of the adjacent sites.
- 3.2.2.15 The Director of Planning may vary the required front yard depth above on a double fronting site or a site where a building line has been established pursuant to section 8.1.1 of this by-law.

**Diagram: Building placement for principal dwelling**



- 3.2.2.16 If the provisions of sections 3.2.2.6 and 3.2.2.14 above result in a distance between the front yard and the rear yard that is less than 40% of the site depth, and if the principal building is sited so that it abuts the required rear yard, the required front yard depth will be reduced so that the distance between the front yard and the rear yard is equal to 40% of the site depth.

**Area of Impermeable Materials**

- 3.2.2.17 The Director of Planning may increase the maximum area of impermeable materials for buildings existing prior to January 9, 2001 to a maximum of 70% of the total site area if:
- (a) the percentage of the site area covered by existing impermeable materials is not increased by the proposed development; and
  - (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 in building or relationship to yard setbacks, which exceeds the product of the total floor area permitted above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) where floors are used for off-street parking, off-street loading, the taking on or discharging of passengers, bicycle storage in multiple conversion dwellings containing 3 or more dwelling units or in multiple dwellings, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, which:
  - (i) are located in an accessory building located within 7.9 m of the ultimate rear property line,
  - (ii) where a site has no developed secondary access, are located in a principal building or an accessory building located within the building depth prescribed in this schedule, up to a maximum of 42 m<sup>2</sup>,
  - (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 prescribed in 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 that 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% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:

- (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
- (ii) adjacent to a storey or partial 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, if:
  - (i) for all uses except for duplex and duplex 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 duplex and duplex 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 of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area,
  - (v) for duplex and duplex with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m,
  - (vi) for duplex and duplex with secondary suite, the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor, and
  - (vii) for all uses except for duplex and duplex with secondary suite, the maximum height must comply with section 4.5.2.15 of this schedule;
- (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 section 4.1.2(h) above, to which there is no access from the interior of the building;
- (i) the floor area of a laneway house; and
- (j) 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, if:
  - (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% of the permitted floor area,

and despite the definition of “partial storey” in Section 2 of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section 4.1.2(j).

- 4.1.3 In the case of a corner site, where the rear property line of a site adjoins the side yard of a site in an R district, without the intervention of a lane, the Director of Planning may vary the provisions of section 4.1.2

above 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>.

## 4.2 Dwelling Unit Density: Calculation

- 4.2.1 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded down.

## 4.3 **Site Coverage and Impermeability: Measurement**

- 4.3.1 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 is 30%.

- 4.3.2 The maximum area of impermeable materials includes site coverage for all buildings.

- 4.3.3 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 multiplied by 3.1 m; and
- (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.

## 4.4 Building Depth: Measurement

- 4.4.1 Building depth means 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 will be measured from the front exterior wall rather than the required front yard.

- 4.4.2 Projections into yards permitted in [Section 10](#) of this by-law will not be included in the calculation of building depth.

## 4.5 External Design

- 4.5.1 External design regulations for all uses

- 4.5.1.1 All uses are subject to the external design regulations in this section [4.5.1](#).

- 4.5.1.2 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, if:

- (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.

4.5.1.3 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.

4.5.1.4 For multiple dwelling, infill, 2 or more principal residential buildings on a site, and any non-dwelling use, except for community care facility – class A, the Director of Planning may vary any of the requirements of this section 4.5 provided that:

- (a) the Director of Planning considers the impact on neighbouring properties with particular regard to shadowing and loss of privacy;
- (b) the Director of Planning considers the neighbourhood character and the general compatibility therewith;
- (c) 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;
- (d) the Director of Planning may consider the submission of any advisory group, property owner or tenant; and
- (e) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

4.5.2 External design regulations for all uses, except duplex and duplex with secondary suite

4.5.2.1 All uses, except duplex and duplex with secondary suite, are subject to the external design regulations in this section 4.5.2.

4.5.2.2 For the purposes of this section 4.5.2:

- (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
- (b) “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.

4.5.2.3 For single detached house, there must be no more than 1 separate and distinct front entrance.

4.5.2.4 For single detached house with secondary suite, there must be no more than 2 separate and distinct front entrances.



- 4.5.2.5 A side entrance to a dwelling must face a street or lane, or be located at least 5.0 m from the side property line, and there must be no more than 1 side entrance facing each side yard, except where the side yard faces a street or lane.
- 4.5.2.6 Despite sections 4.5.2.3, 4.5.2.4 and 4.5.2.5 above, the Director of Planning may, on the advice of the Chief Building Official, permit 1 additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989.
- 4.5.2.7 For portions of a building more than 7.3 m in building height:
- (a) dormer roofs must:
    - (i) be either gable, hip or shed,
    - (ii) have a slope not less than 4:12 and not more than 14:12, and
    - (iii) not exceed 9.1 m above the horizontal datum plane, except for dormers described under section 4.5.2.10(c) below; and
  - (b) all roofs other than dormer roofs must:
    - (i) be either hip or gable or a combination of both,
    - (ii) have a slope not less than 6:12 and not more than 14:12, and
    - (iii) 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 partial storey or attic above the second storey.
- 4.5.2.8 Portions of a building conforming to sections 10.1.1(a), 10.1.1(c) and 10.1.1(d) of this by-law will not be considered for the determination of building height under section 4.5.2.7 above.
- 4.5.2.9 Roof decks are permitted above the second storey if:
- (a) the total area of the roof deck does not exceed 0.03 multiplied by the site area;
  - (b) the base of the roof deck does not exceed 0.6 m above the floor level of a partial storey or attic above the second storey; and
  - (c) the roof deck is entirely contained in the rear half of the permitted building depth and is set back a minimum of 0.6 m from the perimeter walls of the second storey.
- 4.5.2.10 Where a dormer or dormers are provided on a partial storey above the second storey:
- (a) the total width of the dormer or dormers:
    - (i) facing a rear yard must not exceed 40% of the total width of the elevation of the storey below,
    - (ii) facing an interior side yard must not exceed 25% of the total width of the elevation of the storey below, and

(iii) facing a street or flanking lane must not exceed:

(A) 25% of the width of the storey below where there is 1 dormer, or

(B) 30% of the width of the storey below where there are 2 or more dormers, each separated by at least 1.5 m;

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

(c) despite sections [4.5.2.10\(a\)](#) and [4.5.2.10\(b\)](#) above, where a site is less than 13.7 m in width, 1 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 partial 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; and

(d) they must face only 1 side yard on lots less than 13.7 m in width, except where a lot is a corner lot, in which case dormers may face both side yards.

4.5.2.11 Gable end walls must be designed so that:

(a) a gable roof, any portion of which is greater than 7.3 m in height, does not have gable end walls with ridges more than 7.3 m in height on more than 2 building elevations; and

(b) no more than 1 gable end wall on a building elevation exceeds 9.1 m in height.

4.5.2.12 A bay window projecting into a required yard, as permitted under [Section 10](#) of this by-law, must 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, must not exceed 25% of the width of the storey on that elevation where they are located.

4.5.2.13 Where a basement or cellar horizontally projects beyond the first storey, the projecting area must:

(a) face the rear property line or an interior side yard;

(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;

(c) on a corner lot, face a street other than as described in section [4.5.2.13\(b\)](#) above, 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 [10.8](#) of this by-law,

except in no case may a basement or cellar project into a required yard or exceed permitted building depth requirements.

- 4.5.2.14 Metal chimney flues or vents must be visually screened from view by a non-combustible enclosure except that this requirement will not apply to through-wall-direct-vented gas fireplaces.
- 4.5.2.15 The maximum height of entries, porches and verandahs will be governed by the following:
- (a) the height above the entry, porch or verandah floor to the ceiling must 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 must 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, must not exceed 4.9 m.
- 4.5.2.16 Where a front entry, porch or verandah area includes columns, piers, pillars or posts or other similar elements, these must 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 may exceed 1.2 m in height above the second storey floor level.
- 4.5.2.17 Except for front door side lights to a total maximum of 2.3 m<sup>2</sup>, and transom lights over front doors to a maximum of 2.3 m<sup>2</sup>, windows must 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.
- 4.5.2.18 Exterior wall cladding materials must:
- (a) include wood, unglazed brick with a minimum thickness of 50 mm, non-polished stone with a minimum thickness of 76 mm, split-face stone, split-face concrete block, stone-dash stucco, pebble-dash stucco, acrylic stucco, paint, stain or similar coatings;
  - (b) include, in addition to the materials listed in section [4.5.2.18\(a\)](#) above, concrete or concrete block for foundation walls below the first storey and any material for architectural accents up to a maximum of 1 m<sup>2</sup> per building elevation;
  - (c) must not be used so that more than 2 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 partial storey above the second storey, more than 1 wall cladding system will be required above the basement level;
  - (e) be used so that, despite sections [4.5.2.18\(c\)](#) and [4.5.2.18\(d\)](#) above, 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 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 are 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 window or chimney projection.

4.5.2.19 Roofing materials must consist of:

- (a) wood shingles or wood shakes in natural finish, or asphalt shingles coloured black, blue, grey, green, brown, burgundy, tan or beige;
- (b) slate or slate composites coloured black, green or grey;
- (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.

4.5.2.20 Nothing in section 4.5.2.19 above precludes the use of skylights or flashing.

4.5.2.21 Roofs with a slope of less than 4:12 will be exempt from the requirements of section 4.5.2.19 above and the roof materials thereon are not regulated by this schedule.

4.5.2.22 Except where a window or door is recessed at least 100 mm behind the adjacent exterior wall faces, all doors and windows must have a minimum 75 mm wide trim all around, except door sill trim may be omitted.

4.5.2.23 For renovations and additions to a building existing prior to January 9, 2001, the Director of Planning may vary the requirements of sections 4.5.2.7 roof form, 4.5.2.9 roof decks, 4.5.2.10 dormers, 4.5.2.11 gables, 4.5.2.12 bay windows, 4.5.2.13 basements, 4.5.2.14 chimneys, 4.5.2.15 and 4.5.2.16 entries, porches or verandahs, 4.5.2.17 windows, 4.5.2.18 exterior wall cladding, 4.5.2.19 roofing materials, and 4.5.2.22 window trim where the Director of Planning considers these requirements to be unduly restrictive, and provided that the Director of Planning:

- (a) considers the impact on neighbouring properties with particular regard to shadowing and loss of privacy;
- (b) considers the presence of original materials and detailing and their architectural merit;
- (c) considers the extent and exterior design of the proposed new work as related to the existing buildings character and design; and
- (d) may consider the submission of any advisory group, property owner or tenant.

4.5.3 External design regulations for duplex and duplex with secondary suite

4.5.3.1 Duplex and duplex with secondary suite are subject to the external design regulations in this section 4.5.3.

4.5.3.2 There must be:

- (a) 2 main entrances, 1 to each principal dwelling unit;
- (b) on a corner site, 1 main entrance facing the front street and 1 main entrance facing the flanking street; and
- (c) 1 entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.5.3.3 The roof design must comply with the following provisions:

- (a) all roofs except for dormer roofs must:
  - (i) be either hip or gable, or a combination of both,
  - (ii) have a slope not less than 7:12 and not more than 12:12, and
  - (iii) 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 partial storey, or attic above the second storey;
- (b) dormer roofs must be gable, hip or shed, and must have a minimum slope of 4:12;
- (c) the maximum total width of dormers provided on a partial storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
- (d) all exterior dormer walls must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
- (e) despite section 4.5.3.3(d) above, 1 dormer, which faces an interior side yard and provides headroom over a stair and any intermediate and top landings that provide access from the second storey to the partial storey above, may have its face wall flush or continuous with the second storey exterior wall face below.

4.5.3.4 The Director of Planning may vary the requirements of sections 4.5.3.2 and 4.5.3.3 above 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 RELAXATIONS

5.1 Where, due to conditions peculiar either to the site or to the proposed development, literal enforcement would result in unnecessary hardship, the Director of Planning may relax:

- (a) the maximum building height to a maximum of 10.7 m;
- (b) the minimum front yard depth, but in no case may the depth be reduced to less than 60% of the depth required in this schedule;
- (c) the minimum side yard width, but in no case may the width be reduced to less than 60% of the width required in this schedule;

- (d) the minimum rear yard depth, but in no case may the depth be reduced to less than 60% of the depth required in this schedule;
- (e) the maximum building depth; and
- (f) the floor space ratio exclusions for parking in accessory buildings in section [4.1.2\(c\)\(i\)](#) of this schedule,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

- 5.2 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, the Director of Planning may relax the maximum area of impermeable materials if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## SCHEDULE UU

# RT-1

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is primarily to permit side-by-side duplexes.

Without limitation, applicable Council policies and guidelines for consideration include the [Multiple Conversion Dwelling Guidelines \(RS-1A, RS-2, RS-7, RT-1 and RT-2 Districts\)](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RT-1 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
780 m <sup>2</sup>	Duplex	<a href="#">3.1</a>
445 m <sup>2</sup>	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.1</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	<a href="#">2.2.1</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.3</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing on the site as of June 18, 1956	Conditional	<a href="#">2.2.4</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.5</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	



Use	Approval	Use-Specific Regulations
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.6</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.7</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Duplex units must be in a side-by-side configuration.
- 2.2.2 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.3 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use, if:
- (a) there are no additions to the building;
  - (b) no housekeeping or sleeping units are created; and
  - (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.4 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing on the site as of June 18, 1956, may be permitted as a conditional approval use if:

- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties and the character of the area;
- (b) where the multiple conversion dwelling contains more than 2 dwelling units, no additions are permitted; and
- (c) no housekeeping or sleeping units are created.

2.2.5 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.6 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

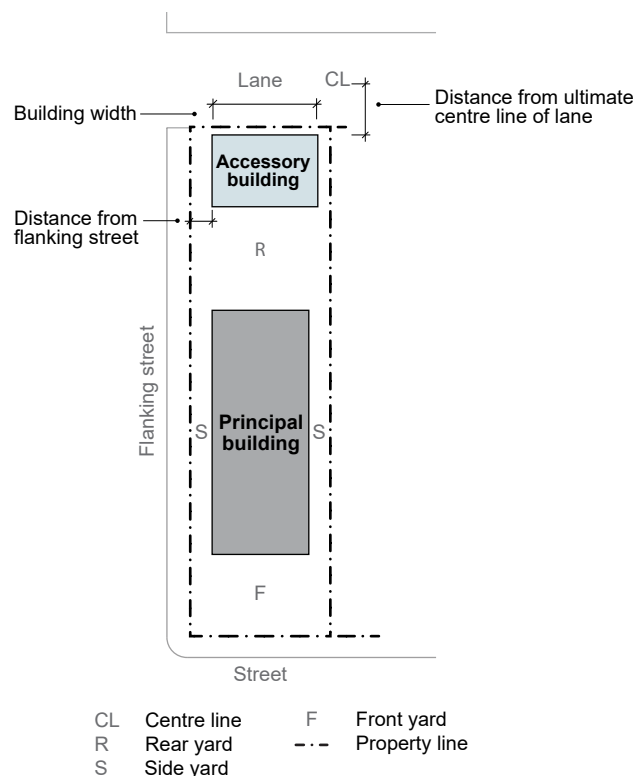
2.2.7 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:
  - (i) in the rear yard,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 1.5 m from a flanking street;

**Diagram: Building placement for accessory building**



- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 35% of the required minimum rear yard, or 48 m<sup>2</sup>, whichever is the greater; and
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

Duplex, single detached house, single detached house with secondary suite, and all other uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is 0.60.

##### 3.1.2 Building Form and Placement

Regulations	RT-1
3.1.2.1 Minimum site area for:	
(a) duplex	780 m <sup>2</sup>
(b) single detached house or single detached house with secondary suite	445 m <sup>2</sup>
3.1.2.2 Maximum building height	6.1 m and 1 storey
3.1.2.3 Minimum front yard depth	7.3 m
3.1.2.4 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.1.2.5 Minimum rear yard depth	10.7 m
3.1.2.6 Maximum site coverage for all buildings	45% of the site area

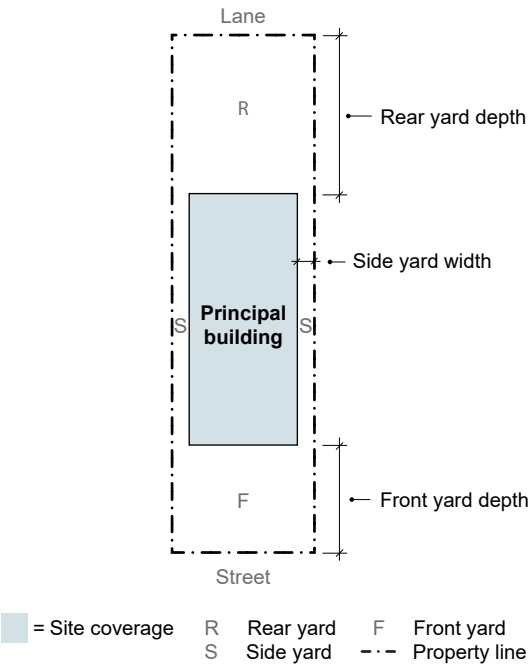
#### Site Area

###### 3.1.2.7 The Director of Planning may decrease the minimum site area if the existing lot is of lesser site area on record in the Land Title Office.

Rear Yard

3.1.2.8 Despite the minimum rear yard depth in section 3.1.2.5 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

Diagram: Building placement for principal building



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:

- (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
- (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area; 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 section 4.1.2(g) above, to which there is no access from the interior of the building.

## 4.2 Site Coverage

- 4.2.1 The maximum site coverage for any portion of the site used as parking area is 30% except where the principal use of the site is a parking area.

## SCHEDULE VV

# RT-2

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is primarily to permit duplexes and to conditionally permit low density multiple dwelling development.

Without limitation, applicable Council policies and guidelines for consideration include the [RT-2 Multiple Dwelling Guidelines](#) and [Multiple Conversion Dwelling Guidelines \(RS-1A, RS-2, RS-7, RT-1 and RT-2 Districts\)](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RT-2 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
668 m <sup>2</sup>	Multiple Dwelling	<a href="#">3.1</a>
445 m <sup>2</sup>	Duplex	<a href="#">3.2</a>
--	Seniors Supportive or Assisted Housing	<a href="#">3.1</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.2</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).



The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.3</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing on the site as of June 18, 1956	Conditional	<a href="#">2.2.4</a>
Multiple Dwelling	Conditional	
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.5</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	

Use	Approval	Use-Specific Regulations
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.6</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.7</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact adjacent dwelling uses.
- 2.2.2 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.3 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:

- (a) there are no additions to the building;
- (b) no housekeeping or sleeping units are created; and
- (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.4 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing on the site as of June 18, 1956, may be permitted as a conditional approval use if:

- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties and the character of the area; and
- (b) where the multiple conversion dwelling contains more than 2 dwelling units, there are no additions to the building.

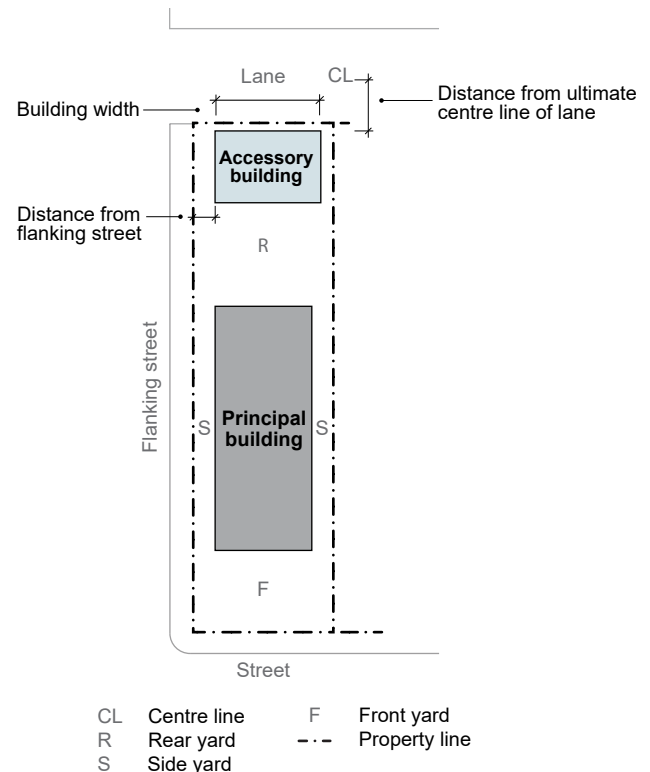
2.2.5 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.6 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.7 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
  - (i) in the rear yard,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and

**Diagram: Building placement for accessory building**



- (iii) at least 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, does not exceed 35% of the required minimum rear yard, or 48 m<sup>2</sup>, whichever is the greater; and
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Multiple Dwelling and Seniors Supportive or Assisted Housing

Multiple dwelling and seniors supportive or assisted housing are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is 0.75.

##### 3.1.2 Building Form and Placement

Regulations	RT-2
3.1.2.1 Minimum site area for multiple dwelling	668 m <sup>2</sup>
3.1.2.2 Maximum building height	9.2 m
3.1.2.3 Minimum front yard depth	7.3 m
3.1.2.4 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.1.2.5 Minimum rear yard depth	10.7 m
3.1.2.6 Maximum site coverage for all buildings	40% of the site area

##### Building Height

###### 3.1.2.7 Despite the maximum building height in section 3.1.2.2 above, a building must not have more than 2 storeys plus a cellar or 1 storey plus a basement.

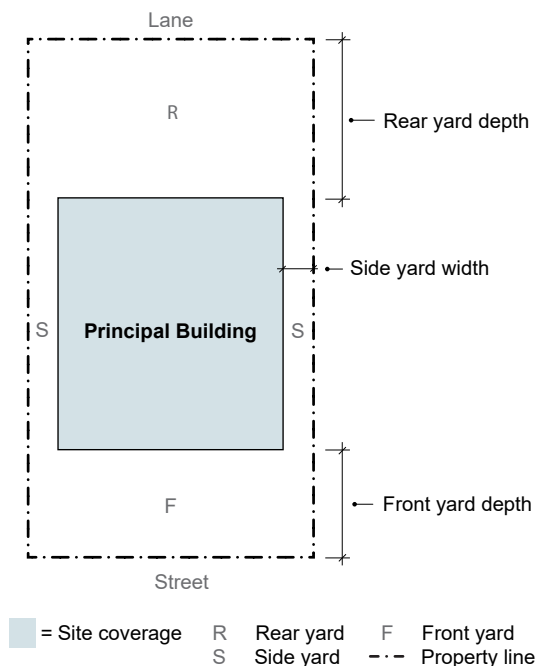
##### Rear Yard

###### 3.1.2.8 Despite the minimum rear yard depth in section 3.1.2.5 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

## Site Coverage

- 3.1.2.9 Despite the maximum site coverage in section 3.1.2.6 above, where no principal building exceeds 6.1 m or 1 storey plus a cellar in building height, the maximum site coverage is 55% of the site area.
- 3.1.2.10 Maximum site coverage includes coverage of the site by all buildings, surface parking, manoeuvring aisles, driveways, loading areas and other vehicular facilities.

**Diagram: Building placement for multiple dwelling and senior supportive or assisted housing**



## 3.2 Other Uses

Duplex and all other uses not regulated by section 3.1 of this schedule are subject to the following regulations.

### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.60.

### 3.2.2 Building Form and Placement

Regulations	RT-2
3.2.2.1 Minimum site area for duplex	445 m <sup>2</sup>
3.2.2.2 Maximum building height	9.2 m
3.2.2.3 Minimum front yard depth	7.3 m
3.2.2.4 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.2.2.5 Minimum rear yard depth	10.7 m
3.2.2.6 Maximum site coverage for all buildings	45% of the site area

#### Site Area

3.2.2.7 The Director of Planning may decrease the minimum site area if the lot was on record in the Land Title Office prior to September 7, 1965, and has a site area of not less than 353 m<sup>2</sup>.

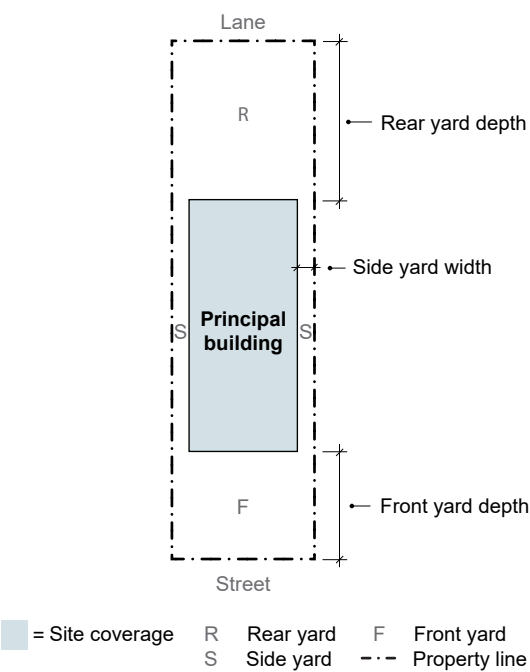
#### Building Height

3.2.2.8 Despite the maximum building height in section 3.2.2.2 above, a building must not have more than 2 storeys plus a cellar or 1 storey plus a basement.

#### Rear Yard

3.2.2.9 Despite the minimum rear yard depth in section 3.2.2.5 above, where the rear of a site abuts a lane, the minimum required rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

**Diagram: Building placement for principal building**





## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units or in multiple dwellings, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:

- (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
- (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area; 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 section 4.1.2(g) above, to which there is no access from the interior of the building.

## 4.2 Yards: Measurement

- 4.2.1 Where a building line has been established pursuant to section 8.1.2 of this by-law, such building line will be deemed to be the southerly boundary of any required rear yard on lands described in "Plan A" of Part III of **Schedule E** of this by-law, despite any dimension contained herein.

## 4.3 Site Coverage

- 4.3.1 The maximum site coverage for any portion of the site used as parking area is 30% except where the principal use of the site is a parking area.

## 4.4 Horizontal Angle of Daylight

- 4.4.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.4.2 For the purposes of section 4.4.1 above, habitable room means any room except a bathroom or kitchen.
- 4.4.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.4.4 The plane or planes referred to in section 4.4.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.4.5 An obstruction referred to in section 4.4.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.4.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
  - (a) the Director of Planning considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is not less than 3.7 m.

## SCHEDULE WW

# RT-3

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage the retention of neighbourhood and streetscape character, particularly through the retention, renovation and restoration of existing character buildings. Redevelopment is encouraged on sites with existing buildings of style and form that are inconsistent with the area's pre-1920 architecture. Emphasis is placed on the external design of additions to existing buildings and new buildings to encourage the preservation of the historic architectural character of the area. Floor area incentives are included to achieve the creation of affordable housing and the rehabilitation of original buildings that are important to the neighbourhood's character.

Without limitation, applicable Council policies and guidelines for consideration include the [Strathcona/Kiawassa RT-3 Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RT-3 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
1,850 m <sup>2</sup>	Hospital, in the case of a specifically designed facility not being a conversion	<a href="#">3.1</a>
510 m <sup>2</sup>	Multiple Dwelling	<a href="#">3.1</a>
	Rooming House	<a href="#">3.1</a>
418 m <sup>2</sup>	Infill	<a href="#">3.1</a>
260 m <sup>2</sup>	Duplex	<a href="#">3.1</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.1</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Artist Studio	Conditional	
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Conditional	
Duplex, in combination with another principal building	Conditional	<a href="#">2.2.2</a>
Infill	Conditional	
Micro Dwelling	Conditional	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.3</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.4</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing on the site as of November 3, 1992	Conditional	<a href="#">2.2.5</a>
Multiple Dwelling	Conditional	

Use	Approval	Use-Specific Regulations
Multiple Dwelling, in combination with another principal building	Conditional	<a href="#">2.2.2</a>
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	
Rooming House	Conditional	
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Conditional	
Single Detached House, in combination with another principal building	Conditional	<a href="#">2.2.2</a>
Single Detached House with Secondary Suite	Conditional	
Single Detached House with Secondary Suite, in combination with another principal building	Conditional	<a href="#">2.2.2</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Conditional	<a href="#">2.2.6</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.7</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	

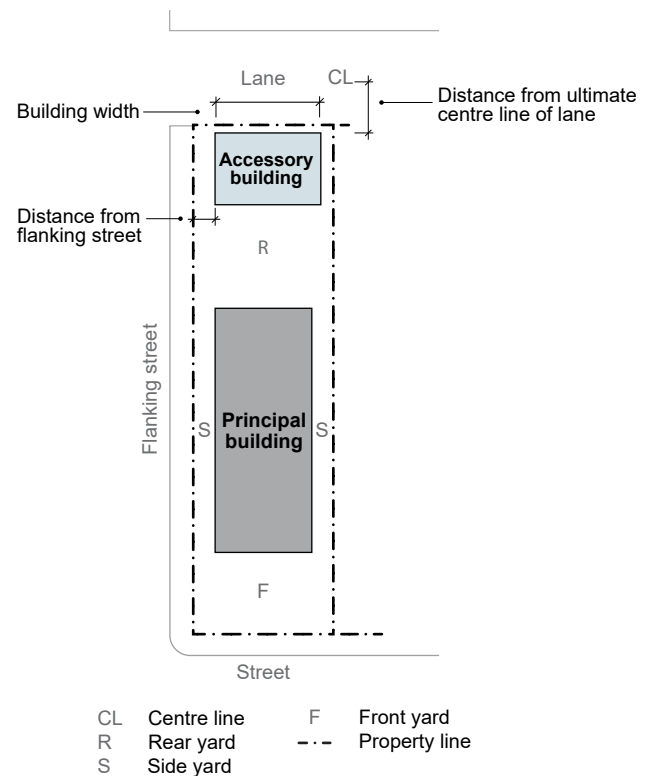
Use	Approval	Use-Specific Regulations
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.8</a> , <a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Any other use that is not specifically listed in this section <a href="#">2.1</a> but which was existing as of November 3, 1992, and either has a valid development permit or existed prior to June 18, 1956	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact adjacent dwelling uses.
- 2.2.2 The Director of Planning may permit more than 1 principal building on a site if the Director of Planning considers:
- (a) the height, bulk, location and overall design of the building or buildings and their impact on the site, surrounding buildings, streets and existing views;
  - (b) the amount of open space;
  - (c) the preservation of the character and general amenity desired for the area; and
  - (d) the intent of this schedule and all applicable Council policies and guidelines.
- 2.2.3 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.4 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions or exterior alterations to the building, except as required under section [2.2.4\(b\)](#) below; and
  - (b) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- 2.2.5 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing on the site as of November 3, 1992, may be permitted as a conditional approval use if the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties and the character of the area.
- 2.2.6 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.7 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:
    - (i) in the rear yard,
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
    - (iii) at least 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, does not exceed 35% of the required minimum rear yard, or 48 m<sup>2</sup>, whichever is the greater; and
  - (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line.

**Diagram: Building placement for accessory building**



- 2.2.9 The Director of Planning may vary the floor area and site coverage regulations for accessory buildings provided that in developments with a carport or garage, the Director of Planning considers the impact on neighbouring sites of building height, shadow, open space and landscaping.



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

Multiple dwelling, rooming house, infill, duplex, single detached house, single detached house with secondary suite, and all other uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is 0.60, except that:

- (a) for multiple dwelling, duplex, single detached house, single detached house with secondary suite, multiple conversion dwelling, seniors supportive or assisted housing, rooming house, or a development with more than 1 principal building, the Director of Planning may increase the permitted floor space ratio to 0.75; and
- (b) for infill, the Director of Planning may increase the permitted floor space ratio to 0.95 for the overall site,

if the Director of Planning considers: the height, bulk, location and overall design of the building or buildings and their impact on the site, surrounding buildings, streets and existing views; the amount of open space; the preservation of the character and general amenity desired for the area; and the intent of this schedule and all applicable Council policies and guidelines.

###### 3.1.1.2 The Director of Planning may also increase the permitted floor space ratio in accordance with section [3.1.2.21](#) of this schedule.

###### 3.1.1.3 Despite section [3.1.1.1](#) above and [Section 11](#) of this by-law, the maximum floor space ratio is 0.75 for a hospital that is a specifically designed facility not being a conversion.

##### 3.1.2 Building Form and Placement

Regulations	RT-3
3.1.2.1 Minimum site area for:	
(a) multiple dwelling	510 m <sup>2</sup>
(b) duplex	260 m <sup>2</sup>
(c) single detached house or single detached house with secondary suite	260 m <sup>2</sup>
(d) infill	418 m <sup>2</sup>

Regulations	RT-3
(e) rooming house	510 m <sup>2</sup>
(f) hospital that is a specifically designed facility not being a conversion, despite <a href="#">Section 11</a> of this by-law	1,850 m <sup>2</sup>
3.1.2.2 Maximum site frontage for:	a single lot or 2 adjoining lots on record in the Land Title Office prior to November 3, 1992
(a) multiple dwelling	
(b) community care facility – class B	
(c) group residence	
3.1.2.3 Maximum building height	10.7 m and 3 storeys
3.1.2.4 Minimum front yard depth	the average depth of the front yards of the 2 adjacent sites on each side of the site
3.1.2.5 Maximum front yard depth	3.7 m
3.1.2.6 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.1.2.7 Minimum rear yard depth	20.0 m
3.1.2.8 Maximum site coverage for all buildings	45% of the site area

### Site Area

- 3.1.2.9 The Director of Planning may decrease the minimum site area in sections [3.1.2.1\(b\)](#) and [3.1.2.1\(c\)](#) above if the lot was on record in the Land Title Office prior to November 3, 1992.

### Site Frontage

- 3.1.2.10 Despite the maximum site frontage in section [3.1.2.2](#) above, the combined frontage of adjoining lots must not exceed 15.3 m.

### Building Height

- 3.1.2.11 Despite the maximum building height in section [3.1.2.3](#) above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.

- 3.1.2.12 The Director of Planning may increase the maximum building height where:
- (a) the height of the adjacent building on each side of the site exceeds the maximum building height, provided that the maximum building height does not exceed the average of the 2 adjacent buildings; or
  - (b) the natural grade is substantially below the grade of the street or the lane adjoining the site, provided that the maximum building height is the lesser of 11.9 m or 3 storeys where the third storey is a partial storey not exceeding 50% of the storey immediately below.

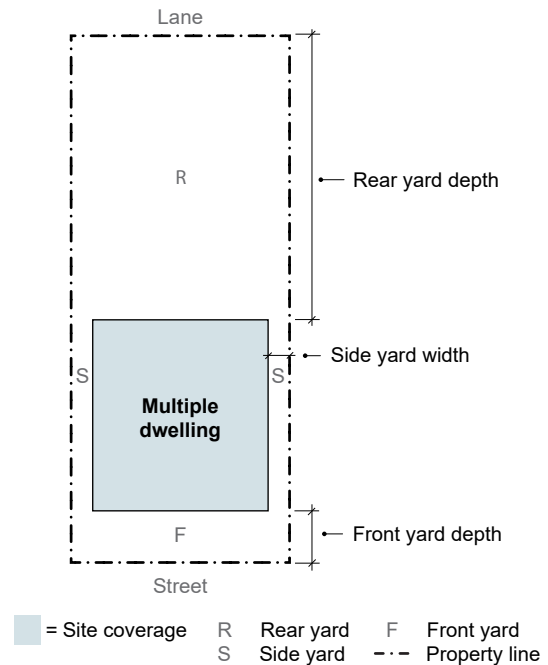
3.1.2.13 Despite the maximum building height in section 3.1.2.3 above, where more than 1 principal building is permitted on a site, any of those buildings or any portion thereof that will be situated closer to the rear property line than the distance of the rear yard required by section 3.1.2.7 above must have a height not exceeding the lesser of:

- (a) 8.5 m and 3 storeys, not including a basement, where the third storey is a partial storey not exceeding 50% of the storey immediately below; or
- (b) 8.5 m and 2 storeys, including a basement, where the second storey is a partial storey not exceeding 50% of the storey immediately below.

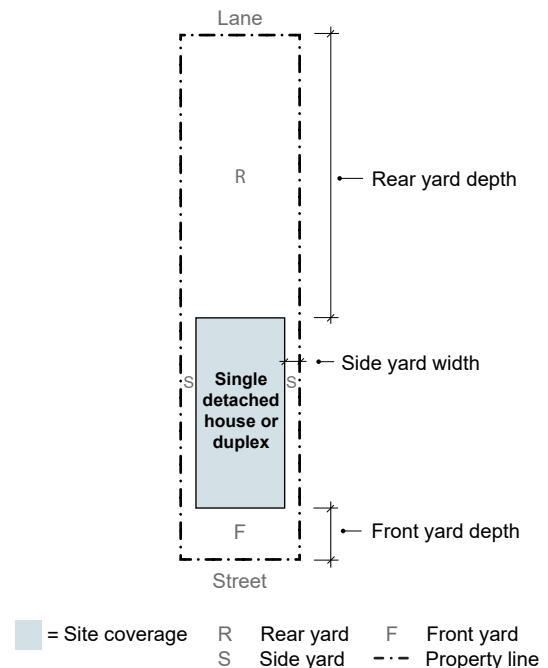
## Front Yard

- 3.1.2.14 Despite the minimum front yard depth in section 3.1.2.4 above:
- (a) where an adjacent site is vacant, it is deemed to have a front yard depth of 3.7 m;
  - (b) if 1 or more of the adjacent sites front on a street other than that of the

**Diagram: Building placement for multiple dwelling**



**Diagram: Building placement for duplex, single detached house or single detached house with secondary suite**



development site or the adjacent sites are separated by a street or lane, then such adjacent sites will not be used in computing the average; and

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

- 3.1.2.15 The Director of Planning may increase the maximum front yard depth where existing buildings on adjoining sites already exceed the maximum front yard depth in section [3.1.2.5](#) above and the increase would provide for a consistent front yard.

### Side Yard

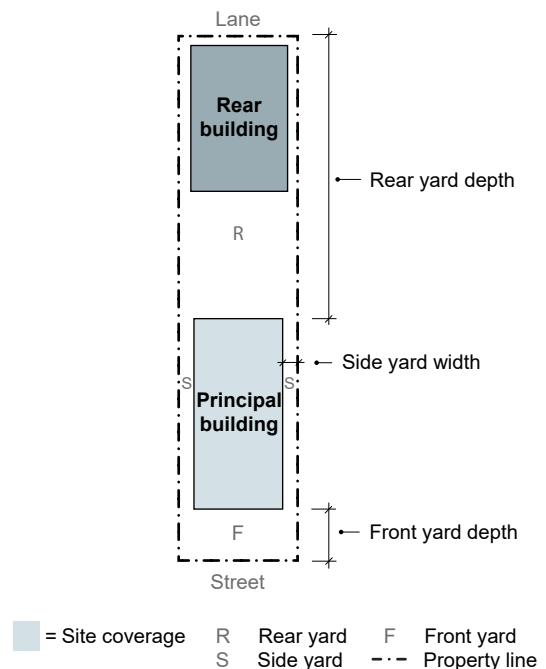
- 3.1.2.16 In the case of multiple conversion dwelling, infill, and a development with more than 1 principal building on a site, the Director of Planning may vary the minimum side yard width, if the Director of Planning considers:

- (a) the height, bulk, location and overall design of the building or buildings and their impact on the site, surrounding buildings, streets and existing views;
- (b) the amount of open space;
- (c) the preservation of the character and general amenity desired for the area; and
- (d) the intent of this schedule and all applicable Council policies and guidelines.

### Rear Yard

- 3.1.2.17 Despite the minimum rear yard depth in section [3.1.2.7](#) above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.18 The Director of Planning may reduce the required minimum rear yard depth where adjoining existing buildings do not meet the minimum rear yard in section [3.1.2.7](#) above.
- 3.1.2.19 In the case of multiple conversion dwelling, infill, and a development with more than 1 principal building on a site, the Director of Planning may vary the minimum rear yard depth if the Director of Planning considers:
- (a) the height, bulk, location and overall design of the building or buildings and their impact on the site, surrounding buildings, streets and existing views;

**Diagram: Building placement for 2 principal buildings on site or infill**



- (b) the amount of open space;
- (c) the preservation of the character and general amenity desired for the area; and
- (d) the intent of this schedule and all applicable Council policies and guidelines.

### **Site Coverage**

3.1.2.20 In the case of infill and a development with more than 1 principal building on a site, the Director of Planning may increase the maximum site coverage to a maximum of 50% of the site area.

### **Additional Discretion to Vary Regulations**

3.1.2.21 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary any regulation in this section 3.1 and any regulation in section 4.4 of this schedule:

- (a) for multiple dwelling or seniors supportive or assisted housing, provided that:
  - (i) it is demonstrated that the variation will serve to accomplish the provision of affordable housing,
  - (ii) a minimum of 25% of total dwelling units within any building must be owned or leased by a government or non-profit housing society, for housing persons with disabilities or individuals or families of low income or providing housing for mixed-income groups, and
  - (iii) the maximum floor space ratio does not exceed 1.00;
- (b) for multiple conversion dwelling or infill on a corner site, for the purpose of preserving pre-1920 buildings important to the character of the neighbourhood;
- (c) for an existing single detached house, single detached house with secondary suite, or duplex, provided that the building:
  - (i) is consistent with the pre-1920 character of the neighbourhood, and
  - (ii) replicates a previously existing or existing building on the site, including restoration of a building's original form, features, materials and decoration; and
- (d) for any existing building to allow for minor alterations to provide increased efficiency and liveability of the building in order to maintain the pre-1920 building character of the neighbourhood and to recognize that some existing buildings exceed regulations established under this schedule.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations except section 4.4, which only applies to conditional approval uses in this district.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units, or in multiple dwellings, artist studios, residential units associated with and forming an integral part of an artist studio, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height;
- (h) fire escapes, on a building existing on the site as of November 3, 1992, which are designed to meet City requirements for secondary egress; and
- (i) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with section 4.1.2(g) above, to which there is no access from the interior of the building.

## 4.2 Building Height: Measurement

- 4.2.1 Building height in this district must be measured from a hypothetical surface determined by joining the existing grades at the intersections of the hypothetical lines defining the front and rear yards and the side property lines, except that if 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 Site Coverage

- 4.3.1 The maximum site coverage for any portion of the site used as parking area is 30%, except where the principal use of the site is a parking area.

## 4.4 External Design

- 4.4.1 This section 4.4 only applies to conditional approval uses in this district.
- 4.4.2 For the purpose of sections 4.4.3 and 4.4.4 below, the principal facade means the building face that is situated closest to the front property line.
- 4.4.3 The principal facade must have:
  - (a) a maximum width of 6.1 m;
  - (b) a principal access by means of a straight staircase at right angles to the street, leading to a first-storey entry, porch or verandah; and
  - (c) a single principal entrance with single or double doors.
- 4.4.4 Except for the principal facade, all facades facing the front property line must be set back at least 3.0 m from the required front yard.
- 4.4.5 Exterior design, materials and details are subject to the following considerations:

- (a) all building facades must be characterized by the following:
  - (i) the style and form of architecture, external finishes and details to be consistent with those residential buildings in this district listed in the Vancouver Heritage Register, and
  - (ii) the floor of the first storey to be a minimum of 0.9 m and a maximum of 2.0 m above grade;
- (b) the Director of Planning may vary the requirements in this section 4.4.5 where a facade is not visible from a street or a lane; and
- (c) the Director of Planning may vary the requirements in this section 4.4.5 for additions and new construction involving a rear facade, to allow for decks, roof decks, solariums and similar building features, provided the overall design, materials and detail are compatible with the principal building and consistent with the intent of this schedule.

4.4.6 For renovations or additions to existing buildings and for new construction, window openings and proportions and doors must approximate windows and doors on the majority of residential buildings in this district listed in the Vancouver Heritage Register.

4.4.7 Roofs must be characterized by the following:

- (a) gable, multiple gable, hip-on-gable or “classic box” low-pitch hipped style; and
- (b) shingle finish.

4.4.8 The Director of Planning may vary the requirements of sections 4.4.3 to 4.4.7 above provided that:

- (a) the development is consistent with residential buildings in this district listed in the Vancouver Heritage Register;
- (b) a consistent form is achieved for every building on the site; and
- (c) the development reflects the character of the streetscape or lane and is compatible with the design of buildings on adjoining sites.

4.4.9 The Director of Planning may require the retention of any 1 or more of the following architectural or ornamental features involving existing buildings:

- (a) window, door and roof decoration;
- (b) bay windows;
- (c) tower and turret features;
- (d) hand rails and balusters; and
- (e) wood tracery and bargeboard.

4.4.10 The Director of Planning may vary any regulation in this section 4.4 in accordance with section 3.1.2.21 of this schedule.



## SCHEDULE XX

# RT-4, RT-4A, RT-4N and RT-4AN

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage the retention of existing residential structures and to maintain a residential neighbourhood character. In the RT-4 and RT-4N districts, emphasis is placed on the external design of all new buildings and additions being compatible with the historical character of the area, and on being neighbourly in scale and placement. In the RT-4 and RT-4N districts, this emphasis is limited to certain uses.

In the RT-4N and RT-4AN districts, acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [RT-4](#), [RT-4A](#), [RT-4N](#), [RT-4AN](#), [RT-5](#), [RT-5N](#) and [RT-6 Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RT-4, RT-4A, RT-4N and RT-4AN districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in [section 3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
306 m <sup>2</sup>	Duplex	<a href="#">3.1</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.1</a>
--	Other uses in <a href="#">section 2.1</a> of this schedule	<a href="#">3.1</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex, only in the RT-4A and RT-4AN districts	Outright	
Duplex, only in the RT-4 and RT-4N districts	Conditional	
Infill	Conditional	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.1</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.2</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing on the site as of December 6, 1977	Conditional	<a href="#">2.2.3</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House, only in the RT-4A and RT-4AN districts	Outright	
Single Detached House, only in the RT-4 and RT-4N districts	Conditional	
Single Detached House with Secondary Suite	Conditional	

Use	Approval	Use-Specific Regulations
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.4</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.5</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.6</a> , <a href="#">2.2.7</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.2 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building;
  - (b) no housekeeping or sleeping units are created; and
  - (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.
- 2.2.3 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing on the site as of December 6, 1977, may be permitted as a conditional approval use if:
- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties and the character of the area;
  - (b) building additions are in keeping with the character of the building; and
  - (c) no housekeeping or sleeping units are created.
- 2.2.4 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.5 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.6 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:
    - (i) in the rear yard,
    - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and

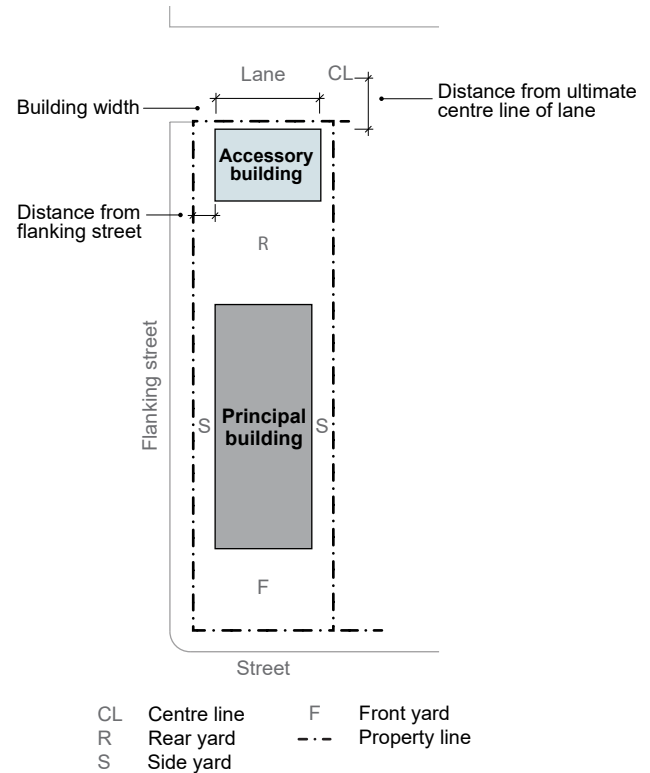
(iii) at least 1.5 m from a flanking street;

- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 35% of the required minimum rear yard, or 48 m<sup>2</sup>, whichever is the greater;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line; and
- (e) roof decks and decks are not located on an accessory building.

2.2.7 The Director of Planning may vary the floor area and site coverage regulations for accessory buildings and sections 4.7 and 4.8 of the [Parking By-law](#) provided that:

- (a) the Director of Planning is satisfied that adequate off-street parking on any site less than 36.6 m in depth cannot otherwise be accommodated; and
- (b) in developments with a carport or garage, the Director of Planning considers the impact on neighbouring sites of building height, shadow, open space and landscaping.

**Diagram: Building placement for accessory building**



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

Duplex, single detached house, single detached house with secondary suite, uses involving character house retention, and all other uses in these districts are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is 0.60.

##### 3.1.2 Building Form and Placement

Regulations	RT-4, RT-4A, RT-4N and RT-4AN
3.1.2.1 Minimum site area for:	306 m <sup>2</sup>
(a) duplex	
(b) single detached house or single detached house with secondary suite	
3.1.2.2 Maximum building height	10.7 m and 3 storeys
3.1.2.3 Minimum front yard depth	7.3 m
3.1.2.4 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.1.2.5 Minimum rear yard depth	10.7 m
3.1.2.6 Maximum site coverage for all buildings	45% of the site area

#### Site Area

##### 3.1.2.7 The Director of Planning may decrease the minimum site area if:

- (a) the lot was on record in the Land Title Office prior to August 10, 1976; or
- (b) 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.

## Building Height

- 3.1.2.8 Despite the maximum building height in section 3.1.2.2 above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.

## Front Yard

- 3.1.2.9 The Director of Planning may decrease the minimum front yard depth if the Director of Planning considers the depths of the adjacent front yards, the intent of this schedule and all applicable Council policies and guidelines.

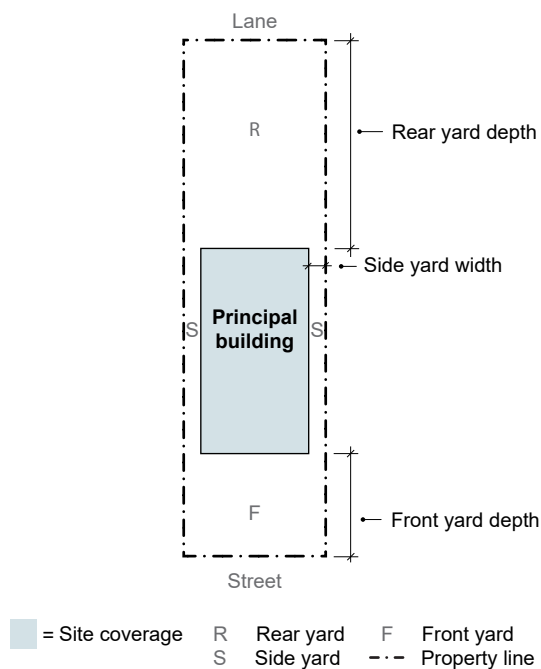
## Side Yard

- 3.1.2.10 For infill, the Director of Planning may decrease the minimum side yard width in order to maintain the character of the neighbourhood, including where possible the retention of existing buildings, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Rear Yard

- 3.1.2.11 Despite the minimum rear yard depth in section 3.1.2.5 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.12 For infill, the Director of Planning may decrease the minimum rear yard depth in order to maintain the character of the neighbourhood, including where possible the retention of existing buildings, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Diagram: Building placement for all uses



## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:



- (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
- (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area; 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 section 4.1.2(g) above, to which there is no access from the interior of the building.

## 4.2 Site Coverage

- 4.2.1 The maximum site coverage for any portion of the site used as parking area is 30%.

## SCHEDULE YY

# RT-5 and RT-5N

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this 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.

In the RT-5N district, acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [RT-4](#), [RT-4A](#), [RT-4N](#), [RT-4AN](#), [RT-5](#), [RT-5N](#) and [RT-6 Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RT-5 and RT-5N districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
338 m <sup>2</sup>	Multiple Dwelling	<a href="#">3.1</a>
	Multiple Dwelling, in combination with another principal building	<a href="#">3.1</a>
306 m <sup>2</sup>	Duplex or Duplex with Secondary Suite	<a href="#">3.2</a>
	Single Detached House or a Single Detached House with Secondary Suite	<a href="#">3.2</a>
	Single Detached House, in combination with another Single Detached House or a Single Detached House with Secondary Suite	<a href="#">3.2</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.2</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	<a href="#">2.2.1</a>
<b>Cultural and Recreational Uses</b>		
Club	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Community Centre or Neighbourhood House	Conditional	<a href="#">2.2.1</a>
Library, in combination with Community Centre	Conditional	<a href="#">2.2.1</a>
Park or Playground	Conditional	<a href="#">2.2.1</a>
<b>Dwelling Uses</b>		
Duplex	Outright	<a href="#">2.2.1</a>
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Infill, in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.1</a>
Infill, existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.1</a>
Laneway House	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.5</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>

Use	Approval	Use-Specific Regulations
Multiple Conversion Dwelling, not permitted as an outright approval use and existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
Multiple Dwelling	Conditional	<a href="#">2.2.1</a>
Multiple Dwelling, in combination with another principal building	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.9</a> , <a href="#">2.2.10</a>
Principal Dwelling Unit with Lock-off Unit	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Seniors Supportive or Assisted Housing	Conditional	<a href="#">2.2.1</a>
Single Detached House	Outright	<a href="#">2.2.1</a>
Single Detached House with Secondary Suite	Conditional	<a href="#">2.2.1</a>
Single Detached House, in combination with another Single Detached House or a Single Detached House with Secondary Suite	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.9</a> , <a href="#">2.2.10</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a>
Child Day Care Facility	Conditional	<a href="#">2.2.1</a>
Church	Conditional	<a href="#">2.2.1</a>
Community Care Facility – Class A	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Community Care Facility – Class B	Conditional	<a href="#">2.2.1</a>
Group Residence	Conditional	<a href="#">2.2.1</a>
Hospital	Conditional	<a href="#">2.2.1</a>
Public Authority Use, essential in these districts	Conditional	<a href="#">2.2.1</a>
School – Elementary or Secondary	Conditional	<a href="#">2.2.1</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a>
<b>Office Uses</b>		
Temporary Sales Office	Conditional	<a href="#">2.2.1</a>
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Neighbourhood Grocery Store	Conditional	<a href="#">2.2.1</a>
Public Bike Share	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	<a href="#">2.2.1</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>

Use	Approval	Use-Specific Regulations
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.14</a> , <a href="#">2.2.15</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

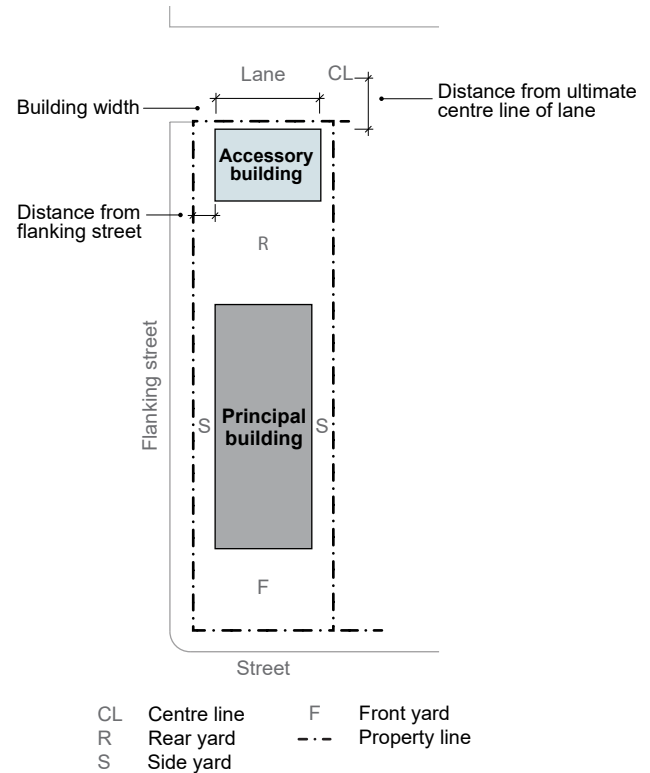
## 2.2 Use-Specific Regulations

- 2.2.1 Where an existing character house is demolished in order to allow for new development, the use is limited to single detached house or single detached house with secondary suite, and laneway house, unless the character house is demolished in order to allow for new development on an under-utilized lot.
- 2.2.2 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.
- 2.2.3 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.
- 2.2.4 Laneway house must be in combination with a single detached house or single detached house with secondary suite, which is the only principal building on the site. Laneway house is regulated by [Section 11](#) of this by-law and sections [3](#) and [4](#) of this schedule do not apply.
- 2.2.5 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.6 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building;
  - (b) no housekeeping or sleeping units are created; and
  - (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.
- 2.2.7 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted as a conditional approval use if it contains no housekeeping or sleeping units.

- 2.2.8 Multiple conversion dwelling that is not permitted as an outright approval use, and that was existing on the site as of January 16, 2018, may be permitted as a conditional approval use if:
- (a) additions are in keeping with the character of the building; and
  - (b) no housekeeping or sleeping units are created.
- 2.2.9 The Director of Planning may permit more than 1 principal building on a site with a multiple dwelling or single detached house, if the Director of Planning considers:
- (a) the building height, bulk, location and overall design of the buildings and their impact on the site, surrounding buildings, streets and existing views;
  - (b) the amount of open space and the impact of the overall design on the general amenity of the area;
  - (c) the preservation of the character and general amenity desired for the area; and
  - (d) the intent of this schedule and all applicable Council policies and guidelines.
- 2.2.10 Where there is more than 1 principal building on a site, at least 1 principal building must be located in the rear yard.
- 2.2.11 Principal dwelling unit with lock-off unit may be permitted only in:
- (a) a duplex or single detached house and there may be no more than 1 lock-off unit for each dwelling unit; and
  - (b) a duplex with secondary suite if there is only 1 secondary suite and only 1 lock-off unit, and the lock-off unit is in the dwelling unit without a secondary suite.
- 2.2.12 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.13 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.14 Accessory buildings customarily ancillary to any use listed in section [2.1](#) of this schedule, are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:

- (i) in the rear yard,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 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, does not exceed:
- (i) 48 m<sup>2</sup> for duplex and duplex with secondary suite, and
  - (ii) 35% of the required minimum rear yard, or 48 m<sup>2</sup>, whichever is the greater, for all other uses;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line; and
- (e) roof decks and decks are not located on an accessory building.

**Diagram: Building placement for accessory building**



2.2.15 The Director of Planning may vary the floor area and site coverage regulations for accessory buildings and sections 4.7 and 4.8 of the [Parking By-law](#) provided that:

- (a) the Director of Planning is satisfied that adequate off-street parking on any site less than 36.6 m in depth cannot otherwise be accommodated; and
- (b) in developments with a carport or garage, the Director of Planning considers the impact on neighbouring sites of building height, shadow, open space and landscaping.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Multiple Dwelling, and Multiple Dwelling in Combination with Another Principal Building

Multiple dwelling, and multiple dwelling in combination with another principal building, are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 On a site:

- (a) without an existing character house; or
- (b) where an existing character house is demolished in order to allow for new development on an under-utilized lot,

the maximum floor space ratio is 0.60, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 0.75 if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

###### 3.1.1.2 The total number of dwelling units on a site, including lock-off units and secondary suites, must not exceed 74 units per hectare.

##### 3.1.2 Building Form and Placement

Regulations		RT-5 and RT-5N
3.1.2.1	Minimum site area	338 m <sup>2</sup>
3.1.2.2	Maximum site frontage	a single lot or 2 adjoining lots on record in the Land Title Office prior to January 16, 2018
3.1.2.3	Maximum building height for:	
	(a) a building other than a rear building	10.7 m and 3 storeys
	(b) a rear building	7.7 m and 2 storeys
3.1.2.4	Minimum front yard depth	7.3 m
3.1.2.5	Minimum side yard width where the site width:	
	(a) does not exceed 15.0 m	10% of the site width



Regulations	RT-5 and RT-5N
(b) exceeds 15.0 m	1.5 m
3.1.2.6 Minimum rear yard depth where the average site depth:	
(a) does not exceed 36.6 m	10.7 m
(b) exceeds 36.6 m	30% of the site depth
3.1.2.7 Maximum site coverage for all buildings	45% of the site area
3.1.2.8 Maximum building depth	45% of the site depth

### Site Frontage

- 3.1.2.9 Despite the maximum site frontage in section 3.1.2.2 above, the combined frontage of adjoining lots must not exceed 15.6 m.

### Building Height

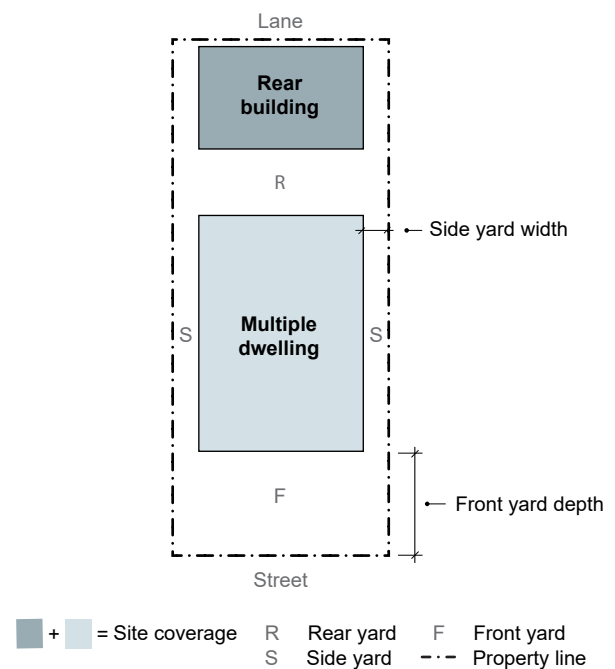
- 3.1.2.10 Despite the maximum building height:
- (a) in section 3.1.2.3(a) above, the third storey of a building other than a rear building must be a partial storey not exceeding 50% of the storey immediately below; and
  - (b) in section 3.1.2.3(b) above, the second storey of a rear building must be a partial storey not exceeding 50% of the storey immediately below,

except that the Director of Planning may vary this requirement for a partial storey if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Rear Yard

- 3.1.2.11 Despite the minimum rear yard depth in section 3.1.2.6 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

**Diagram: Building placement for multiple dwelling in combination with another principal building**



3.1.2.12 The Director of Planning may decrease the minimum rear yard depth if:

- (a) at least 50% of the dwelling units within any building contain 2 or more bedrooms; and
- (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Discretion to Vary Other Regulations**

3.1.2.13 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the minimum site area;
- (b) the minimum front yard depth, provided that consideration is given to the depths of the adjacent front yards;
- (c) the minimum side yard depth, provided that at least 50% of the dwelling units within any building contain 2 or more bedrooms; and
- (d) the maximum building depth.

## 3.2 Other Uses

Duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, uses involving character retention, and all other uses not regulated by section 3.1 of this schedule are subject to the following regulations.

### 3.2.1 Density and Floor Area

3.2.1.1 On a site with an existing character house that is retained, the Director of Planning may permit a maximum floor space ratio of:

- (a) 0.75 to facilitate an addition to that character house; or
- (b) 0.85 for infill in combination with the retention of that character house,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.2.1.2 On a site where an existing character house is demolished in order to allow for construction of a new single detached house or single detached house with secondary suite, the maximum floor space ratio is 0.50, subject to section 3.2.1.3 below.

3.2.1.3 On a site without an existing character house, or a site where an existing character house is demolished in order to allow for new development on an under-utilized lot, the maximum floor space ratio is:

- (a) 0.75 for duplex and duplex with secondary suite; and
- (b) 0.60 for all other uses, except that if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may increase in the permitted floor space ratio to a maximum of:
  - (i) 0.75 for seniors supportive or assisted housing, or
  - (ii) 0.75 for single detached house in combination with another single detached house or a single detached house with secondary suite, provided that the floor space ratio for the principal building located in the rear yard does not exceed 0.25.

3.2.1.4 The total number of dwelling units on a site must not exceed:

- (a) 74 units per hectare, including lock-off units and secondary suites, on a site with a site area of 338 m<sup>2</sup> or more, or a site with a character house; or
- (b) 2 units, excluding lock-off units and secondary suites, for all other sites.

### 3.2.2 Building Form and Placement

Regulations	RT-5 and RT-5N
3.2.2.1 Minimum site area for:	306 m <sup>2</sup>
(a) duplex and duplex with secondary suite	
(b) single detached house and single detached house with secondary suite	
(c) single detached house in combination with another single detached house or a single detached house with secondary suite	
3.2.2.2 Maximum building height for:	
(a) a building other than a rear building	10.7 m and 3 storeys
(b) a rear building	7.7 m and 2 storeys
3.2.2.3 Minimum front yard depth	7.3 m
3.2.2.4 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.2.2.5 Minimum rear yard depth where the average site depth:	
(a) does not exceed 36.6 m	10.7 m
(b) exceeds 36.6 m	30% of the site depth
3.2.2.6 Maximum site coverage for all buildings	45% of the site area
3.2.2.7 Maximum building depth for:	
(a) single detached house in combination with another single detached house or a single detached house with secondary suite	no maximum
(b) all other uses	45% of the site depth

#### Site Area

3.2.2.8 The Director of Planning may decrease the minimum site area if:

- (a) the lot was on record in the Land Title Office prior to August 10, 1976; or
- (b) 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.

## Building Height

3.2.2.9 Despite the maximum building height:

- (a) in section 3.2.2.2(a) above, the third storey of a building other than a rear building must be a partial storey not exceeding 50% of the storey immediately below; and
- (b) in section 3.2.2.2(b) above, the second storey of a rear building must be a partial storey not exceeding 50% of the storey immediately below,

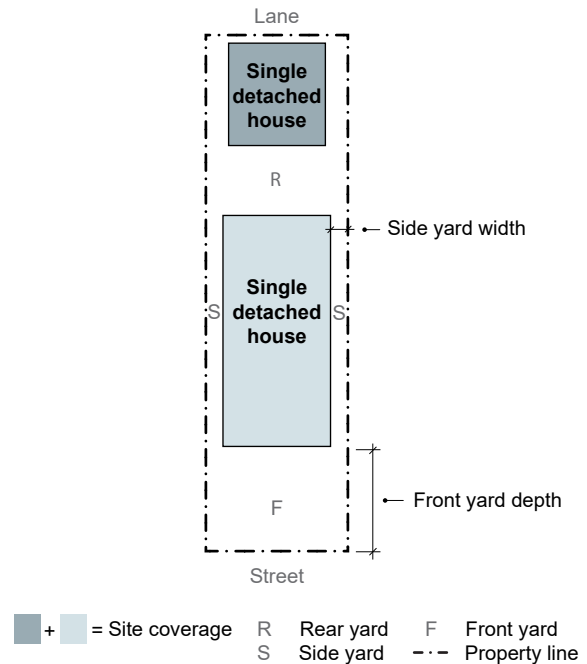
except that the Director of Planning may vary this requirement for a partial storey if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Rear Yard

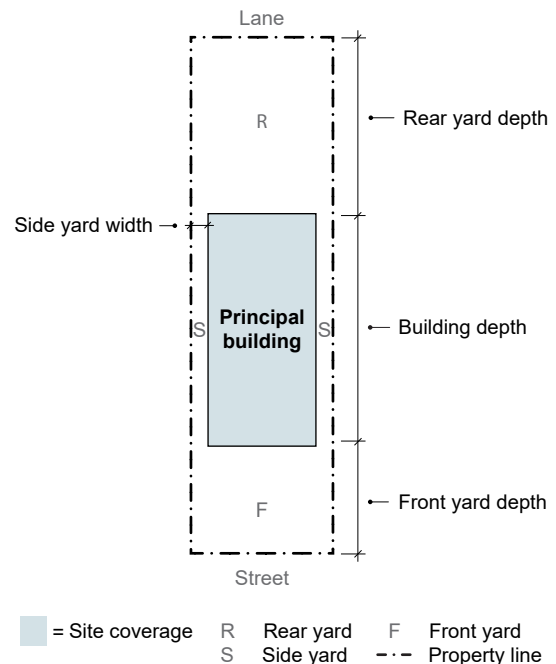
3.2.2.10 Despite the minimum rear yard depth in section 3.2.2.5 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

3.2.2.11 For seniors supportive or assisted housing, the Director of Planning may decrease the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all Council policies and guidelines.

**Diagram: Building placement for single detached house in combination with another single detached house or single detached house with secondary suite**



**Diagram: Building placement for principal building**



### **Discretion to Vary Other Regulations**

3.2.2.12 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the minimum front yard depth provided that consideration is given to the depths of the adjacent front yards;
- (b) the minimum side yard width for seniors supportive or assisted housing; and
- (c) the maximum building depth.

## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units or in multiple dwellings, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building or second principal building located in the rear of the site, provided that the maximum exclusion does not exceed 42 m<sup>2</sup> and 7.3 m in length;
- (d) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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 if:
  - (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 4.1.2(a) above, does not exceed 13% of the permitted floor area,
  - (iii) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor, and
  - (iv) for duplex and duplex with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m;
- (g) for duplex and duplex 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 if:
- (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% of the permitted total floor area,
- and despite the definition of “partial storey” in Section 2 of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section 4.1.2(g); 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 section 4.1.2(f) above, to which there is no access from the interior of the building.

## 4.2 Dwelling Unit Density: Calculation

- 4.2.1 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded to the nearest whole number and one-half must be rounded up.

## 4.3 Site Coverage

- 4.3.1 The maximum site coverage for any portion of the site used as parking area is 30%.

## 4.4 Building Depth: Measurement

- 4.4.1 Maximum building depth means the maximum distance between the required minimum front yard and the rear of a principal building.

## 4.5 External Design

- 4.5.1 For the purpose of this section 4.5, “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.



- 4.5.2 In a duplex or duplex with secondary suite:
- (a) there must be 2 main entrances, 1 to each principal dwelling unit;
  - (b) on a corner site, 1 main entrance must face the front street and 1 main entrance must face the flanking street; and
  - (c) there must be an entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.
- 4.5.3 In a single detached house or single detached house with secondary suite, the 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 partial storey above the second storey must not exceed:
    - (i) 50% of the width of the elevation of the storey below, for dormers oriented to the rear yard, street or flanking lane, and
    - (ii) 25% of the width of the elevation of the storey below, for dormers oriented to the interior side yard.
- 4.5.4 In a duplex or duplex with secondary suite, roof design must comply with the following provisions:
- (a) all roofs except for dormer roofs must:
    - (i) have a slope not less than 7:12 and not more than 12:12,
    - (ii) be either hip or gable or a combination of both, and
    - (iii) 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 partial storey or attic above the second storey;
  - (b) dormer roofs must be gable, hip or shed in form and must have a minimum slope of 4:12;
  - (c) the maximum total width of dormers provided on a partial storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
  - (d) all exterior dormer walls must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
  - (e) despite section 4.5.4(d) above, 1 dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings that provide access from the second storey to the partial storey above may have its face wall flush or continuous with the second storey exterior wall face below.

- 4.5.5 Exterior windows in a secondary suite or lock-off unit must have a minimum total glazing area of:
- (a) 10% of the total floor area of the room, in each of the kitchen, living room and dining room; and
  - (b) 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.
- 4.5.6 The Director of Planning may vary the requirements of sections 4.5.2, 4.5.4 and 4.5.5 above for a duplex or duplex with secondary suite:
- (a) 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
  - (b) 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.
- 4.5.7 The Director of Planning may vary any of the external design regulations in this section 4.5 if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

## 5 RELAXATIONS

- 5.1 In the case of the placement of more than 1 principal building on a site, the Director of Planning may relax the minimum side yard requirements, the minimum rear yard requirements, and the requirements relating to the location of additional principal buildings prescribed in this schedule, where the literal enforcement of those regulations would result in unnecessary hardship, if the Director of Planning considers:
- (a) the height, bulk, location and overall design of the building or buildings and their impact on the site, surrounding buildings, streets and existing views;
  - (b) the amount of open space and the impact of overall design on the general amenity of the area;
  - (c) the preservation of the character and general amenity desired for the area; and
  - (d) the intent of this schedule and all applicable Council policies and guidelines.

## SCHEDULE ZZ

# RT-6

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage the retention, renovation and restoration of existing residential buildings that 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.

Without limitation, applicable Council policies and guidelines for consideration include the [RT-4](#), [RT-4A](#), [RT-4N](#), [RT-4AN](#), [RT-5](#), [RT-5N](#) and [RT-6 Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RT-6 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
338 m <sup>2</sup>	Multiple Dwelling	<a href="#">3.1</a>
	Multiple Dwelling, in combination with another principal building	<a href="#">3.1</a>
306 m <sup>2</sup>	Duplex or Duplex with Secondary Suite	<a href="#">3.2</a>
	Single Detached House or a Single Detached House with Secondary Suite	<a href="#">3.2</a>
	Single Detached House, in combination with another Single Detached House or a Single Detached House with Secondary Suite	<a href="#">3.2</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.2</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	<a href="#">2.2.1</a>
<b>Cultural and Recreational Uses</b>		
Community Centre or Neighbourhood House	Conditional	<a href="#">2.2.1</a>
Library, in combination with Community Centre	Conditional	<a href="#">2.2.1</a>
Park or Playground	Conditional	<a href="#">2.2.1</a>
<b>Dwelling Uses</b>		
Duplex	Conditional	<a href="#">2.2.1</a>
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Infill, in combination with the retention of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.1</a>
Infill, existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.1</a>
Laneway House	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.5</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a character house existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>

Use	Approval	Use-Specific Regulations
Multiple Conversion Dwelling, not permitted as an outright approval use and existing on the site as of January 16, 2018	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>
Multiple Dwelling	Conditional	<a href="#">2.2.1</a>
Multiple Dwelling, in combination with another principal building	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a> , <a href="#">2.2.9</a>
Principal Dwelling Unit with Lock-off Unit	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Seniors Supportive or Assisted Housing	Conditional	<a href="#">2.2.1</a>
Single Detached House	Conditional	<a href="#">2.2.1</a>
Single Detached House with Secondary Suite	Conditional	<a href="#">2.2.1</a>
Single Detached House, in combination with another Single Detached House or a Single Detached House with Secondary Suite	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a> , <a href="#">2.2.9</a>
<b>Institutional Uses</b>		
Child Day Care Facility	Conditional	<a href="#">2.2.1</a>
Church	Conditional	<a href="#">2.2.1</a>
Community Care Facility – Class A	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Community Care Facility – Class B	Conditional	<a href="#">2.2.1</a>
Group Residence	Conditional	<a href="#">2.2.1</a>
Public Authority Use, essential in this district	Conditional	<a href="#">2.2.1</a>
School – Elementary or Secondary	Conditional	<a href="#">2.2.1</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a>
<b>Office Uses</b>		
Temporary Sales Office	Conditional	<a href="#">2.2.1</a>
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Neighbourhood Grocery Store	Conditional	<a href="#">2.2.1</a>
Public Bike Share	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	<a href="#">2.2.1</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.13</a> , <a href="#">2.2.14</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	

Use	Approval	Use-Specific Regulations
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Where an existing character house is demolished in order to allow for new development, the use is limited to single detached house or single detached house with secondary suite, and laneway house, unless the character house is demolished in order to allow for new development on an under-utilized lot.
- 2.2.2 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.
- 2.2.3 Laneway house must be in combination with a single detached house or single detached house with secondary suite, which is the only principal building on the site. Laneway house is regulated by [Section 11](#) of this by-law and sections [3](#) and [4](#) of this schedule do not apply.
- 2.2.4 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.5 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building; and
  - (b) no housekeeping or sleeping units are created.
- 2.2.6 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a character house existing on the site as of January 16, 2018, may be permitted as a conditional approval use if it contains no housekeeping or sleeping units.
- 2.2.7 Multiple conversion dwelling that is not permitted as an outright approval use, and that was existing on the site as of January 16, 2018, may be permitted as a conditional approval use if:
- (a) additions are in keeping with the character of the building; and
  - (b) no housekeeping or sleeping units are created.
- 2.2.8 The Director of Planning may permit more than 1 principal building on a site with a multiple dwelling or single detached house, if the Director of Planning considers:
- (a) the building height, bulk, location and overall design of the buildings and their impact on the site, surrounding buildings, streets and existing views;

- (b) the amount of open space and the impact of the overall design on the general amenity of the area;
- (c) the preservation of the character and general amenity desired for the area; and
- (d) the intent of this schedule and all applicable Council policies and guidelines.

2.2.9 Where there is more than 1 principal building on a site, at least 1 principal building must be located in the rear yard.

2.2.10 Principal dwelling unit with lock-off unit may be permitted only in:

- (a) a duplex or single detached house and there may be no more than 1 lock-off unit for each dwelling unit; and
- (b) a duplex with secondary suite if there is only 1 secondary suite and only 1 lock-off unit, and the lock-off unit is in the dwelling unit without a secondary suite.

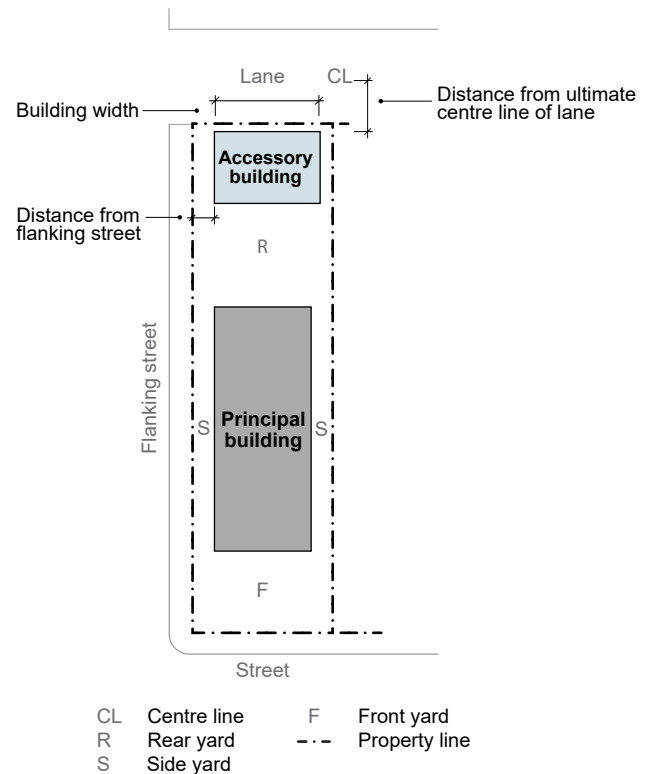
2.2.11 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.12 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.13 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
  - (i) in the rear yard,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and

**Diagram: Building placement for accessory building**



- (iii) at least 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, does not exceed 35% of the required minimum rear yard, or 48 m<sup>2</sup>, whichever is the greater;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line; and
- (e) roof decks and decks are not located on an accessory building.

2.2.14 The Director of Planning may vary the floor area and site coverage regulations for accessory buildings and sections 4.7 and 4.8 of the [Parking By-law](#) provided that:

- (a) the Director of Planning is satisfied that adequate off-street parking on any site less than 36.6 m in depth cannot otherwise be accommodated; and
- (b) in developments with a carport or garage, the Director of Planning considers the impact on neighbouring sites of building height, shadow, open space and landscaping.



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Multiple Dwelling, and Multiple Dwelling in Combination with Another Principal Building

Multiple dwelling, and multiple dwelling in combination with another principal building, are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 On a site:

- (a) without an existing character house; or
- (b) where an existing character house is demolished in order to allow for new development on an under-utilized lot,

the maximum floor space ratio is 0.60, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 0.75 if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

###### 3.1.1.2 The total number of dwelling units on a site, including lock-off units and secondary suites, must not exceed 74 units per hectare.

##### 3.1.2 Building Form and Placement

Regulations		RT-6
3.1.2.1	Minimum site area	338 m <sup>2</sup>
3.1.2.2	Maximum site frontage	a single lot or 2 adjoining lots on record in the Land Title Office prior to January 16, 2018
3.1.2.3	Maximum building height for:	
	(a) a building other than a rear building	10.7 m and 3 storeys
	(b) a rear building	7.7 m and 2 storeys
3.1.2.4	Minimum front yard depth	7.3 m
3.1.2.5	Minimum side yard width where the site width:	
	(a) does not exceed 15.0 m	10% of the site width

Regulations	RT-6
(b) exceeds 15.0 m	1.5 m
3.1.2.6 Minimum rear yard depth	10.7 m
3.1.2.7 Maximum site coverage for all buildings	45% of the site area
3.1.2.8 Maximum building depth	45% of the site depth

### Site Frontage

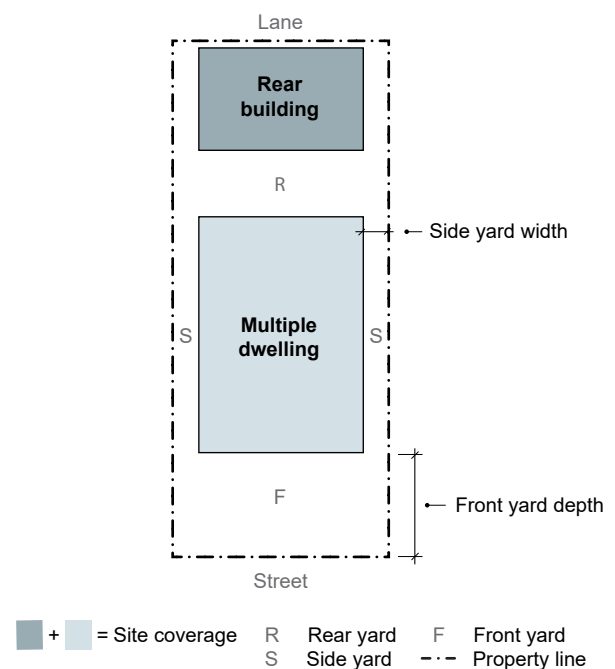
- 3.1.2.9 Despite the maximum site frontage in section 3.1.2.2 above, the combined frontage of adjoining lots must not exceed 15.6 m.

### Building Height

- 3.1.2.10 Despite the maximum building height:
- (a) in section 3.1.2.3(a) above, the third storey of a building other than a rear building must be a partial storey not exceeding 50% of the storey immediately below; and
  - (b) in section 3.1.2.3(b) above, the second storey of a rear building must be a partial storey not exceeding 50% of the storey immediately below,

except that the Director of Planning may vary this requirement for a partial storey if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for multiple dwelling in combination with another principal building**



### Rear Yard

- 3.1.2.11 Despite the minimum rear yard depth in section 3.1.2.6 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.12 The Director of Planning may decrease the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### **Discretion to Vary Other Regulations**

3.1.2.13 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the minimum site area;
- (b) the minimum front yard depth, provided that consideration is given to the depths of the adjacent front yards;
- (c) the minimum side yard depth; and
- (d) the maximum building depth.

## 3.2 Other Uses

Duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, uses involving character house retention, and all other uses not regulated by section 3.1 of this schedule are subject to the following regulations.

### 3.2.1 Density and Floor Area

3.2.1.1 On a site with an existing character house that is retained, the Director of Planning may permit a maximum floor space ratio of:

- (a) 0.75 to facilitate an addition to that character house; or
- (b) 0.85 for infill in combination with the retention of that character house,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.2.1.2 On a site where an existing character house is demolished in order to allow for construction of a new single detached house or single detached house with secondary suite, the maximum floor space ratio is 0.50, subject to section 3.2.1.3 below.

3.2.1.3 On a site without an existing character house, or a site where an existing character house is demolished in order to allow for new development on an under-utilized lot, the maximum floor space ratio is 0.60, except that the Director of Planning may increase the permitted floor space ratio to a maximum of:

- (a) 0.75 for duplex or duplex with secondary suite; or
- (b) 0.75 for single detached house in combination with another single detached house or a single detached house with secondary suite, provided that the floor space ratio for the principal building located in the rear yard does not exceed 0.25,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.2.1.4 The total number of dwelling units on a site must not exceed:

- (a) 74 units per hectare, including lock-off units and secondary suites, on a site with a site area of 338 m<sup>2</sup> or more, or a site with a character house; or
- (b) 2 units, excluding lock-off units and secondary suites, for all other sites.

### 3.2.2 Building Form and Placement

Regulations	RT-6
3.2.2.1 Minimum site area for:	
(a) duplex and duplex with secondary suite	306 m <sup>2</sup>
(b) single detached house and single detached house with secondary suite	
(c) single detached house in combination with another single detached house or a single detached house with secondary suite	
3.2.2.2 Maximum building height for:	
(a) a building other than a rear building	10.7 m and 3 storeys
(b) a rear building	7.7 m and 2 storeys
3.2.2.3 Minimum front yard depth	7.3 m
3.2.2.4 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.2.2.5 Minimum rear yard depth	10.7 m
3.2.2.6 Maximum site coverage for all buildings	45% of the site area
3.2.2.7 Maximum building depth for:	
(a) single detached house and single detached house with secondary suite	35% of the site depth
(b) single detached house in combination with another single detached house or single detached house with secondary suite	no maximum
(c) all other uses	45% of the site depth

#### Site Area

- 3.2.2.8 The Director of Planning may decrease the minimum site area if the lot was on record in the Land Title Office prior to August 10, 1976.

## Building Height

3.2.2.9 Despite the maximum building height:

- (a) in section 3.2.2.2(a) above, the third storey of a building other than a rear building must be a partial storey not exceeding 50% of the storey immediately below; and
- (b) in section 3.2.2.2(b) above, the second storey of a rear building must be a partial storey not exceeding 50% of the storey immediately below,

except that the Director of Planning may vary this requirement for a partial storey if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Rear Yard

3.2.2.10 Despite the minimum rear yard depth in section 3.2.2.5 above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

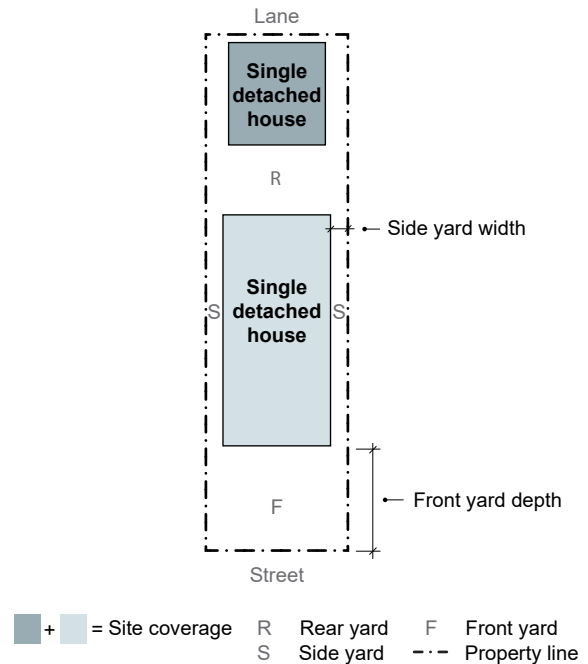
3.2.2.11 For seniors supportive or assisted housing, the Director of Planning may decrease the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all Council policies and guidelines.

## Discretion to Vary Other Regulations

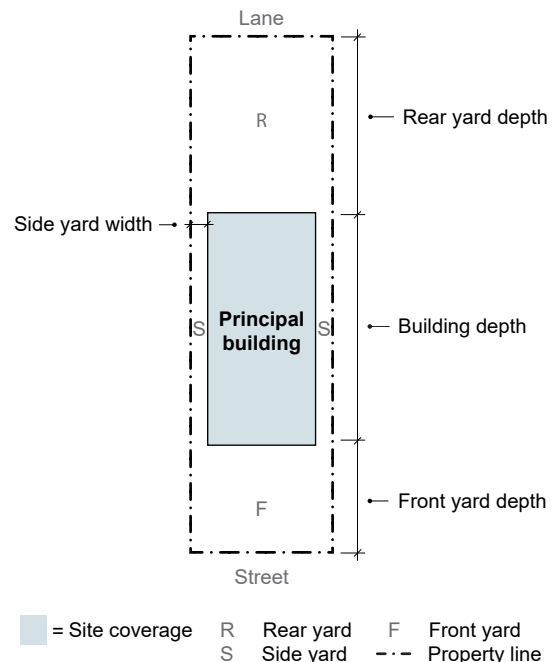
3.2.2.12 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the minimum front yard depth provided that consideration is given to the depths of the adjacent front yards;

**Diagram: Building placement for single detached house in combination with another single detached house or single detached house with secondary suite**



**Diagram: Building placement for principal building**



- (b) the minimum side yard width for seniors supportive or assisted housing; and
- (c) the maximum building depth.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations except section 4.5, which only applies to conditional approval uses in this district.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) entries, porches and verandahs, and covered porches above the first storey if:
  - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area;
- (c) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units or in multiple dwellings, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building or second principal building located in the rear of the site, provided that the maximum exclusion does not exceed 42 m<sup>2</sup> and 7.3 m in length;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or



- (ii) adjacent to a storey or partial 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 that are designed to meet City requirements for secondary egress;
- (h) for duplex and duplex 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, if:
  - (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% of the permitted total floor area,
 and despite the definition of “partial storey” in [Section 2](#) of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section [4.1.2\(h\)](#); 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 section [4.1.2\(b\)](#) above, to which there is no access from the interior of the building.

## 4.2 Dwelling Unit Density: Calculation

- 4.2.1 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded to the nearest whole number and one-half must be rounded up.

## 4.3 Site Coverage

- 4.3.1 The maximum site coverage for any portion of the site used as parking area is 30%.

## 4.4 Building Depth: Measurement

- 4.4.1 Maximum building depth means the maximum distance between the required minimum front yard and the rear of a principal building.

## 4.5 External Design

- 4.5.1 This section [4.5](#) only applies to conditional approval uses in this district.
- 4.5.2 For the purpose of sections [4.5.3](#) and [4.5.4](#) below, the principal facade means the building face that is situated closest to the front property line.

- 4.5.3 The principal facade must 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.
- 4.5.4 Except for the principal facade, all facades facing the front property line must be set back at least 3.0 m from the front yard.
- 4.5.5 All building facades must be characterized by the following:
- (a) the style and form of architecture and exterior finishes must be consistent with those residential buildings in this district listed in the Vancouver Heritage Register; and
  - (b) the floor of the first storey must be a minimum of 0.9 m and a maximum of 2.0 m above grade.
- 4.5.6 For renovations or additions to existing buildings and for new construction, windows must approximately replicate windows on the residential buildings in this district listed in the Vancouver Heritage Register.
- 4.5.7 Roofs must be characterized by the following:
- (a) gable or hip-on-gable style; and
  - (b) shingle finish.
- 4.5.8 The Director of Planning may vary the requirements of sections 4.5.3 to 4.5.7 above if:
- (a) the development 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) the development reflects the character of the streetscape and is compatible with the design of buildings on adjoining sites.
- 4.5.9 The Director of Planning may require the retention of any 1 or more of the following architectural or ornamental features:
- (a) window, door and roof decoration;
  - (b) bay windows;
  - (c) tower and turret features;

- (d) hand rails and balusters; and
- (e) wood tracery and bargeboard.

4.5.10 The Director of Planning may vary any of the external design regulations in this section 4.5 if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

## 5 RELAXATIONS

5.1 In the case of the placement of more than 1 principal building on a site, the Director of Planning may relax the minimum side yard requirements, the minimum rear yard requirements, and the requirements relating to the location of additional principal buildings prescribed in this schedule, where the literal enforcement of those regulations would result in unnecessary hardship, if the Director of Planning considers:

- (a) the height, bulk, location and overall design of the building or buildings and their impact on the site, surrounding buildings, streets and existing views;
- (b) the amount of open space and the impact of overall design on the general amenity of the area;
- (c) the preservation of the character and general amenity desired for the area; and
- (d) the intent of this schedule and all applicable Council policies and guidelines.

## SCHEDULE AAA

# RT-7

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage the retention and renovation of existing buildings that maintain an architectural style and building form consistent with the historical character of the area. Redevelopment is encouraged on sites where existing buildings are smaller or do not contribute to this character. For renovations and additions, emphasis is placed on maintaining existing external architectural character; for new development, on compatibility in external character. In all cases, neighbourly building scale and placement is emphasized. The regulations reflect the smaller size of buildings relative to surrounding districts.

Without limitation, applicable Council policies and guidelines for consideration include the [Kitsilano RT-7 and RT-8 Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RT-7 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
306 m <sup>2</sup>	Duplex	<a href="#">3.1</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.1</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Conditional	
Infill	Conditional	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.1</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.2</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing on the site as of May 17, 1994	Conditional	<a href="#">2.2.3</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Conditional	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	

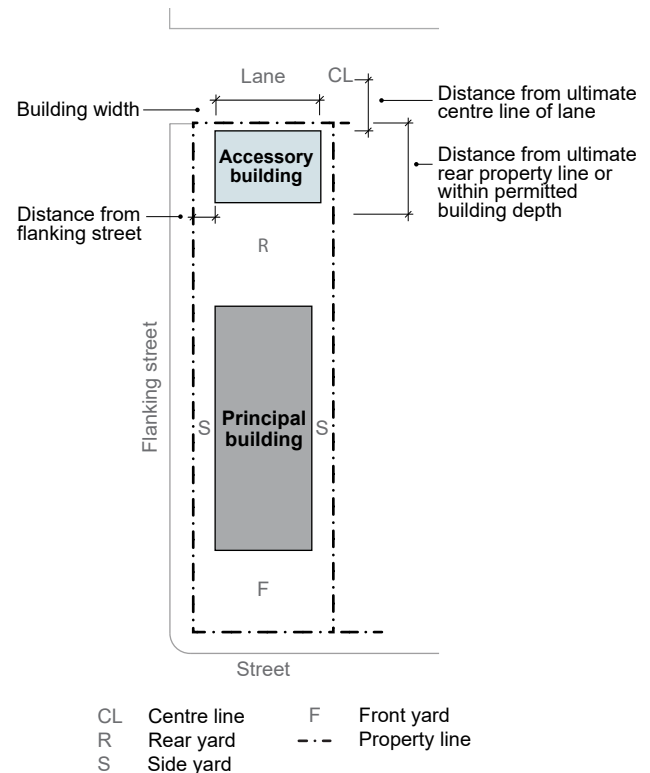
Use	Approval	Use-Specific Regulations
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Conditional	<a href="#">2.2.4</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.5</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.6</a> , <a href="#">2.2.7</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.

- 2.2.2 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building;
  - (b) no housekeeping or sleeping units are created; and
  - (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.
- 2.2.3 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing on the site as of May 17, 1994, may be permitted as a conditional approval use if:
- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties and the character of the area;
  - (b) building additions are in keeping with the character of the building; and
  - (c) no housekeeping or sleeping units are created.
- 2.2.4 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.5 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.6 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, are permitted as an outright approval use if:
- (a) no accessory building exceeds:
    - (i) 3.1 m in height, measured to the highest point of a flat roof, or
    - (ii) 3.5 m in height, measured to the deck line of a mansard roof or to the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.0 m in building height;

**Diagram: Building placement for accessory building**



- (b) all accessory buildings are located:
  - (i) within 6.7 m of the ultimate rear property line or within the permitted building depth,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 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, does not exceed 42 m<sup>2</sup>, except that the Director of Planning may increase the permitted floor area to a maximum of 48 m<sup>2</sup> for accessory buildings ancillary to multiple conversion dwellings containing 3 or more units, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line; and
- (e) in the case of a site:
  - (i) more than 30.5 m in depth, roof decks and decks are not located on an accessory building, or
  - (ii) less than or equal to 30.5 m in depth, a roof deck or deck may be located on an accessory building and the Director of Planning may permit an increase in building height to allow guards that do not exceed the required minimum height.

2.2.7 The Director of Planning may vary the floor area and site coverage regulations for accessory buildings and sections 4.7 and 4.8 of the [Parking By-law](#) provided that:

- (a) the Director of Planning is satisfied that adequate off-street parking on any site less than 36.6 m in depth cannot otherwise be accommodated; and
- (b) in developments with a carport or garage, the Director of Planning considers the impact on neighbouring sites of building height, shadow, open space and landscaping.



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

Duplex, single detached house, single detached house with secondary suite, uses involving character house retention, and all other uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is 0.40, except that:

- (a) for single detached house, single detached house with secondary suite, duplex, infill and multiple conversion dwelling the Director of Planning may increase:
  - (i) the permitted floor space ratio to a maximum of 0.60,
  - (ii) the permitted floor space ratio beyond 0.60 provided that:
    - (A) there are no building additions, and
    - (B) the additional floor area to be permitted is within the lowest floor, walls and roof of a building existing on the site as of July 24, 1990, except for floor area additions up to a maximum of 5 m<sup>2</sup>, which may be the result of meeting the exiting requirements of the Building By-law or providing additional daylight into existing attic space,
  - (iii) the floor area by up to 5 m<sup>2</sup> more than the floor space ratio permitted in sections [3.1.1.1\(a\)\(i\)](#) and [3.1.1.1\(a\)\(ii\)](#) above, where the proposed development includes the retention of an existing building and the Director of Planning is satisfied the increase will assist in the retention, and
  - (iv) the permitted floor space ratio to achieve 185 m<sup>2</sup> of floor area on sites where the floor space ratio permitted in sections [3.1.1.1\(a\)\(i\)](#), [3.1.1.1\(a\)\(ii\)](#) and [3.1.1.1\(a\)\(iii\)](#) above results in less than 185 m<sup>2</sup> of floor area; and
- (b) for all other uses, the Director of Planning may increase the permitted floor space ratio to a maximum of 0.60,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines and the submission of any advisory group, property owner or tenant.

###### 3.1.1.2 The total number of dwelling units on a site must not exceed:

- (a) for infill, 62 units per hectare; and
- (b) for multiple conversion dwelling, 74 units per hectare.

### 3.1.2 Building Form and Placement

Regulations	RT-7
3.1.2.1 Minimum site area for:	306 m <sup>2</sup>
(a) duplex	
(b) single detached house or single detached house with secondary suite	
3.1.2.2 Maximum building height for:	
(a) all buildings other than infill	10.7 m and 2 storeys
(b) infill	7.7 m and 2 storeys
3.1.2.3 Minimum front yard depth	the average of the minimum front yard depths of the 2 adjacent sites
3.1.2.4 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.1.2.5 Maximum site coverage for all buildings	45% of the site area
3.1.2.6 Maximum building depth	35% of the site depth

#### Site Area

- 3.1.2.7 The Director of Planning may decrease the minimum site area if the lot was on record in the Land Title Office prior to August 10, 1976.

#### Building Height

- 3.1.2.8 The Director of Planning may increase the maximum building height in section [3.1.2.2\(a\)](#) above to exceed 2 storeys if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.1.2.9 Despite the maximum building height in section [3.1.2.2\(b\)](#) above, the second storey of an infill building must be a partial storey not exceeding 60% of the storey immediately below, except that the Director of Planning may vary this requirement for a partial storey.

#### Front Yard

- 3.1.2.10 Despite the minimum front yard depth in section [3.1.2.3](#) above:

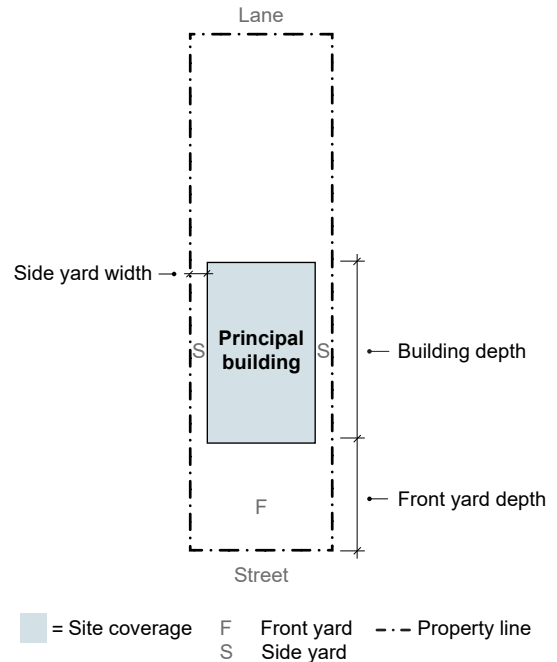
- (a) where an adjacent site is vacant, the next adjacent site that is not vacant will be used to determine the average;
- (b) if 1 or more of the adjacent sites front on a street other than that of the development site, or the adjacent sites are separated by a street or lane, or the Director of Planning is satisfied that 1 or more of the adjacent sites is an anomaly, then such adjacent sites will 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.

3.1.2.11 The Director of Planning may decrease the minimum front yard if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### Discretion to Vary Other Regulations

- 3.1.2.12 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the minimum side yard width to no less than 60% of the required side yards for infill or where the retention of an existing building is proposed; and
  - (b) the maximum building depth, including for the purpose of allowing an infill in the rear yard.

**Diagram: Building placement for principal building**



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 6.7 m in length, which are:
  - (i) located in an accessory building located on the site in accordance with sections [2.2.6](#) and [2.2.7](#) of this schedule or in an infill building, up to a maximum of 42 m<sup>2</sup>, and
  - (ii) where a site has no developed secondary access, located in a principal building, or in an accessory building located within the building depth prescribed in this schedule, up to a maximum floor area that the Director of Planning may determine, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, provided the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:
  - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area; 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 section 4.1.2(g) above, to which there is no access from the interior of the building.

4.1.3 If the rear property line of a corner site adjoins the side yard of a site in an R district, without the intervention of a lane, the Director of Planning may vary section 4.1.2 of this schedule to permit the exclusion of floor area used for off-street parking in the principal building up to a maximum of 42 m<sup>2</sup>.

4.1.4 For multiple conversion dwellings containing 3 or more dwelling units, the Director of Planning may increase the excluded parking floor area of an accessory building permitted under section 4.1.2 of this schedule to a maximum of 48 m<sup>2</sup>, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

4.1.5 For infill, the Director of Planning may increase the excluded parking floor space permitted under section 4.1.2 of this schedule to a maximum of 48 m<sup>2</sup>, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4.2 Dwelling Unit Density: Calculation

4.2.1 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded down to the nearest whole number.

## 4.3 Site Coverage

4.3.1 The maximum site coverage for any portion of the site used as parking area is 30%.

## 4.4 Building Depth: Measurement

4.4.1 Maximum building depth means the maximum distance between the required minimum front yard and the rear of a building, measured prior to any required lane dedication.

## 4.5 External Design

4.5.1 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, if:

- (a) the purpose is to provide light or access to a basement or cellar;

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

## SCHEDULE BBB

# RT-8

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage the retention and renovation of existing buildings that maintain an architectural style and building form consistent with the historical character of the area. Redevelopment is encouraged on sites where existing buildings are smaller or do not contribute to this character. For renovations and additions, emphasis is placed on maintaining existing external architectural character; for new development, on compatibility in external character. In all cases, neighbourly building scale and placement is emphasized.

Without limitation, applicable Council policies and guidelines for consideration include the [Kitsilano RT-7 and RT-8 Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RT-8 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
306 m <sup>2</sup>	Duplex	<a href="#">3.1</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.1</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Conditional	
Infill	Conditional	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.3</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing on the site as of May 17, 1994	Conditional	<a href="#">2.2.4</a>
Multiple Dwelling	Conditional	<a href="#">2.2.5</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Conditional	
Single Detached House with Secondary Suite	Conditional	



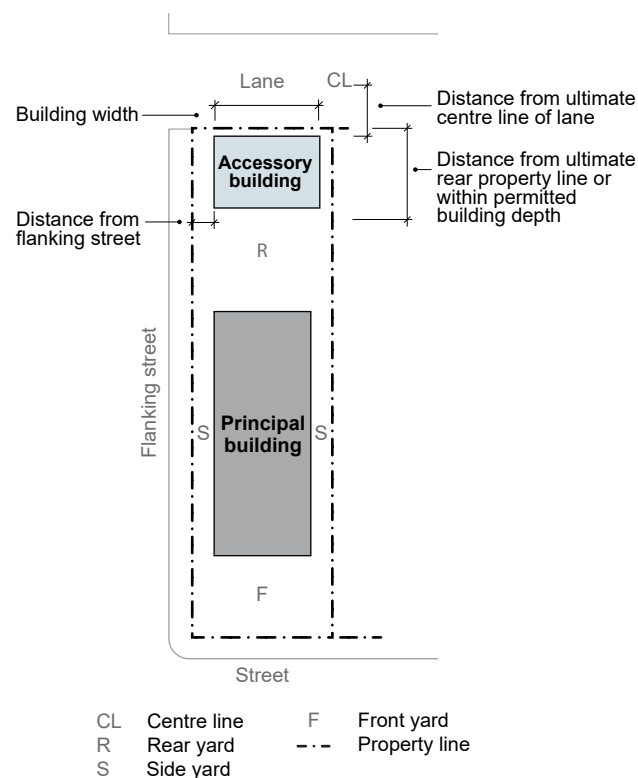
Use	Approval	Use-Specific Regulations
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Conditional	<a href="#">2.2.6</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.7</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.8</a> , <a href="#">2.2.9</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.
- 2.2.2 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.3 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building;
  - (b) no housekeeping or sleeping units are created; and
  - (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.
- 2.2.4 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing on the site as of May 17, 1994, may be permitted as a conditional approval use if:
- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties and the character of the area;
  - (b) building additions are in keeping with the character of the building; and
  - (c) no housekeeping or sleeping units are created.
- 2.2.5 Multiple dwelling may be permitted if a minimum of 50% of the dwelling units within any building contain 2 or more bedrooms.
- 2.2.6 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.7 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, are permitted as an outright approval use if:
- (a) no accessory building exceeds:
    - (i) 3.1 m in height, measured to the highest point of a flat roof, or
    - (ii) 3.5 m in height, measured to the deck line of a mansard roof or to the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
- provided that no portion of an accessory building exceeds 4.0 m in building height;

- (b) all accessory buildings are located:
- (i) within 6.7 m of the ultimate rear property line or within the permitted building depth,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 1.5 m from a flanking street;

**Diagram: Building placement for accessory building**



- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 42 m<sup>2</sup>, except that the Director of Planning may increase the permitted floor area to a maximum of 48 m<sup>2</sup> for accessory buildings ancillary to multiple conversion dwellings containing 3 or more dwelling units, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line; and
- (e) in the case of a site:
- (i) more than 30.5 m in depth, roof decks and decks are not located on an accessory building, or
  - (ii) less than or equal to 30.5 m in depth, a roof deck or deck may be located on an accessory building and the Director of Planning may permit an increase in building height to allow guards that do not exceed the required minimum height.

2.2.9 The Director of Planning may vary the floor area and site coverage regulations for accessory buildings and sections 4.7 and 4.8 of the [Parking By-law](#) provided that:

- (a) the Director of Planning is satisfied that adequate off-street parking on any site less than 36.6 m in depth cannot otherwise be accommodated; and
- (b) in developments with a carport or garage, the Director of Planning considers the impact on neighbouring sites of building height, shadow, open space and landscaping.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

Duplex, single detached house, single detached house with secondary suite, uses involving character house retention, and all other uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is 0.50, except that:

- (a) for single detached house, single detached house with secondary suite, duplex, infill, multiple conversion dwelling, multiple dwelling and seniors supportive or assisted housing the Director of Planning may increase:
  - (i) the permitted floor space ratio to a maximum of 0.75,
  - (ii) the permitted floor space ratio beyond 0.75, provided that:
    - (A) there are no building additions, and
    - (B) the additional floor area to be permitted is within the lowest floor, walls and roof of a building existing on the site as of July 24, 1990, except for floor area additions up to a maximum of 5 m<sup>2</sup>, which may be the result of meeting the exiting requirements of the Building By-law or providing additional daylight into existing attic space,
  - (iii) the floor area by up to 5 m<sup>2</sup> more than the floor space ratio permitted in sections [3.1.1.1\(a\)\(i\)](#) and [3.1.1.1\(a\)\(ii\)](#) above, where the proposed development includes the retention of an existing building and the Director of Planning is satisfied the increase will assist in the retention, and
  - (iv) the permitted floor space ratio to achieve 185 m<sup>2</sup> of floor area on sites where the floor space ratio permitted in sections [3.1.1.1\(a\)\(i\)](#) and [3.1.1.1\(a\)\(ii\)](#) above results in less than 185 m<sup>2</sup> of floor area; and
- (b) for all other uses, the Director of Planning may increase the permitted floor space ratio to a maximum of 0.60,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines and the submission of any advisory group, property owner, or tenant.

###### 3.1.1.2 The total number of dwelling units on a site must not exceed:

- (a) for infill and multiple conversion dwelling, 74 units per hectare; and
- (b) for multiple dwelling, 62 units per hectare.

### 3.1.2 Building Form and Placement

Regulations	RT-8
3.1.2.1 Minimum site area for:	306 m <sup>2</sup>
(a) duplex	
(b) single detached house or single detached house with secondary suite	
3.1.2.2 Minimum site frontage for multiple dwelling	existing frontage of a single lot on record in the Land Title Office prior to May 17, 1994
3.1.2.3 Maximum building height for:	
(a) all buildings other than infill	10.7 m and 2 storeys
(b) infill	7.7 m or 2 storeys
3.1.2.4 Minimum front yard depth	the average of the minimum front yard depths of the 2 adjacent sites
3.1.2.5 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.1.2.6 Maximum site coverage for all buildings	45% of the site area
3.1.2.7 Maximum building depth	35% of the site depth

#### Site Area

- 3.1.2.8 The Director of Planning may reduce the minimum site area if the lot was on record in the Land Title Office prior to August 10, 1976.

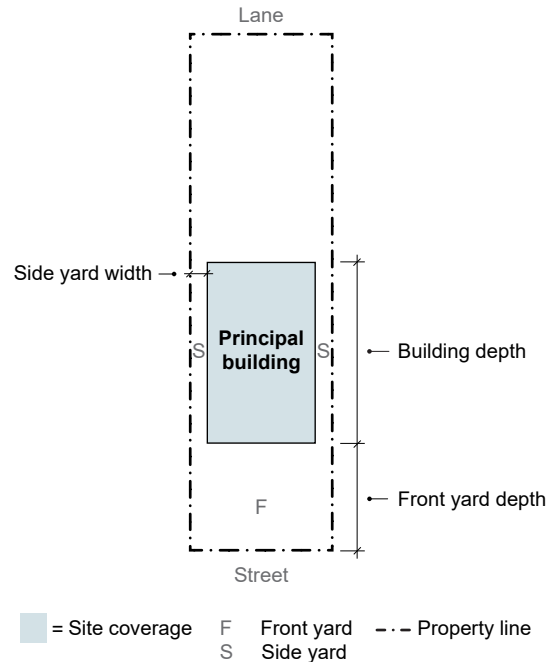
#### Building Height

- 3.1.2.9 The Director of Planning may vary the maximum building height in section [3.1.2.3\(a\)](#) above to exceed 2 storeys if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.1.2.10 Despite the maximum building height in section [3.1.2.3\(b\)](#) above, the second storey of an infill building must be a partial storey not exceeding 60% of the storey immediately below, except that the Director of Planning may vary this requirement for a partial storey.

## Front Yard

- 3.1.2.11 Despite the minimum front yard depth in section 3.1.2.4 above:
- (a) where an adjacent site is vacant, the next adjacent site that is not vacant will be used to determine the average;
  - (b) if 1 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 1 or more of the adjacent sites is an anomaly, then such adjacent sites will 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.

**Diagram: Building placement for principal building**



- 3.1.2.12 The Director of Planning may vary the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Side Yard

- 3.1.2.13 The Director of Planning may decrease the minimum side yard width to no less than 60% of the minimum side yard width, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, in the case of:
- (a) infill;
  - (b) multiple dwellings, provided that no fewer than 50% of the dwelling units within any building contain 2 or more bedrooms;
  - (c) seniors supportive or assisted housing; or
  - (d) where the proposed development includes the retention of an existing building.

## Building Depth

- 3.1.2.14 The Director of Planning may increase the maximum building depth, including for the purpose of allowing an infill in the rear yard, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units or in multiple dwellings, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 6.7 m in length, which are:
  - (i) located in an accessory building located on the site in accordance with sections [2.2.8](#) and [2.2.9](#) of this schedule or in an infill building, up to a maximum of 42 m<sup>2</sup>, and
  - (ii) where a site has no developed secondary access, located in a principal building, or in an accessory building located within the building depth prescribed in this schedule, up to a maximum floor area that the Director of Planning may determine, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (d) amenity areas in multiple conversion dwellings containing 3 or more dwelling units or in multiple dwellings, including child day care facilities, recreation facilities and meeting rooms, provided that:
  - (i) the total area being excluded does not exceed 10% of the total permitted floor area, and
  - (ii) in the case of child day care facilities, the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or

- (ii) adjacent to a storey or partial 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, if:
  - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area; 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 section 4.1.2(g) above, to which there is no access from the interior of the building.

4.1.3 If the rear property line of a corner site adjoins the side yard of a site in an R district, without the intervention of a lane, the Director of Planning may vary section 4.1.2 of this schedule to permit the exclusion of floor area used for off-street parking in the principal building up to a maximum of 42 m<sup>2</sup>.

4.1.4 For multiple conversion dwellings containing 3 or more dwelling units, the Director of Planning may increase the excluded parking floor area of an accessory building permitted under section 4.1.2 of this schedule to a maximum of 48 m<sup>2</sup>, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

4.1.5 For infill, the Director of Planning may increase the excluded parking floor space permitted under section 4.1.2 of this schedule to a maximum of 48 m<sup>2</sup>, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4.2 Dwelling Unit Density: Calculation

4.2.1 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded to the nearest whole number and one-half must be rounded up.

## 4.3 Site Coverage

4.3.1 The maximum site coverage for any portion of the site used as parking area is 30%.

## 4.4 Building Depth: Measurement

4.4.1 Maximum building depth means the maximum distance between the required minimum front yard and the rear of a building, measured prior to any required lane dedication.



## 4.5 External Design

4.5.1 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, if:

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

## SCHEDULE CCC

# RT-9

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage new development with a diversity of character and neighbourly building scale and placement. The retention and renovation of existing buildings is also permitted on sites where buildings have historical or architectural merit.

Without limitation, applicable Council policies and guidelines for consideration include the [Kitsilano Point RT-9 Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RT-9 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
306 m <sup>2</sup>	Duplex	<a href="#">3.1</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.1</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.3</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing on the site as of December 6, 1977	Conditional	<a href="#">2.2.4</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.5</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	

Use	Approval	Use-Specific Regulations
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.6</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.
- 2.2.2 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.3 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building;
  - (b) no housekeeping or sleeping units are created; and

- (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.4 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing on the site as of December 6, 1977, may be permitted as a conditional approval use if:

- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties and the character of the area;
- (b) building additions are in keeping with the character of the building; and
- (c) no housekeeping or sleeping units are created.

2.2.5 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

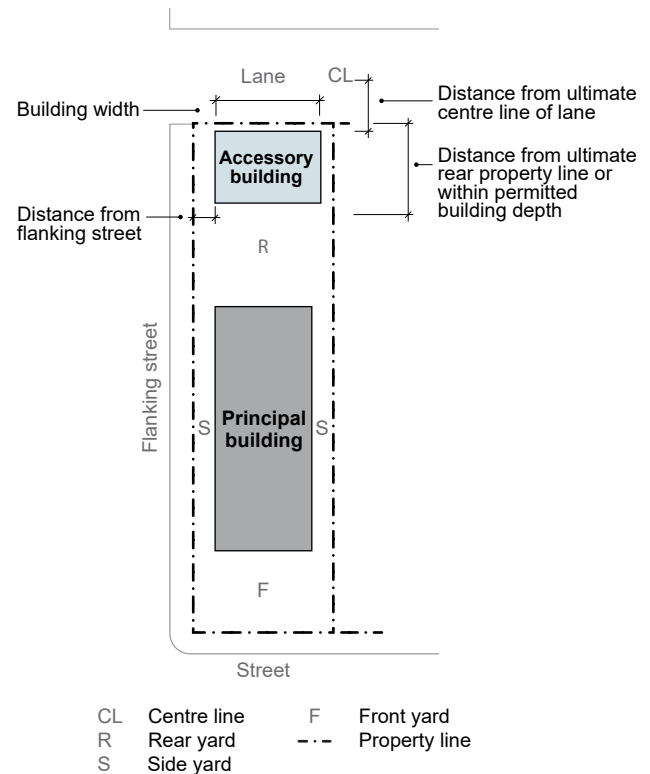
2.2.6 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.7 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, are permitted as an outright approval use if:

- (a) no accessory building exceeds:
  - (i) 3.1 m in height, measured to the highest point of a flat roof, or
  - (ii) 3.7 m in height, measured to the deck line of a mansard roof or to the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
  - (i) within 6.7 m of the ultimate rear property line or within the permitted building depth,

**Diagram: Building placement for accessory building**



- (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
- (iii) at least 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, does not exceed 48 m<sup>2</sup>;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line; and
- (e) in the case of a site:
  - (i) more than 30.5 m in depth, roof decks and decks are not located on an accessory building, or
  - (ii) less than or equal to 30.5 m in depth, a roof deck or deck may be located on an accessory building and the Director of Planning may permit an increase in building height where there is a flat roof to allow guards that do not exceed the required minimum height.

2.2.8 The Director of Planning may vary the floor area and site coverage regulations for accessory buildings and sections 4.7 and 4.8 of the [Parking By-law](#) provided that:

- (a) the Director of Planning is satisfied that adequate off-street parking on any site less than 36.6 m in depth cannot otherwise be accommodated; and
- (b) in developments with a carport or garage, the Director of Planning considers the impact on neighbouring sites of building height, shadow, open space and landscaping.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

Duplex, single detached house, single detached house with secondary suite, and all other uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 0.60, except that for single detached house, single detached house with secondary suite, duplex, and multiple conversion dwelling, the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 0.75; or
- (b) the permitted floor space ratio beyond 0.75, provided that:
  - (i) there are no building additions, and
  - (ii) the additional floor area to be permitted is within the walls and roof of a building existing as of November 2, 1993, except for floor area additions that may be the result of meeting the exiting requirements of the Building By-law or providing additional daylight into existing attic space,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines and the submission of any advisory group, property owner or tenant.

3.1.1.2 In the case of a multiple conversion dwelling, the total number of dwelling units on a site must not exceed 74 units per hectare.

##### 3.1.2 Building Form and Placement

Regulations		RT-9
3.1.2.1	Minimum site area for:	306 m <sup>2</sup>
	(a) duplex	
	(b) single detached house or single detached house with secondary suite	
3.1.2.2	Maximum building height	10.7 m and 3 storeys
3.1.2.3	Minimum front yard depth	the average of the minimum front yard depths of the 2 adjacent sites
3.1.2.4	Minimum side yard width where the site width:	
	(a) does not exceed 15.0 m	10% of the site width

Regulations	RT-9
(b) exceeds 15.0 m	1.5 m
3.1.2.5 Maximum site coverage for all buildings	45% of the site area
3.1.2.6 Maximum building depth	40% of the site depth

### Site Area

- 3.1.2.7 The Director of Planning may reduce the minimum site area if the lot was on record in the Land Title Office prior to August 10, 1976.

### Building Height

- 3.1.2.8 Despite the maximum building height in section 3.1.2.2 above, the third storey must be a partial storey not exceeding 50% of the storey immediately below.

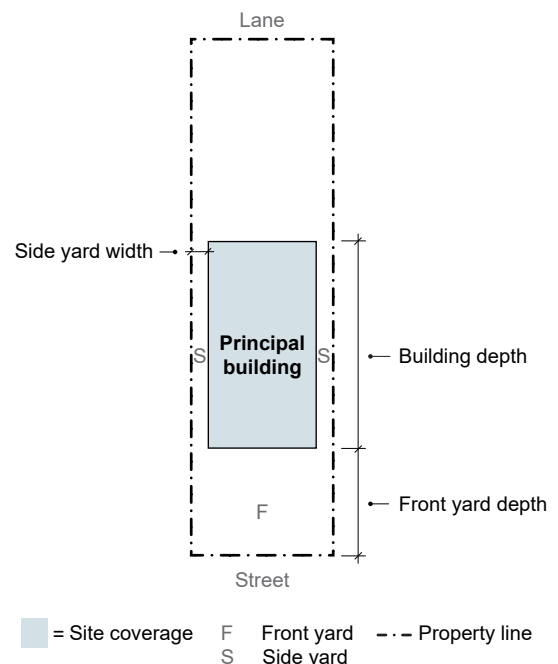
### Front Yard

- 3.1.2.9 Despite the minimum front yard depth in section 3.1.2.3 above:
- (a) where an adjacent site is vacant, the next adjacent site that is not vacant will be used to determine the average;
  - (b) if 1 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 will 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.
- 3.1.2.10 The Director of Planning may vary the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Building Depth

- 3.1.2.11 The Director of Planning may increase the maximum building depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for principal building**





## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are:
  - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 6.7 m in length, or
  - (ii) above base surface and where developed as off-street parking are contained in an accessory building situated on a site in accordance with sections [2.2.7](#) and [2.2.8](#) of this schedule, provided that the maximum exclusion for a parking space does not exceed 6.7 m in length;
- (d) amenity areas in multiple conversion dwellings containing 3 or more dwelling units, including child day care facilities, recreation facilities and meeting rooms, provided that:
  - (i) the total area being excluded does not exceed 10% of the permitted floor area, and
  - (ii) in the case of child day care facilities, the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:
  - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area; 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 section 4.1.2(g) above, to which there is no access from the interior of the building.

## 4.2 Dwelling Unit Density: Calculation

- 4.2.1 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded down.

## 4.3 Site Coverage

- 4.3.1 The maximum site coverage for any portion of the site used as parking area is 30%.

## 4.4 Building Depth: Measurement

- 4.4.1 Maximum building depth must be measured prior to any required lane dedication.

## SCHEDULE DDD

# RT-10 and RT-10N

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage development of multiple small houses and duplexes on large lots and assembled sites, while continuing to permit lower intensity development on smaller sites. Siting and massing is intended to be compatible with, but not the same as, pre-existing single detached house development. Retention of older character buildings is encouraged. In the RT-10N district, acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [RT-10 and RT-10N Small House/Duplex Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RT-10 and RT-10N districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
511 m <sup>2</sup>	Development with more than 1 principal building	<a href="#">3.1</a>
306 m <sup>2</sup>	Duplex	<a href="#">3.1</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.1</a>
	Multiple Conversion Dwelling	<a href="#">3.1</a>
	Infill Single Detached House or Infill Duplex	<a href="#">3.1</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Conditional	
Infill Duplex	Conditional	
Infill Single Detached House	Conditional	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.3</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing on the site as of November 23, 2005	Conditional	
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	

Use	Approval	Use-Specific Regulations
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.4</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.5</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.6</a> , <a href="#">2.2.7</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

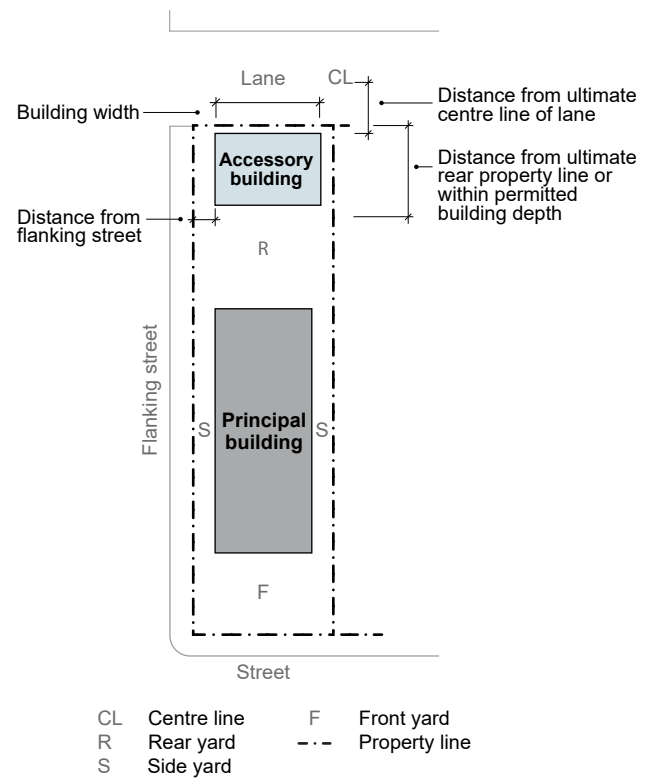
## 2.2 Use-Specific Regulations

- 2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.
- 2.2.2 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.3 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- there are no additions to the building;
  - no housekeeping or sleeping units are created; and
  - no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.
- 2.2.4 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.5 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.6 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, are permitted as an outright approval use if:

- no accessory building exceeds 3.7 m in height, measured to:
  - the highest point of a flat roof,
  - the deck line of a mansard roof, or
  - the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in building height;
- all accessory buildings are located:
  - within 7.1 m of the ultimate rear property line,

**Diagram: Building placement for accessory building**



- (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
- (iii) at least 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, does not exceed 48 m<sup>2</sup>;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line; and
- (e) roof decks and decks are not located on an accessory building.

2.2.7 The Director of Planning may vary the floor area and site coverage regulations for accessory buildings and sections 4.7 and 4.8 of the [Parking By-law](#) provided that:

- (a) the Director of Planning is satisfied that adequate off-street parking on any site less than 36.6 m in depth cannot otherwise be accommodated; and
- (b) in developments with a carport or garage, the Director of Planning considers the impact on neighbouring sites of building height, shadow, open space and landscaping.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

Duplex, single detached house, single detached house with secondary suite, multiple conversion dwelling, infill, dwelling uses on a site with more than 1 principal building, and all other uses in these districts are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 0.40, except that the Director of Planning may increase the permitted floor space ratio to a maximum of:

- (a) 0.80 for dwelling uses; and
- (b) 0.60 for all other uses combined,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines and the submission of any advisory group, property owner or tenant.

3.1.1.2 The total number of dwelling units on a site must not exceed:

- (a) 74 units per hectare on sites with a site frontage of 18.3 m or more;
- (b) 3 dwelling units on sites with a site frontage that is equal to or greater than 15.0 m but is less than 18.3 m; and
- (c) 2 dwelling units on sites with a frontage less than 15.0 m,

except that the Director of Planning may vary the permitted number of dwelling units on a site if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, but the Director of Planning may not increase the number of dwelling units to more than 3 for section [3.1.1.2\(c\)](#) above.

##### 3.1.2 Building Form and Placement

Regulations		RT-10 and RT-10N
3.1.2.1	Minimum site area for:	306 m <sup>2</sup>
	(a) duplex	
	(b) single detached house or single detached house with secondary suite	
	(c) multiple conversion dwelling	



Regulations	RT-10 and RT-10N
(d) infill duplex and infill single detached house	306 m <sup>2</sup>
3.1.2.2 Maximum building height for a building located:	
(a) in the front 60% of the site depth	10.7 m and 2 storeys
(b) in the rear 40% of the site depth	7.7 m and 2 storeys
3.1.2.3 Minimum front yard depth on:	
(a) sites with a frontage greater than 18.3 m and with more than 1 principal building	4.9 m
(b) other sites	the average of the minimum front yard depths of the 2 adjacent sites
3.1.2.4 Minimum side yard width where the site width:	
(a) does not exceed 12.0 m	10% of the site width
(b) exceeds 12.0 m	1.2 m
3.1.2.5 Minimum rear yard depth	0.6 m
3.1.2.6 Maximum site coverage for all buildings	45% of the site area
3.1.2.7 Maximum area of impermeable materials	70% of the site area
3.1.2.8 Maximum building depth for sites where there is 1 principal building or 1 principal building with infill	40% of the site depth

### Number of Principal Buildings on a Site

- 3.1.2.9 The Director of Planning may permit more than 1 principal building on sites with a minimum site area of 511 m<sup>2</sup> and a minimum site frontage of 15.0 m, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Site Area

- 3.1.2.10 The Director of Planning may reduce the minimum site area in sections [3.1.2.1\(a\)](#) and [3.1.2.1\(b\)](#) above if the lot was on record in the Land Title Office prior to November 23, 2005.

### Building Height

- 3.1.2.11 Despite the maximum building height in section [3.1.2.2\(b\)](#) above, the second storey of a building located in the rear 40% of the site depth must be a partial storey not exceeding 50% of the storey immediately below.

3.1.2.12 The Director of Planning may increase the maximum building height, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Front Yard

3.1.2.13 Despite the minimum front yard depth in section 3.1.2.3(b) above:

- (a) where an adjacent site is vacant, the next adjacent site that is not vacant will be used to determine the average;
- (b) if 1 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 1 or more of the adjacent sites is an anomaly, then such adjacent sites will 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.

3.1.2.14 The Director of Planning may vary the required front yard depth on:

- (a) a corner site;
- (b) a double fronting site;
- (c) a site where a building line has been established pursuant to section 8.1.1 of this by-law; and
- (d) other sites,

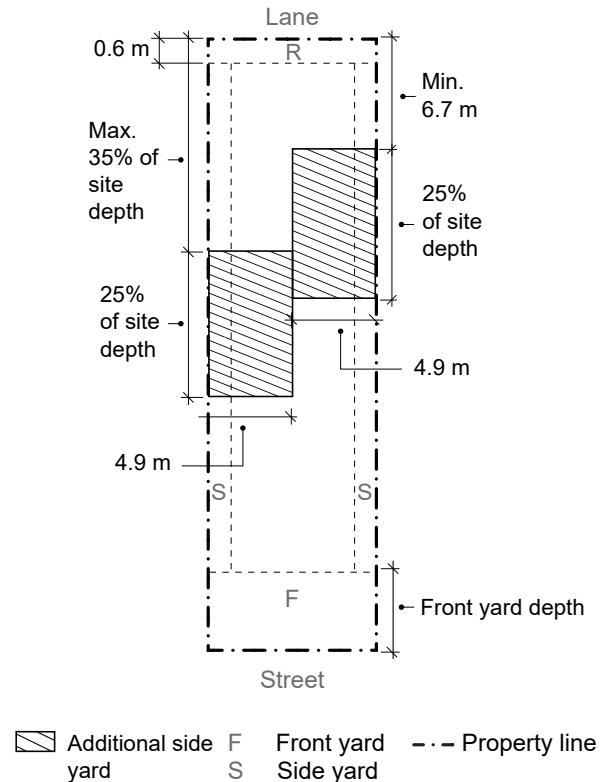
if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Side Yard

3.1.2.15 Despite the minimum side yard width in section 3.1.2.4 above, in the case of a corner site that has located at its rear, with or without the intervention of a lane, a site that fronts on the street flanking the corner site, the required minimum width of an exterior side yard is 2.4 m.

3.1.2.16 Despite the minimum side yard width in section 3.1.2.4 above, an additional side yard with a minimum width of 4.9 m and minimum length equal to 25% of the site depth must also be provided on each side of

**Diagram: Yards for principal building**



the site, and each of these side yards must be located so that its rear boundary is not less than 6.7 m, and not more than a distance equal to 35% of the site depth, from the ultimate rear property line.

3.1.2.17 The Director of Planning may vary the required side yard width on:

- (a) a corner site;
- (b) a double fronting site;
- (c) a site where a building line has been established pursuant to section 8.1.1 of this by-law; and
- (d) other sites,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### **Rear Yard**

3.1.2.18 Despite the minimum rear yard depth in section 3.1.2.5 above, 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 must be provided, except that the Director of Planning may increase the required rear yard if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### **Building Depth**

3.1.2.19 The Director of Planning may increase the maximum building depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, 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 in building or relationship to yard setbacks, which exceeds the product of the total permitted floor area multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, which:
  - (i) for dwelling uses:
    - (A) on sites with only 1 principal building, are located in an accessory building located on the site in accordance with sections [2.2.6](#) and [2.2.7](#) of this schedule or in an infill building up to a maximum of 48 m<sup>2</sup>,
    - (B) on sites with no developed secondary access and with only 1 principal building, are located in a principal building, an accessory building, or an infill building up to a maximum area that the Director of Planning may determine, provided the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines,
    - (C) on sites with more than 1 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, and
    - (D) on sites with no developed secondary access and with more than 1 principal building, are located in a principal building, or an accessory building up to a maximum area that the

Director of Planning may determine, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and

- (ii) for non-dwelling uses, are located at or below base surface;
- (d) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:
  - (i) the side facing the street, rear property line or common open space 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 4.1.2(a) above, does not exceed 13% of the permitted floor area,
  - (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor; and
- (g) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with section 4.1.2(f) above, to which there is no access from the interior of the building.

## 4.2 Dwelling Unit Density: Calculation

- 4.2.1 On sites with a frontage of 18.3 m or more, where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded down.

## 4.3 Site Coverage and Impermeability

- 4.3.1 The maximum site coverage for any portion of the site used as parking area is 30%.
- 4.3.2 The maximum area of impermeable materials includes site coverage for all buildings.

## 4.4 Yards: Projections

- 4.4.1 Despite section 10.8 of this by-law:
  - (a) entries, porches and verandahs complying with section 4.1.2(f) of this schedule may project up to 1.2 m into the required side yards, where a side yard of at least 2.4 m in width has been provided; and

- (b) the Director of Planning may permit other projections in the required side yards if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4.5 Building Depth: Measurement

- 4.5.1 Maximum building depth means the maximum distance between the required minimum front yard and the rear of the principal building, measured prior to any required lane dedication.

## 4.6 External Design

- 4.6.1 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, if:
  - (a) the purpose is to provide light or access to a basement or cellar;
  - (b) the lowered surface does not extend more than 3.1 m from the building;
  - (c) that portion of the building abutting the lowered surface does not exceed half the width of the building, or 4.6 m, whichever is the lesser; and
  - (d) the lowered surface does not extend into the side yard required in sections [3.1.2.4](#).

## SCHEDULE EEE

# RT-11 and RT-11N

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to allow a variety of housing options by encouraging development of multiple small single detached 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 detached development. Laneway houses, secondary suites, and lock-off units are permitted, within limits, to provide flexible housing choices. Retention of character buildings is encouraged. In the RT-11N district, acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [RT-11 and RT-11N Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RT-11 and RT-11N districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
511 m <sup>2</sup>	Duplex or Duplex with Secondary Suite on a site with more than 1 principal building	<a href="#">3.1</a>
	Single Detached House or Single Detached House with Secondary Suite on a site with more than 1 principal building	<a href="#">3.1</a>
334 m <sup>2</sup>	Infill Single Detached House or Infill Duplex	<a href="#">3.1</a>
	Duplex with Secondary Suite	<a href="#">3.1</a>
	Multiple Conversion Dwelling, containing 3 dwelling units	<a href="#">3.1</a>
303 m <sup>2</sup>	Duplex	<a href="#">3.1</a>
	Multiple Conversion Dwelling, containing 2 dwelling units	<a href="#">3.1</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

Minimum Site Area	Use	Density, Form and Placement Regulations
Regulated by the <b>RS-1 District Schedule</b>	Single Detached House or Single Detached House with Secondary Suite	Regulated by the <b>RS-1 District Schedule</b>
--	Laneway House	Regulated by the <b>RS-1 District Schedule</b>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including **Section 2**, **Section 10** and **Section 11**, and compliance with the regulations of this schedule including section **2.2**.

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section **2.2** of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	



Use	Approval	Use-Specific Regulations
<b>Dwelling Uses</b>		
Duplex	Outright	
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a>
Duplex, on a site with more than 1 principal building	Conditional	<a href="#">2.2.2</a>
Duplex with Secondary Suite, on a site with more than 1 principal building	Conditional	<a href="#">2.2.2</a>
Infill Duplex, in combination with the retention of a building existing on the site prior to January 1, 1940	Conditional	
Infill Single Detached House	Conditional	<a href="#">2.2.3</a>
Laneway House	Conditional	<a href="#">2.2.4</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.5</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.6</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing on the site as of May 15, 2013	Conditional	<a href="#">2.2.7</a>
Principal Dwelling Unit with a Lock-Off Unit	Conditional	<a href="#">2.2.8</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	<a href="#">2.2.9</a>
Single Detached House with Secondary Suite	Conditional	<a href="#">2.2.9</a>
Single Detached House, on a site with more than 1 principal building	Conditional	<a href="#">2.2.2</a>
Single Detached House with Secondary Suite, on a site with more than 1 principal building	Conditional	<a href="#">2.2.2</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.10</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Office Uses</b>		
Temporary Sales Office	Conditional	

Use	Approval	Use-Specific Regulations
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.11</a>
Neighbourhood Grocery Store	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.12</a> , <a href="#">2.2.13</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.14</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.

2.2.2 The Director of Planning may permit:

- (a) 2 principal buildings on a site with a minimum site area of 334 m<sup>2</sup> if:
  - (i) the site meets at least 1 of the following criteria:
    - (A) the rear or side property line of the site abuts a park or school site, with or without the intervention of a lane,
    - (B) the site is a corner site, or
    - (C) the site is double fronting,
  - (ii) on sites other than double fronting sites, 1 of the principal buildings is located within the rear 40% of the ultimate site depth, and that building is a single detached house, and
  - (iii) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and

- (b) more than 1 principal building on a site with a minimum site area of 511 m<sup>2</sup> if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.3 Infill single detached house may be permitted if:

- (a) it is in combination with the retention of a building existing on the site prior to January 1, 1940; or
- (b) the site meets at least 1 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.

2.2.4 Laneway house must be in combination with a single detached house or single detached house with secondary suite, which is the only principal building on the site. Laneway house is regulated by [Section 11](#) of this by-law and sections [3](#) and [4](#) of this schedule do not apply.

2.2.5 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.

2.2.6 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:

- (a) there are no additions to the building;
- (b) no housekeeping or sleeping units are created;
- (c) the development complies with sections [3.1.2.7](#), [3.1.2.8](#) and [4.3](#) of this schedule; and
- (d) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.7 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing on the site as of May 15, 2013, may be permitted as a conditional approval use if:

- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size and the impact of the conversion on adjacent properties;
- (b) no additions are permitted for buildings constructed on or after January 1, 1940, except additions up to 5 m<sup>2</sup> used as exits;
- (c) no housekeeping or sleeping units are created; and
- (d) there are no more than 3 dwelling units.

2.2.8 Principal dwelling unit with lock-off unit may be permitted only on a site with more than 2 principal buildings and a minimum frontage of 18.3 m, in:

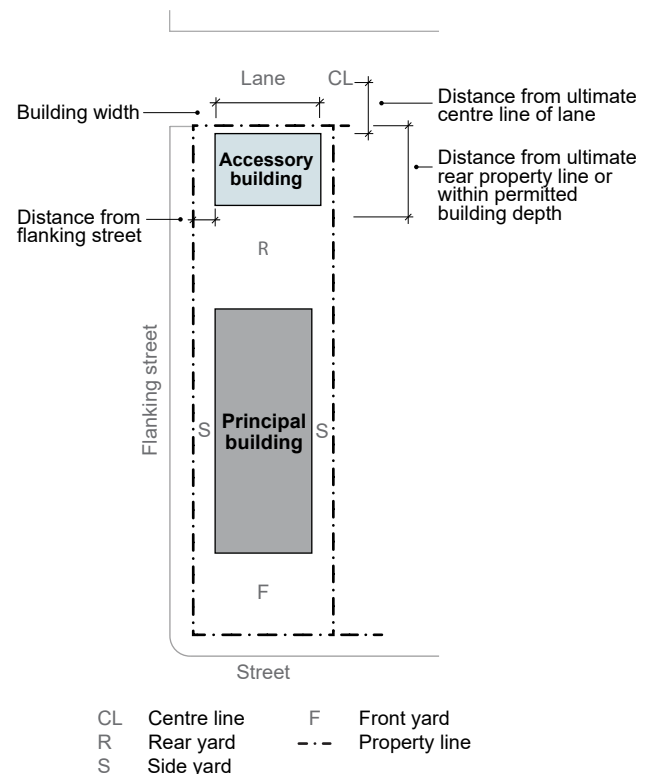
- (a) an infill single detached house;
- (b) an infill duplex;
- (c) a single detached house; or
- (d) a duplex.

- 2.2.9 Single detached house or single detached house with secondary suite, where developed as the only principal building on site, must comply with the **RS-1 District Schedule** and sections 3 and 4 of this schedule do not apply.
- 2.2.10 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.11 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

- 2.2.12 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
  - (i) within 7.9 m of the ultimate rear property line,
  - (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 1.5 m from a flanking street;

**Diagram: Building placement for accessory building**



- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>, except that the total allowable accessory building floor area will be reduced by:
  - (i) any floor area previously excluded from existing development pursuant to section 4.1.2(c) of this schedule, and
  - (ii) the floor area of a laneway house;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line; and
- (e) roof decks and decks are not located on an accessory building.

2.2.13 The Director of Planning may vary the site coverage regulations to accommodate an accessory building if:

- (a) the Director of Planning is satisfied that adequate off-street parking on any site less than 36.6 m in depth cannot otherwise be accommodated; and
- (b) the Director of Planning also considers the impact on neighbouring sites of building height, shadow, open space and landscaping, the intent of this schedule and all applicable Council policies and guidelines.

2.2.14 Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 of this schedule must comply with the provisions of section 2.2.12(b) above.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

Duplex, duplex with secondary suite, multiple conversion dwelling, infill, dwelling uses on a site with more than 1 principal building, uses involving character house retention, and all other uses in these districts, except single detached house and single detached house with secondary suite, as the only principal building on the site, and laneway house, are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is:

- (a) 0.60, for all uses other than duplex or duplex with secondary suite; and
- (b) 0.75 for duplex or duplex with secondary suite on a site with 1 principal building.

###### 3.1.1.2 Despite the maximum floor space ratio in section 3.1.1.1 above, the Director of Planning may increase the permitted floor space ratio to maximum of:

- (a) 0.90 for dwelling uses on sites where buildings existing prior to January 1, 1940 are retained; and
- (b) 0.85 for all other dwelling uses, except for duplex and duplex with secondary suite,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

###### 3.1.1.3 Despite the maximum floor space ratio in sections 3.1.1.1 and 3.1.1.2 above, on a site:

- (a) with a site area less than 511 m<sup>2</sup>; and
- (b) where a building constructed after January 1, 1940 is not retained,

the floor space ratio allocated to a second principal building or infill single detached house or infill duplex at the rear of the site must not exceed 0.20.

###### 3.1.1.4 On a site with a minimum site area of 511 m<sup>2</sup>, the total number of dwelling units, excluding lock-off units and secondary suites, must not exceed:

- (a) 74 units per hectare on a site with a frontage of 18.3 m or more, except that the number of lock-off units and secondary suites must not exceed the greater of 3 or 45% of the number of dwelling units permitted; and
- (b) 3 dwelling units on a site with a frontage less than 18.3 m,

except that the Director of Planning may permit 1 additional dwelling unit if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.1.1.5 On a site with a site area less than 511 m<sup>2</sup> that:

- (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 total number of dwelling units, excluding lock-off units and secondary suites, must not exceed 3 dwelling units.

### 3.1.2 Building Form and Placement

Regulations	RT-11 and RT-11N
3.1.2.1 Minimum site area for:	
(a) duplex	303 m <sup>2</sup>
(b) multiple conversion dwelling containing 2 units	303 m <sup>2</sup>
(c) duplex with secondary suite	334 m <sup>2</sup>
(d) multiple conversion dwelling containing 3 units	334 m <sup>2</sup>
(e) infill single detached house or infill duplex	334 m <sup>2</sup>
3.1.2.2 Minimum site frontage for all dwelling uses	9.8 m
3.1.2.3 Maximum building height for:	
(a) a building, other than duplex or duplex with secondary suite on a site with 1 principal building:	
(i) in the front 60% of the site depth	10.7 m and 2 storeys
(ii) in the rear 40% of the site depth	7.7 m and 2 storeys
(b) duplex or duplex with secondary suite on a site with 1 principal building in the front 60% of the site depth	10.7 m and 3 storeys
3.1.2.4 Minimum front yard depth:	
(a) on sites with a frontage greater than 18.3 m and more than 1 principal building	4.9 m
(b) on all other sites	the average of the minimum front yard depths of the 2 adjacent sites
3.1.2.5 Minimum side yard width	1.2 m
3.1.2.6 Minimum rear yard depth	0.6 m

Regulations		RT-11 and RT-11N
3.1.2.7	Maximum site coverage	45% of the site area
3.1.2.8	Maximum area of impermeable materials	70% of the site area
3.1.2.9	Maximum building depth for sites with:	40% of the site depth
	(a) 1 principal building	
	(b) 1 principal building with infill	
	(c) 2 principal buildings with the second principal building located at the rear of the site	

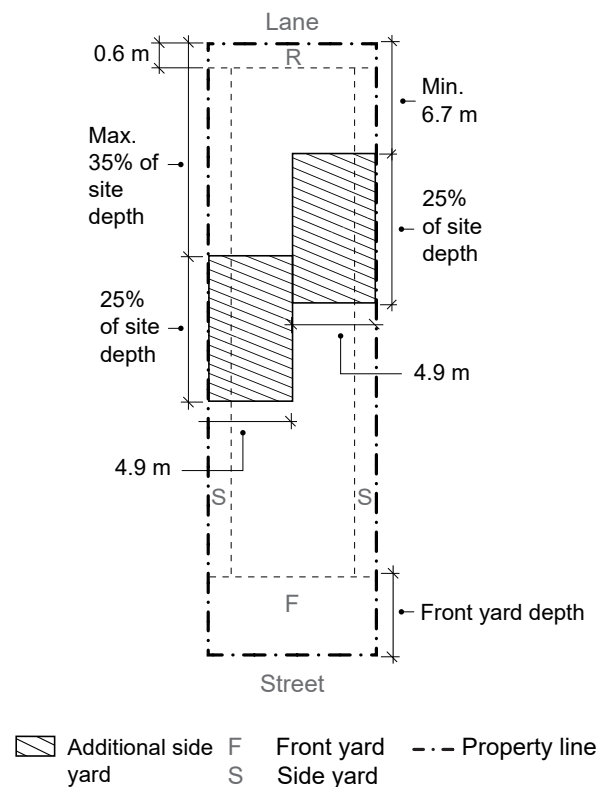
### Site Area

- 3.1.2.10 The Director of Planning may decrease the minimum site area in:
- (a) section 3.1.2.1(a) above for duplex;
  - (b) section 3.1.2.1(c) above for duplex with secondary suite; and
  - (c) section 3.1.2.1(e) above for infill single detached house in combination with the retention of a building existing on the site prior to January 1, 1940,
- if the lot was on record in the Land Title Office prior to May 15, 2013 and the Director of Planning considers the quality and liveability of the resulting units, the impact on neighbouring properties, the intent of this schedule, and all applicable Council policies and guidelines.

### Site Frontage

- 3.1.2.11 The Director of Planning may decrease the minimum site frontage for:
- (a) duplex or duplex with secondary suite; and
  - (b) infill single detached house in combination with the retention of a character building existing on the site prior to January 1, 1940,

**Diagram: Yards for principal building**





if the lot was on record in the Land Title Office prior to May 15, 2013, and the Director of Planning considers the quality and liveability of the resulting units, the impact on neighbouring properties, the intent of this schedule, and all applicable Council policies and guidelines.

### **Building Height**

3.1.2.12 Despite the maximum building height in section 3.1.2.3(b) above, the third storey must be a partial storey not exceeding 50% of the storey immediately below and must comply with section 4.6 of this schedule.

3.1.2.13 The Director of Planning may increase the maximum building height:

- (a) in section 3.1.2.3(a) above, to permit a third storey, if it does not exceed 60% of the storey immediately below; and
- (b) in sections 3.1.2.3(a)(ii) and 3.1.2.12 above,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### **Front Yard**

3.1.2.14 Despite the minimum front yard depth in section 3.1.2.4(b) above:

- (a) where an adjacent site is vacant, the next adjacent site that is not vacant will be used to determine the average;
- (b) if 1 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 1 or more of the adjacent sites is an anomaly, then such adjacent sites will 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.

3.1.2.15 The Director of Planning may decrease the required front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### **Side Yard**

3.1.2.16 Despite the minimum side yard width in section 3.1.2.5 above and despite section 10.4 of this by-law, if a corner site has:

- (a) a site located at its rear, with or without the intervention of a lane, which fronts on the street flanking the corner site; and
  - (b) a frontage greater than 18.3 m,
- the minimum side yard width is 2.4 m.

3.1.2.17 Despite the minimum side yard width in section 3.1.2.5 above, except for duplex or duplex 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 that is 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,

except that the Director of Planning may decrease the required side yard width in this section 3.1.2.17 if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### **Rear Yard**

3.1.2.18 Despite the minimum rear yard depth in section 3.1.2.6 above, 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 decrease the required rear yard if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### **Building Depth**

3.1.2.19 The Director of Planning may increase the maximum building depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4 GENERAL REGULATIONS

All uses in these districts, except single detached house and single detached house with secondary suite, as the only principal building on the site, and laneway house, are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 in building or relationship to yard setbacks, which exceeds the product of the total permitted floor area multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) where floors are used for off-street parking and loading, bicycle storage in multiple conversion dwellings containing 3 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, which:
  - (i) for dwelling uses on sites with 1 principal building, are located in an accessory building located on the site in accordance with sections [2.2.12](#) and [2.2.13](#) 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 1 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 considers the intent of this schedule and all applicable Council policies and guidelines,
  - (iii) for dwelling uses on sites with more than 1 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 a site with no developed secondary access and with more than 1 principal building, are located in a principal building, or an accessory building up to a maximum area that the Director of Planning may determine, provided the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and

- (v) for non-dwelling uses, are located at or below base surface;
- (d) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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, if:
  - (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 area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area,
  - (iii) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor, and
  - (iv) for duplex and duplex with secondary suite, the depth of the total area being excluded for 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 section 4.1.2(f) above, to which there is no access from the interior of the building; and
- (h) for duplex and duplex 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 if:
  - (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% of the permitted total floor area,

and despite the definition of “partial storey” in Section 2 of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section 4.1.2(h).

## 4.2 Dwelling Unit Density: Calculation

- 4.2.1 Where the calculation of dwelling units, secondary suites or lock-off units results in a fractional number, the number must be rounded down.

### 4.3 Site Coverage and Impermeability

4.3.1 The maximum site coverage for any portion of the site used as parking area is 30%.

4.3.2 The maximum area of impermeable materials includes site coverage for all buildings.

### 4.4 Side Yards: Projections

4.4.1 Despite section 10.8 of this by-law:

- (a) entries, porches and verandahs complying with section 4.1.2(f) of this schedule may project up to 1.2 m into the required side yards, on corner sites with a side yard of at least 2.4 m;
- (b) steps that access the main level or basement or accommodate grade changes, or other projections that the Director of Planning considers similar to the foregoing, may project into the additional side yard required by section 3.1.2.17 of this schedule, except that they must not be closer than 2.4 m to a side property line; and
- (c) the Director of Planning may permit other projections into required side yards.

### 4.5 Building Depth: Measurement

4.5.1 Maximum building depth means the maximum distance between the required minimum front yard and the rear of the principal building closest to the front of the site, measured prior to any required lane dedication.

### 4.6 External Design

4.6.1 This section 4.6 applies to duplex and duplex with secondary suite on a site with 1 principal building.

4.6.2 For the purpose of this section 4.6, 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.

4.6.3 There must be 2 main entrances, 1 to each principal dwelling unit.

4.6.4 On a corner site, 1 main entrance must face the front street and 1 main entrance must face the flanking street.

4.6.5 There must be an entry, porch or verandah at each main entrance, with a minimum width and depth of 1.8 m.

4.6.6 Roof design must comply with the following provisions:

- (a) all roofs except for dormer roofs must:
  - (i) have a slope not less than 7:12 and not more than 12:12,

- (ii) be either hip or gable or a combination of both, and
  - (iii) 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 partial storey or attic above the second storey;
- (b) dormer roofs must be gable, hip or shed in form and must have a minimum slope of 4:12;
  - (c) the maximum total width of dormers provided on a partial storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
  - (d) all exterior dormer walls must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
  - (e) despite section 4.6.6(d) above, 1 dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings that provide access from the second storey to the partial storey above may have its face wall flush or continuous with the second storey exterior wall face below.

4.6.7 Exterior windows in a secondary suite or lock-off unit must have a minimum total glazing area of:

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

4.6.8 The Director of Planning may vary the requirements of this section 4.6:

- (a) 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
- (b) 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.

## 4.7 Dedication of Land

### 4.7.1 Dedication for lane purposes

4.7.1.1 Where a site does not abut a lane, or abuts a lane that is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, up to a maximum of 3.1 m, must be dedicated for lane purposes.

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

## SCHEDULE FFF

# RM-1 and RM-1N

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage development of courtyard townhouses on larger sites while continuing to permit lower intensity residential development on smaller sites. Apartments may be permitted in designated areas. Siting and massing are intended to be compatible with pre-existing residential development. In the RM-1N district, acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [RM-1 and RM-1N Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-1 and RM-1N districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in [section 3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
604 m <sup>2</sup>	Multiple Dwelling	<a href="#">3.1</a>
306 m <sup>2</sup>	Duplex	<a href="#">3.2</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.2</a>
	Infill Duplex or Infill Single Detached House	<a href="#">3.3</a>
	Multiple Conversion Dwelling	<a href="#">3.4</a>
--	Other uses in <a href="#">section 2.1</a> of this schedule	<a href="#">3.5</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Conditional	
Infill Single Detached House, in combination with the retention of a character house	Conditional	
Infill Duplex, in combination with the retention of a character house	Conditional	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.3</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.4</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing as of November 23, 2005	Conditional	
Multiple Dwelling	Conditional	<a href="#">2.2.2</a>
Seniors Supportive or Assisted Housing	Conditional	



Use	Approval	Use-Specific Regulations
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.5</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.6</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.
- 2.2.2 The Director of Planning may permit more than 1 townhouse building on a site, subject to the dwelling unit density regulations in section 3.1.1.2 of this schedule, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 2.2.3 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.4 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- there are no additions to the building;
  - no housekeeping or sleeping units are created; and
  - no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.
- 2.2.5 Community care facility – class A is subject to the regulations, variations, and relaxations that apply to single detached house.

- 2.2.6 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

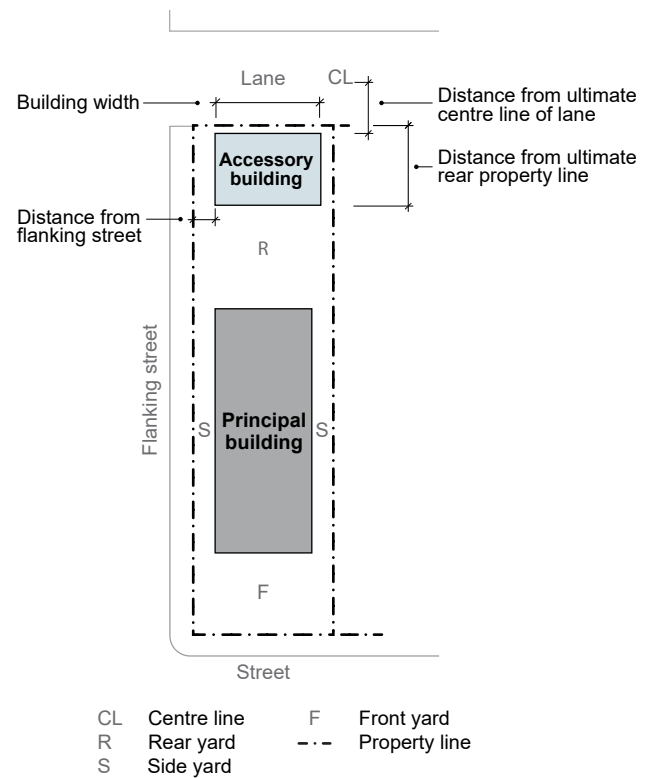
- 2.2.7 Accessory buildings customarily ancillary to any uses listed in section 2.1 of this schedule are permitted as an outright approval use if:

- no accessory building exceeds 3.7 m in height measured to:
  - the highest point of a flat roof,
  - the deck line of a mansard roof, or
  - the mean height between the eaves and the ridge of a gable, hip or gambrel roof;

provided that no portion of an accessory building exceeds 4.6 m in building height;

- all accessory buildings are located:

**Diagram: Building placement for accessory building**



- (i) within 7.1 m of the ultimate rear property line,
- (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
- (iii) at least 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, does not exceed 48 m<sup>2</sup>;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line; and
- (e) roof decks and decks are not located on an accessory building.

2.2.8 The Director of Planning may vary the floor area and site coverage regulations for accessory buildings and sections 4.7 and 4.9 of the [Parking By-law](#) provided that:

- (a) the Director of Planning is satisfied that adequate off-street parking on any site less than 36.6 m in depth cannot otherwise be accommodated; and
- (b) in developments with a carport or garage, the Director of Planning considers the impact on neighbouring sites of building height, shadow, open space and landscaping.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Multiple Dwelling

Multiple dwelling is subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 0.40 for the overall site, except that the Director of Planning may increase the permitted floor space ratio for the overall site to a maximum of 1.20, if the Director of Planning first considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.1.1.2 For townhouse, the total number of dwelling units on a site must not exceed:

- (a) 86 units per hectare of site area where the floor space ratio does not exceed 1.00; or
- (b) 98 units per hectare of site area where the floor space ratio exceeds 1.00,

except that the Director of Planning may increase the permitted number of dwelling units on a site if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

##### 3.1.2 Building Form and Placement

Regulations		RM-1 and RM-1N
3.1.2.1	Minimum site area	604 m <sup>2</sup>
3.1.2.2	Minimum site frontage	18.3 m
3.1.2.3	Maximum building height	10.7 m and 2 storeys
3.1.2.4	Minimum front yard depth	3.1 m
3.1.2.5	Minimum side yard width where the site width:	
	(a) does not exceed 15.0 m	10% of the site width
	(b) exceeds 15.0 m	1.5 m
3.1.2.6	Minimum rear yard depth	0.6 m
3.1.2.7	Maximum site coverage for all buildings	55% of the site area

Regulations	RM-1 and RM-1N
3.1.2.8 Maximum area of impermeable materials	75% of the site area
3.1.2.9 Maximum building depth for a site with 1 principal building	40% of the site depth
3.1.2.10 Minimum separation between a building located on a site frontage and a rear building	7.3 m

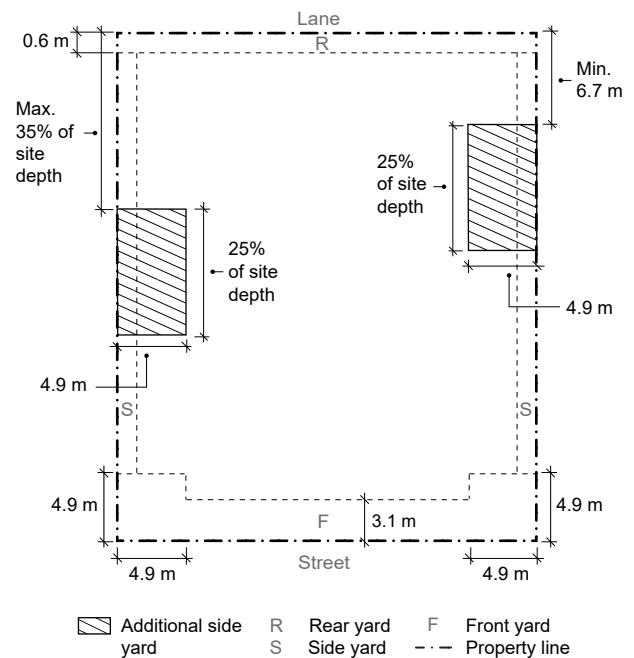
### Front Yard

- 3.1.2.11 Despite the minimum front yard depth in section 3.1.2.4 above, the minimum front yard depth within 4.9 m of the side property lines is 4.9 m.
- 3.1.2.12 The Director of Planning may vary the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

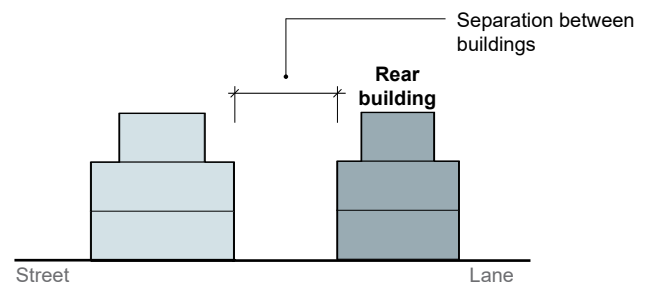
### Side Yard

- 3.1.2.13 Despite the minimum side yard width in section 3.1.2.5 above:
- an additional side yard with a minimum width of 4.9 m and minimum length equal to 25% of the site depth must also be provided on each side of the site, and each of these side yards must be located so that its rear boundary is not less than 6.7 m, and not more than a distance equal to 35% of the site depth, from the ultimate rear property line; and
  - in the case of a corner site that has located at its rear, with or without the intervention of a lane, a site that fronts on the street flanking the corner site, the minimum width of an exterior side yard is 2.4 m.

**Diagram: Yards for multiple dwelling**



**Diagram: Townhouse in a courtyard configuration**



- 3.1.2.14 The Director of Planning may vary the minimum side yard width if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## **Rear Yard**

- 3.1.2.15 Despite the minimum rear yard depth in section 3.1.2.6 above, where the rear property line does not abut a lane, and a lane dedication is not required, the minimum rear yard depth is 1.2 m, except that the Director of Planning may increase the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## **Discretion to Vary Other Regulations**

- 3.1.2.16 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the minimum site area;
  - (b) the maximum building height and number of storeys;
  - (c) the maximum area of impermeable materials for developments providing underground parking;
  - (d) the maximum building depth; and
  - (e) the minimum separation between a building located on a site frontage and a rear building.

### 3.2 Duplex, Single Detached House and Single Detached House with Secondary Suite

Duplex, single detached house and single detached house with secondary suite are subject to the following regulations.

#### 3.2.1 Density and Floor Area

- 3.2.1.1 The maximum floor space ratio is 0.40, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 0.60, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

#### 3.2.2 Building Form and Placement

Regulations	RM-1 and RM-1N
3.2.2.1 Minimum site area	306 m <sup>2</sup>
3.2.2.2 Maximum building height	10.7 m and 2 storeys
3.2.2.3 Minimum front yard depth	the average of the minimum front yard depths of the 2 adjacent sites
3.2.2.4 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.2.2.5 Minimum rear yard depth	0.6 m
3.2.2.6 Maximum site coverage for all buildings	45% of the site area
3.2.2.7 Maximum area of impermeable materials	75% of the site area
3.2.2.8 Maximum building depth	40% of the site depth

#### Site Area

- 3.2.2.9 The Director of Planning may reduce the minimum site area if the lot was on record in the Land Title Office prior to November 23, 2005.

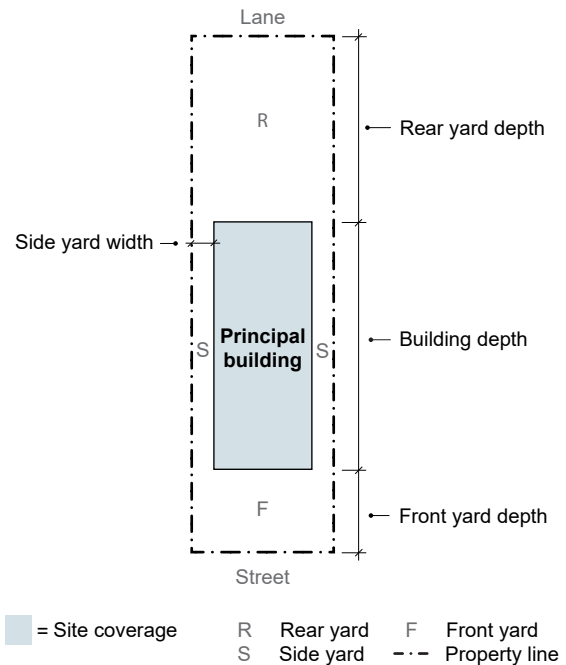
#### Front Yard

- 3.2.2.10 Despite the minimum front yard depth in section [3.2.2.3](#) above:

- (a) where an adjacent site is vacant, the next adjacent site that is not vacant must be used to determine the average;
- (b) if 1 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 1 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.

3.2.2.11 The Director of Planning may vary the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for duplex, single detached house and single detached house with secondary suite**



## Rear Yard

3.2.2.12 Despite the minimum rear yard depth in section 3.2.2.5 above, where the rear property line does not abut a lane, and a lane dedication is not required, the minimum rear yard depth is 1.2 m.

3.2.2.13 The Director of Planning may vary the minimum rear yard depth where the rear property line does not abut a lane and a lane dedication is not required if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Discretion to Vary Other Regulations

3.2.2.14 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the minimum side yard width; and
- (b) the maximum building depth.



### 3.3 Infill Duplex and Infill Single Detached House

Infill duplex and infill single detached house are subject to the following regulations.

#### 3.3.1 Density and Floor Area

- 3.3.1.1 The maximum floor space ratio is 0.40 for the overall site, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 0.65, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

#### 3.3.2 Building Form and Placement

Regulations	RM-1 and RM-1N
3.3.2.1 Minimum site area	306 m <sup>2</sup>
3.3.2.2 Maximum building height	7.7 m and 2 storeys
3.3.2.3 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.3.2.4 Minimum rear yard depth	0.6 m
3.3.2.5 Maximum site coverage for all buildings	45% of the site area
3.3.2.6 Maximum area of impermeable materials	75% of the site area
3.3.2.7 Minimum separation between infill and existing building, measured across the width of the site	4.9 m

#### Building Height

- 3.3.2.8 Despite the maximum building height in section [3.3.2.2](#) above, the second storey of an infill building must be a partial storey not exceeding 60% of the storey immediately below.
- 3.3.2.9 The Director of Planning may vary the building height and number of storeys if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

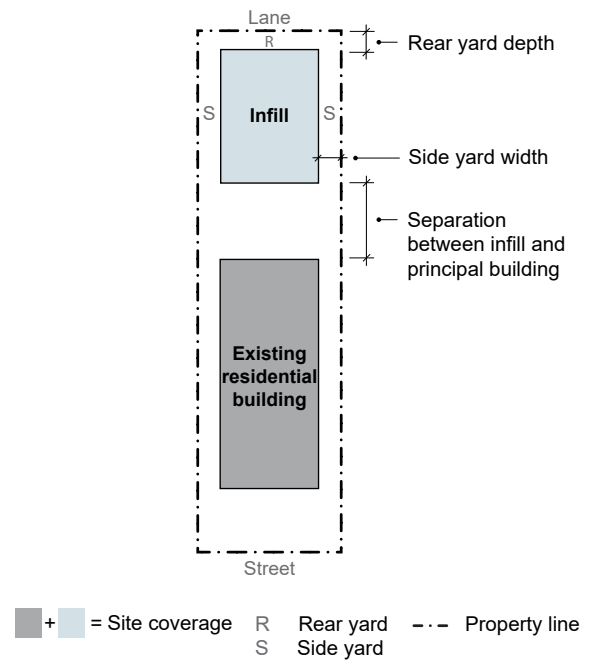
#### Side Yard

- 3.3.2.10 The Director of Planning may vary the minimum side yard width if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Rear Yard

- 3.3.2.11 Despite the minimum rear yard depth in section 3.3.2.4 above, where the rear property line does not abut a lane, and a lane dedication is not required, the minimum rear yard depth is 1.2 m.
- 3.3.2.12 The Director of Planning may vary the minimum rear yard depth where the rear property line does not abut a lane and a lane dedication is not required if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for infill**



### 3.4 Multiple Conversion Dwelling

Multiple conversion dwelling is subject to the following regulations.

#### 3.4.1 Density and Floor Area

3.4.1.1 The maximum floor space ratio is 0.40, except that the Director of Planning may increase the permitted floor space ratio to:

- (a) a maximum of 0.65 on a site where a residential building existing prior to January 1, 1940 is retained; or
- (b) a maximum of 0.60 on a site where a residential building not existing prior to January 1, 1940 is retained,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.4.1.2 The total number of dwelling units on a site must not exceed 2 units, except that the Director of Planning may increase the permitted number of dwelling units to 3 units on a site if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

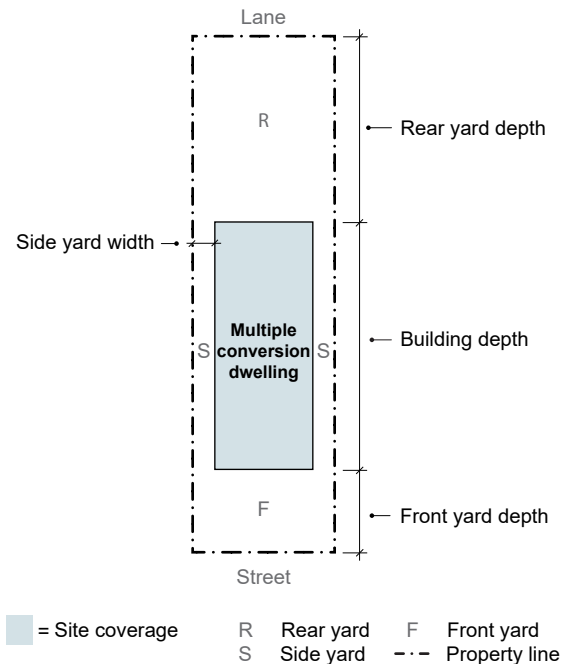
#### 3.4.2 Building Form and Placement

Regulations	RM-1 and RM-1N
3.4.2.1 Minimum site area	306 m <sup>2</sup>
3.4.2.2 Maximum building height	10.7 m and 2 storeys
3.4.2.3 Minimum front yard depth	the average of the minimum front yard depths of the 2 adjacent sites
3.4.2.4 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.4.2.5 Minimum rear yard depth	0.6 m
3.4.2.6 Maximum site coverage for all buildings	45% of the site area
3.4.2.7 Maximum area of impermeable materials	75% of the site area
3.4.2.8 Maximum building depth	40% of the site depth

## Front Yard

- 3.4.2.9 Despite the minimum front yard depth in section 3.4.2.3 above:
- (a) where an adjacent site is vacant, the next adjacent site that is not vacant must be used to determine the average;
  - (b) if 1 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 1 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.

**Diagram: Building placement for multiple conversion dwelling**



- 3.4.2.10 The Director of Planning may vary the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Rear Yard

- 3.4.2.11 Despite the minimum rear yard depth in section 3.4.2.5 above, where the rear property line does not abut a lane, and a lane dedication is not required, the minimum rear yard depth is 1.2 m.
- 3.4.2.12 The Director of Planning may vary the minimum rear yard depth where the rear property line does not abut a lane and a lane dedication is not required if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Discretion to Vary Other Regulations

- 3.4.2.13 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the maximum building height and number of storeys;
  - (b) the minimum side yard width; and
  - (c) the maximum building depth.

### 3.5 Other Uses

Uses not regulated by sections 3.1 to 3.4 of this schedule are subject to the following regulations.

#### 3.5.1 Density and Floor Area

3.5.1.1 The maximum floor space ratio is 0.40, except that the Director of Planning may increase the permitted floor space ratio to a maximum of:

- (a) 1.20 for seniors supportive or assisted housing;
- (b) 0.65 for other dwelling uses; and
- (c) 0.60 for all other uses permitted in this schedule, combined,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.5.1.2 The total number of dwelling units on a site must not exceed 2 units, except that the Director of Planning may increase the permitted number of dwelling units to 3 units on a site if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### 3.5.2 Building Form and Placement

Regulations		RM-1 and RM-1N
3.5.2.1	Maximum building height	10.7 m and 2 storeys
3.5.2.2	Minimum front yard depth	the average of the minimum front yard depths of the 2 adjacent sites
3.5.2.3	Minimum side yard width where the site width:	
	(a) does not exceed 15.0 m	10% of the site width
	(b) exceeds 15.0 m	1.5 m
3.5.2.4	Minimum rear yard depth	0.6 m
3.5.2.5	Maximum site coverage for all buildings	45% of the site area
3.5.2.6	Maximum area of impermeable materials	75% of the site area
3.5.2.7	Maximum building depth	40% of the site depth

## Number of Principal Buildings on Site

- 3.5.2.8 The Director of Planning may permit more than 1 principal building on a site if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Front Yard

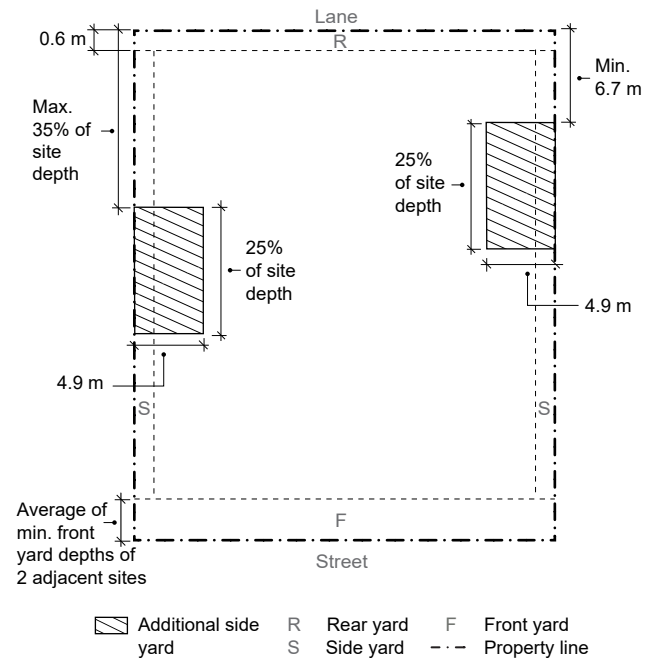
- 3.5.2.9 Despite the minimum front yard depth in section 3.5.2.2 above:
- where an adjacent site is vacant, the next adjacent site that is not vacant must be used to determine the average;
  - if 1 or more of the adjacent sites front on a street other than that of the development site, or the adjacent sites are separated by a street or lane, or the Director of Planning is satisfied that 1 or more of the adjacent sites is an anomaly, then such adjacent sites must not be used in computing the average; and
  - where the site is adjacent to a flanking street or lane, the depth must equal the single adjacent site.

- 3.5.2.10 The Director of Planning may vary the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Side Yard

- 3.5.2.11 Despite the minimum side yard width in section 3.5.2.3 above:
- an additional side yard with a minimum width of 4.9 m and minimum length equal to 25% of the site depth must also be provided on each side of the site, and each of these side yards must be located so that its rear boundary is not less than 6.7 m, and no more than a distance equal to 35% of the site depth, from the ultimate rear property line; and
  - in the case of a corner site that 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 minimum width of an exterior side yard is 2.4 m.
- 3.5.2.12 The Director of Planning may vary the minimum side yard width in section 3.5.2.3 above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Yards for other uses**



## **Rear Yard**

- 3.5.2.13 Despite the minimum rear yard depth in section 3.5.2.4 above, where the rear property line does not abut a lane, and a lane dedication is not required, the minimum rear yard depth is 1.2 m.
- 3.5.2.14 The Director of Planning may vary the minimum rear yard depth where the rear property line does not abut a lane and a lane dedication is not required if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## **Discretion to Vary Other Regulations**

- 3.5.2.15 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the maximum building height and number of storeys;
  - (b) the maximum area of impermeable materials for developments providing underground parking; and
  - (c) the maximum building depth.

## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

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

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area for multiple dwellings, and 8% of the permitted floor area for all other uses;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings containing 3 dwelling units, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, 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 2.2.7 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 1 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 an infill building up to a maximum area that the Director of Planning may determine if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, or
- (v) for non-dwelling uses, are located at or below base surface;
- (d) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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 if:
  - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 16% of the permitted floor area for multiple dwellings and 13% of the permitted floor area for all other uses;
- (g) 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;
- (h) above grade floor area built as open to below, to which section 4.1.1(c) above does not apply, designed in combination with venting skylights, opening clerestory windows or other similar features that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% of permitted floor area; 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 section 4.1.2(f) above, to which there is no access from the interior of the building.

## 4.2 Dwelling Unit Density: Calculation

- 4.2.1 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded down.

## 4.3 Yards: Projections and Measurement

- 4.3.1 Despite section 10.8 of this by-law, entries, porches and verandahs complying with section 4.1.2(f) of this schedule may project into:
  - (a) the required side yard up to 1.2 m where a side yard of at least 2.4 m in width has been provided; and

- (b) the required side yard on a corner site up to 1.2 m, where a side yard of at least 2.4 m has been provided.

## 4.4 Site Coverage

- 4.4.1 The maximum area of impermeable materials includes site coverage for all buildings.
- 4.4.2 The maximum site coverage for any portion of the site used as parking area is 30%, except where the principal use of the site is a parking area.

## 4.5 Building Depth: Measurement

- 4.5.1 Maximum building depth means the maximum distance between the required minimum front yard and the rear of a principal building, measured prior to any required lane dedication.

## 4.6 Horizontal Angle of Daylight

- 4.6.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.6.2 For the purposes of section 4.6.1 above, habitable room means any room except a bathroom or kitchen.
- 4.6.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.6.4 The plane or planes referred to in section 4.6.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.6.5 An obstruction referred to in section 4.6.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.6.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
  - (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is not less than 2.4 m.

## 4.7 External Design

4.7.1 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 otherwise prescribed in this schedule.

## 4.8 Dedication of Land

4.8.1 Dedication for boulevard purposes

4.8.1.1 For development sites that front Knight Street, up to 0.6 m at the front of a site must be dedicated to the City for boulevard widening, as determined by the City Engineer.

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

## SCHEDULE GGG

# RM-2

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit residential development, including 3-storey apartment buildings, and to encourage open space and daylight access.

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-2 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
550 m <sup>2</sup>	Multiple Dwelling	<a href="#">3.1</a>
	Seniors Supportive or Assisted Housing	<a href="#">3.1</a>
	Rooming House	<a href="#">3.1</a>
--	Duplex	<a href="#">3.2</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.2</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.3</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.5</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.3</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing as of June 18, 1956	Conditional	<a href="#">2.2.4</a> , <a href="#">2.2.5</a>
Multiple Dwelling	Conditional	<a href="#">2.2.5</a>
Rooming House	Outright	
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.6</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	

Use	Approval	Use-Specific Regulations
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.7</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.8</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.
- 2.2.2 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.3 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building;

- (b) no housekeeping or sleeping units are created; and
- (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.4 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing as of June 18, 1956, may be permitted as a conditional approval use if:

- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties and character of the area; and
- (b) building additions resulting in a total floor space ratio greater than 0.60 are in keeping with the character of the building.

2.2.5 Development on any site consisting of 3 or more dwelling units that:

- (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
- (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,

is subject to the [Rental Housing Stock Official Development Plan](#).

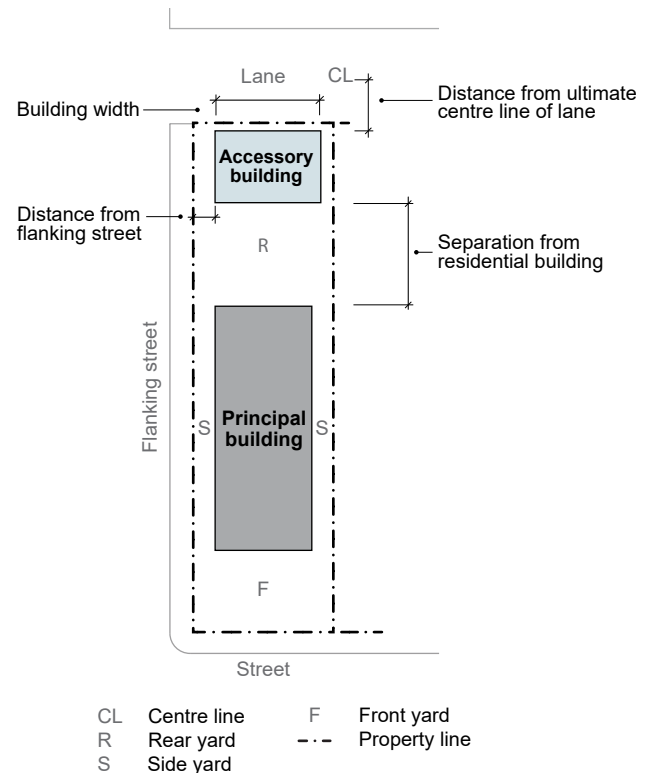
2.2.6 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.7 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or

**Diagram: Building placement for accessory building**



- (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:
  - (i) in the rear yard,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least the width of the required side yard from a flanking street;
- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 35% of the minimum rear yard required in this schedule, or 48 m<sup>2</sup>, whichever is greater;
- (d) the combined building width for all accessory buildings does not exceed 67% of the width of the site at the rear property line; and
- (e) the separation distance from any residential building is at least 3.7 m.



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Multiple Dwelling, Seniors Supportive or Assisted Housing, and Rooming House

Multiple dwelling, seniors supportive or assisted housing, and rooming house are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is 0.75, except that the permitted floor space ratio may be increased:

- (a) by an amount equal to 0.009 for each 1% or fraction of a percent that the site coverage is below 50%;
- (b) where the site area exceeds 837 m<sup>2</sup> and the frontage of the site is at least 22.8 m, by an amount equal to 0.0015 multiplied by each 9.3 m<sup>2</sup> of site area over 837 m<sup>2</sup>, provided this increase does not exceed 0.20; and
- (c) where parking spaces are provided within the outermost walls of a building or underground, but in no case with the floor of the parking above the highest point of the finished grade around the building, by an amount equal to 0.15 multiplied by the ratio of the number of parking spaces provided that are completely undercover to the total number of required parking spaces.

##### 3.1.2 Building Form and Placement

Regulations		RM-2
3.1.2.1	Minimum site area	550 m <sup>2</sup>
3.1.2.2	Maximum site area	3000 m <sup>2</sup>
3.1.2.3	Maximum building height	10.7 m
3.1.2.4	Minimum front yard depth	6.1 m
3.1.2.5	Minimum side yard width	2.1 m
3.1.2.6	Minimum rear yard depth	10.7 m

##### Site Area

- 3.1.2.7 The Director of Planning may reduce the minimum site area to 500 m<sup>2</sup> if the lot was on record in the Land Title Office prior to September 7, 1965.

## Building Height

- 3.1.2.8 The Director of Planning may increase the maximum building height to a height not exceeding 11.9 m.

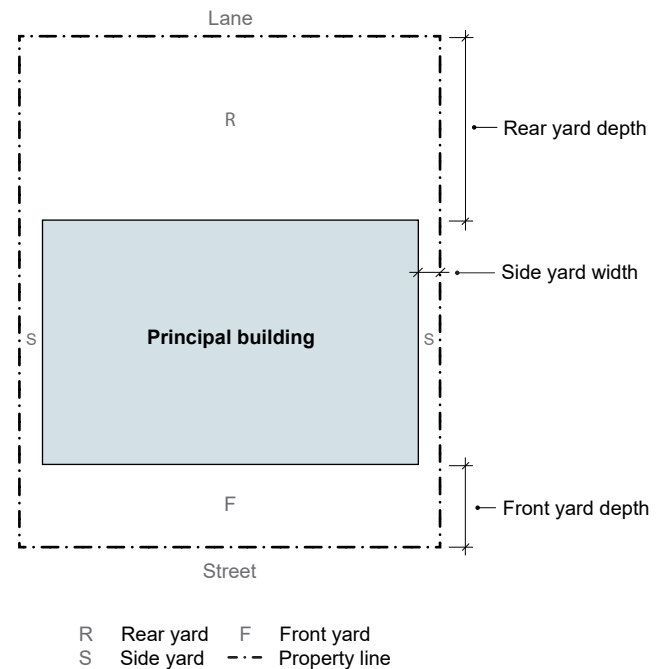
## Side Yard

- 3.1.2.9 Despite the minimum side yard width in section 3.1.2.5 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

## Rear Yard

- 3.1.2.10 Despite the minimum rear yard depth in section 3.1.2.6 above, where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

**Diagram: Building placement for multiple dwelling, seniors supportive or assisted housing and rooming house**



### 3.2 Duplex, Single Detached House, and Single Detached House with Secondary Suite

Duplex, single detached house, and single detached house with secondary suite are subject to the following regulations.

#### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.60.

#### 3.2.2 Building Form and Placement

Regulations	RM-2
3.2.2.1 Maximum building height	10.7 m
3.2.2.2 Minimum front yard depth	6.1 m
3.2.2.3 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.2.2.4 Minimum rear yard depth	10.7 m

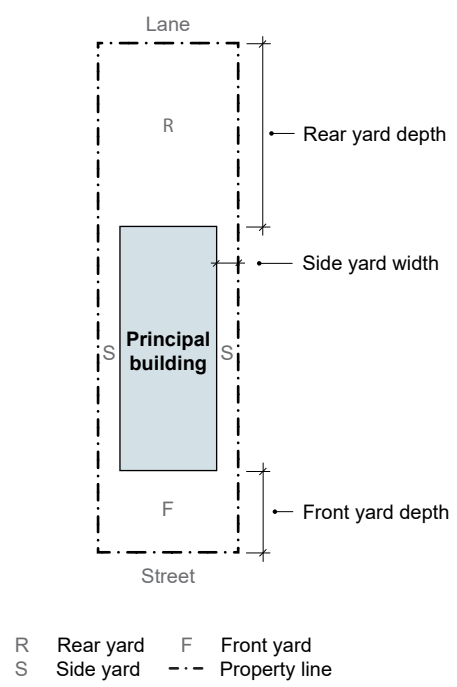
#### Building Height

3.2.2.5 The Director of Planning may increase the maximum building height to a height not exceeding 11.9 m.

#### Rear Yard

3.2.2.6 Despite the minimum rear yard depth in section [3.2.2.4](#) above, where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

**Diagram: Building placement for duplex, single detached house and single detached house with secondary suite**



### 3.3 Other Uses

Uses not regulated by sections 3.1 and 3.2 of this schedule are subject to the following regulations.

#### 3.3.1 Density and Floor Area

3.3.1.1 The maximum floor space ratio is 0.75, except that the permitted floor space ratio may be increased:

- (a) by adding an amount equal to 0.009 for each 1% or fraction of a percent that the site coverage is below 50%;
- (b) where the site area exceeds 837 m<sup>2</sup> and the frontage of the site is at least 22.8 m, by adding an amount equal to 0.0015 multiplied by each 9.3 m<sup>2</sup> of the site area over 837 m<sup>2</sup>, provided this increase does not exceed 0.20; and
- (c) where parking spaces are provided within the outermost walls of a building or underground, but in no case with the floor of the parking above the highest point of the finished grade around the building, by adding an amount equal to 0.15 multiplied by the ratio of the number of parking spaces provided that are completely under cover to the total number of required parking spaces.

#### 3.3.2 Building Form and Placement

Regulations		RM-2
3.3.2.1	Maximum building height	10.7 m
3.3.2.2	Minimum front yard depth	6.1 m
3.3.2.3	Minimum side yard width	2.1 m
3.3.2.4	Minimum rear yard depth	10.7 m

#### Building Height

3.3.2.5 The Director of Planning may increase the maximum building height to a height not exceeding 11.9 m.

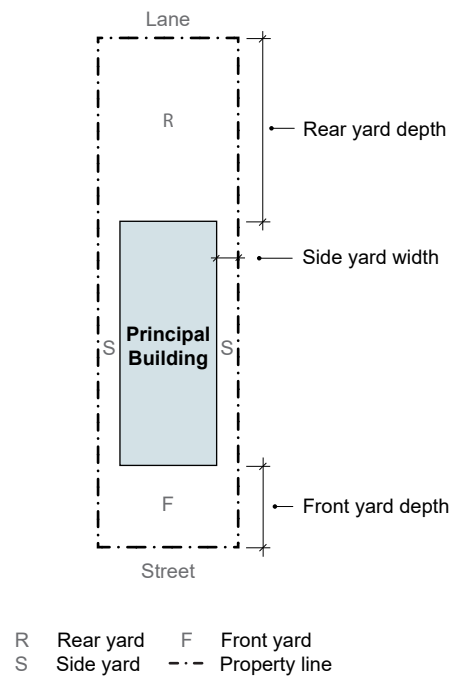
#### Side Yard

3.3.2.6 Despite the minimum side yard width in section [3.3.2.3](#) above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

Rear Yard

3.3.2.7 Despite the minimum rear yard depth in section 3.3.2.4 above, where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

Diagram: Building placement for principal building



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area for multiple dwellings and 8% of the permitted floor area for all other uses;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) floors or portion of floors 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, which are:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) 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 does not exceed 7.3 m in length;
- (d) child day care facilities to a maximum floor area of 10% of the permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;
- (f) 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 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 features that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% of permitted floor area;
- (h) entries, porches and verandahs, and covered porches above the first storey if:
  - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 16% of the permitted floor area for multiple dwellings and 13% of the permitted floor area 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 section 4.1.2(h) above, to which there is no access from the interior of the building.

## 4.2 Site Coverage

- 4.2.1 The maximum site coverage for any portion of the site used as parking area is 30%, except where the principal use of the site is a parking area.

## 4.3 Horizontal Angle of Daylight

- 4.3.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.3.2 For the purposes of section 4.3.1 above, habitable room means any room except a bathroom or kitchen.
- 4.3.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.3.4 The plane or planes referred to in section 4.3.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.3.5 An obstruction referred to in section 4.3.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.3.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
  - (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is not less than 3.7 m.



## SCHEDULE HHH

# RM-3

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit residential development, including high-rise apartment buildings, and to encourage open space and daylight access.

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-3 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
550 m <sup>2</sup>	Multiple Dwelling	<a href="#">3.1</a>
	Seniors Supportive or Assisted Housing	<a href="#">3.1</a>
	Rooming House	<a href="#">3.3</a>
--	Duplex	<a href="#">3.2</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.2</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.3</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.5</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.3</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing as of June 18, 1956	Conditional	<a href="#">2.2.4</a> , <a href="#">2.2.5</a>
Multiple Dwelling	Conditional	<a href="#">2.2.5</a>
Rooming House	Outright	
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.6</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	

Use	Approval	Use-Specific Regulations
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.7</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.8</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.
- 2.2.2 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.3 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building;

- (b) no housekeeping or sleeping units are created; and
- (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.4 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing as of June 18, 1956, may be permitted as a conditional approval use if:

- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact 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 0.60 are in keeping with the character of the building.

2.2.5 Development on any site consisting of 3 or more dwelling units that:

- (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
- (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,

is subject to the [Rental Housing Stock Official Development Plan](#).

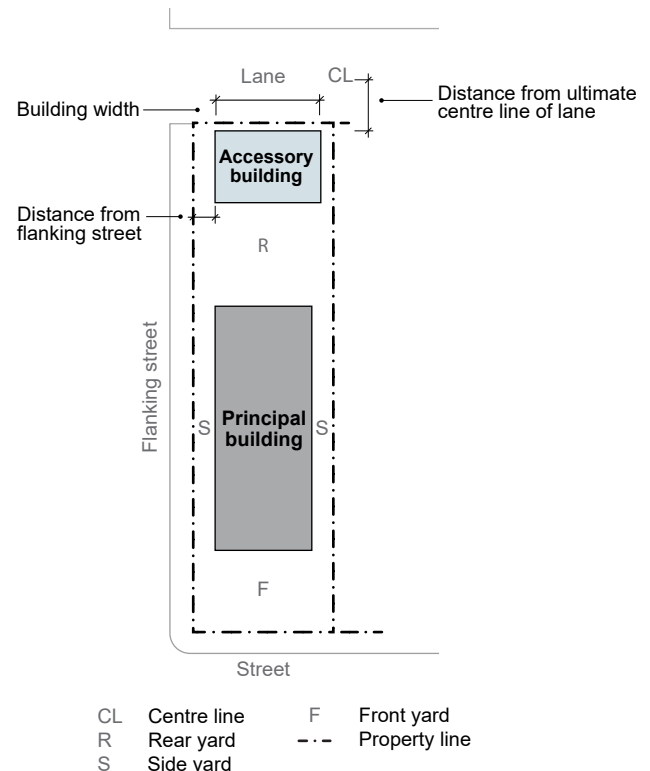
2.2.6 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.7 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

**Diagram: Building placement for accessory building**



provided that no portion of an accessory building exceeds 4.6 m in building height;

(b) all accessory buildings are located:

(i) in the rear yard,

(ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and

(iii) no less than the width of the required side yard from a flanking street;

(c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 35% of the minimum rear yard required in this schedule, or 48 m<sup>2</sup>, whichever is greater; and

(d) the combined building width for all accessory buildings does not exceed 67% of the width of the site at the rear property line.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Multiple Dwelling and Seniors Supportive or Assisted Housing

Multiple dwelling and seniors supportive or assisted housing are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 1.00, except that the floor space ratio may be increased:

- (a) by an amount equal to 0.012 for each 1% or fraction of a percent that the site coverage is below 50%;
- (b) where the site area exceeds 837 m<sup>2</sup> and the frontage of the site is at least 22.8 m, by an amount equal to 0.002 multiplied by each 9.3 m<sup>2</sup> of site area over 837 m<sup>2</sup>, provided this increase does not exceed 0.25; and
- (c) where parking spaces are provided within the outermost walls of a building or underground, but in no case with the floor of the parking area above the highest point of the finished grade around the building, by an amount equal to 0.20 multiplied by the ratio of the number of parking spaces provided that are completely undercover to the total number of required parking spaces, but in no case may this increase exceed a figure of 0.20.

##### 3.1.2 Building Form and Placement

Regulations		RM-3
3.1.2.1	Minimum site area	550 m <sup>2</sup>
3.1.2.2	Maximum building height	36.6 m
3.1.2.3	Minimum front yard depth	6.1 m
3.1.2.4	Minimum side yard width	2.1 m
3.1.2.5	Minimum rear yard depth	10.7 m

##### Site Area

3.1.2.6 The Director of Planning may reduce the minimum site area:

- (a) to 500 m<sup>2</sup> if the lot was on record in the Land Title Office prior to September 7, 1965; or
- (b) for multiple dwelling if the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

## Building Height and Vertical Angle of Daylight

3.1.2.7 Despite the maximum building height in section 3.1.2.2 above, where any portion or portions of a building exceed a height of 10.7 m, the maximum width of any such portion or portions combined must not exceed an amount equal to 25% of the sum of the average depth plus the average width of the site.

3.1.2.8 For the purposes of section 3.1.2.7 above, where the development includes a building with 2 or more towers, the site may be interpreted as 2 or more sites, provided the area of each site is at least 2,300 m<sup>2</sup> and each portion of the building that is over 10.7 m in height is at least 24.0 m from any other portion of the building that is over 10.7 m in height.

3.1.2.9 No portion of a building that exceeds 10.7 m in height may project above lines extending over the site at right angles from:

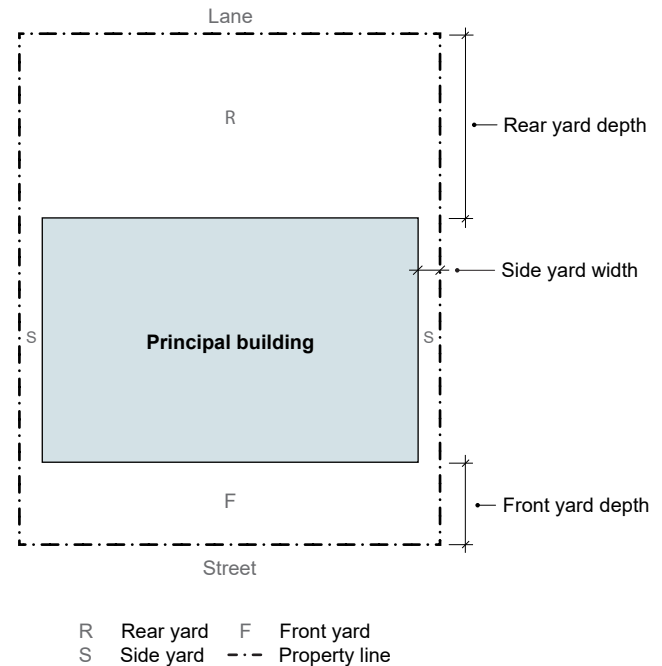
- all points along the ultimate centre line of any street in front of the site and inclined at an average angle of 25 degrees to the horizontal;
- all points along the rear boundary line of the site or the ultimate centre line of the lane where one has been dedicated, and inclined at an average angle of 25 degrees to the horizontal;
- all points along any interior side boundary of the site at ground level and inclined at an average angle of 30 degrees to the horizontal; and
- in the case of a corner site, all points along the ultimate centre line of the flanking street or lane and inclined at an average angle of 25 degrees to the horizontal.

3.1.2.10 For the purpose of computing the average angles of daylight on each side of the site, each angle will be multiplied by the width of the applicable portion of the building or site over which such angle applies, and the sum of these products will be divided by the total width of the corresponding site boundary.

## Side Yard

3.1.2.11 Despite the minimum side yard width in section 3.1.2.4 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, plus 0.3 m for every 1.5 m or fraction thereof by which a building exceeds 12.2 m in height, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

**Diagram: Building placement for multiple dwelling and seniors supportive or assisted housing**



## Rear Yard

3.1.2.12 Despite the minimum rear yard depth in section 3.1.2.5 above:

- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
- (b) 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; and
- (c) 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.



### 3.2 Duplex, Single Detached House, and Single Detached House with Secondary Suite

Duplex, single detached house, and single detached house with secondary suite are subject to the following regulations.

#### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.60.

#### 3.2.2 Building Form and Placement

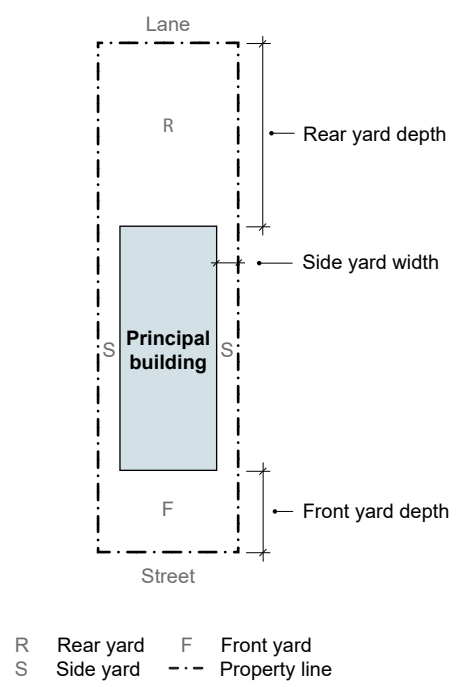
Regulations	RM-3
3.2.2.1 Maximum building height	10.7 m
3.2.2.2 Minimum front yard depth	6.1 m
3.2.2.3 Minimum side yard width where the site width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.2.2.4 Minimum rear yard depth	10.7 m

#### Rear Yard

3.2.2.5 Despite the minimum rear yard depth in section [3.2.2.4](#) above:

- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane; and
- (b) 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.

**Diagram: Building placement for duplex, single detached house, and single detached house with secondary suite**



### 3.3 Other Uses

Uses not regulated by sections 3.1 and 3.2 of this schedule are subject to the following regulations.

#### 3.3.1 Density and Floor Area

3.3.1.1 The maximum floor space ratio is 1.00, except that the floor space ratio may be increased:

- (a) by an amount equal to 0.012 for each 1% or fraction of a percent that the site coverage is below 50%;
- (b) where the site area exceeds 837 m<sup>2</sup> and the frontage of the site is at least 22.8 m, by an amount equal to 0.002 multiplied by each 9.3 m<sup>2</sup> of site area over 837 m<sup>2</sup>, provided this increase does not exceed 0.25; and
- (c) where parking spaces are provided within the outermost walls of a building or underground, but in no case with the floor of the parking area above the highest point of the finished grade around the building, by an amount equal to 0.20 multiplied by the ratio of the number of parking spaces provided that are completely undercover to the total number of required parking spaces, but in no case may this increase exceed a figure of 0.20.

#### 3.3.2 Building Form and Placement

Regulations	RM-3
3.3.2.1 Minimum site area for rooming house	550 m <sup>2</sup>
3.3.2.2 Maximum building height	36.6 m
3.3.2.3 Minimum front yard depth	6.1 m
3.3.2.4 Minimum side yard width	2.1 m
3.3.2.5 Minimum rear yard depth	10.7 m

#### Site Area

3.3.2.6 The Director of Planning may reduce the minimum site area for rooming house:

- (a) to 500 m<sup>2</sup> if the lot was on record in the Land Title Office prior to September 7, 1965; or
- (b) if the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

## Building Height and Vertical Angle of Daylight

3.3.2.7 Despite the maximum building height in section 3.3.2.2 above, where any portion or portions of a building exceed a height of 10.7 m, the maximum width of any such portion or portions combined must not exceed an amount equal to 25% of the sum of the average depth plus the average width of the site.

3.3.2.8 For the purposes of section 3.3.2.7 above, where the development includes a building with 2 or more towers, the site may be interpreted as 2 or more sites, provided the area of each site is at least 2,300 m<sup>2</sup> and each portion of the building that is over 10.7 m in height is at least 24.0 m from another portion of the building that is over 10.7 m in height.

3.3.2.9 No portion of a building that exceeds 10.7 m in height may project above lines extending over the site at right angles from:

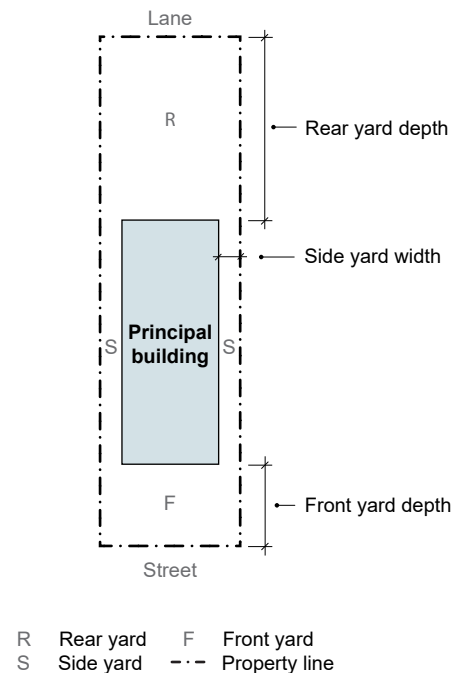
- (a) all points along the ultimate centre line of any street in front of the site and inclined at an average angle of 25 degrees to the horizontal;
- (b) all points along the rear boundary line of the site or the ultimate centre line of the lane where one has been dedicated, and inclined at an average angle of 25 degrees to the horizontal;
- (c) all points along any interior side boundary of the site at ground level and inclined at an average angle of 30 degrees to the horizontal; and
- (d) in the case of a corner site, all points along the ultimate centre line of the flanking street or lane and inclined at an average angle of 25 degrees to the horizontal.

3.3.2.10 For the purpose of computing the average angles of daylight on each side of the site, each angle will be multiplied by the width of the applicable portion of the building or site over which such angle applies, and the sum of these products will be divided by the total width of the corresponding site boundary.

## Side Yard

3.3.2.11 Despite the minimum side yard width in section 3.3.2.4 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, plus 0.3 m for every 1.5 m or fraction thereof by which a building exceeds 12.2 m in height, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

**Diagram: Building placement for principal building**



## Rear Yard

3.3.2.12 Despite the minimum rear yard depth in section 3.3.2.5 above:

- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
- (b) 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; and
- (c) 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 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) floors or portions of floors used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, which are:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) 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 does not exceed 7.3 m in length;
- (d) child day care facilities to a maximum floor area of 10% of the total permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;

- (f) 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 that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% of permitted floor area;
- (h) entries, porches and verandahs, and covered porches above the first storey if:
  - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area; 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 section 4.1.2(h) above, to which there is no access from the interior of the building.

4.1.3 The Director of Planning may permit enclosed residential balconies to be excluded in the computation of floor space ratio, provided that the Director of Planning considers all applicable Council policies and guidelines and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or deck exclusions may not exceed 8% of the residential floor area being provided; and
- (b) no more than 50% of the excluded balcony floor area may be enclosed.

## 4.2 Site Coverage

4.2.1 The maximum site coverage for any portion of the site used as parking area is 30%, except where the principal use of the site is a parking area.

## 4.3 Horizontal Angle of Daylight

4.3.1 Each habitable room must have at least 1 window on an exterior wall of a building.

4.3.2 For the purposes of section 4.3.1 above, habitable room means any room except a bathroom or kitchen.

4.3.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.3.4 The plane or planes referred to in section 4.3.3 above must be measured horizontally from the centre of the bottom of each window.

4.3.5 An obstruction referred to in section 4.3.3 above means:

- (a) any part of the same building excluding permitted projections; or
- (b) the largest building permitted on any adjoining site.

4.3.6 The Director of Planning may vary the horizontal angle of daylight requirement if:

- (a) the Director of Planning considers the intent of this schedules and all applicable Council policies and guidelines; and
- (b) the minimum distance of unobstructed view is at least 3.7 m.



## SCHEDULE III

# RM-3A

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit residential development, including 3-storey apartments and 6-storey social housing apartments, and to encourage open space and daylight access.

Without limitation, applicable Council policies and guidelines for consideration include the [RM-3A](#), [RM-4](#), and [RM-4N Guidelines for Social Housing](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional uses in the RM-3A district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
550 m <sup>2</sup>	Mixed-Use Residential Building that includes a Child Day Care Facility	<a href="#">3.1</a>
	Multiple Dwelling	<a href="#">3.1</a>
	Seniors Supportive or Assisted Housing	<a href="#">3.3</a>
	Rooming House	<a href="#">3.4</a>
--	Duplex	<a href="#">3.2</a>
	Single Detached House and Single Detached House with Secondary Suite	<a href="#">3.2</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.4</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Micro Dwelling	Conditional	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.4</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing as of June 18, 1956	Conditional	<a href="#">2.2.3</a> , <a href="#">2.2.5</a>
Multiple Dwelling	Conditional	<a href="#">2.2.3</a>
Rooming House	Outright	
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	

Use	Approval	Use-Specific Regulations
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.6</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Parking Uses</b>		
Parking Area, ancillary to a principal use on an adjacent site	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.7</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.8</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.
- 2.2.2 The only non-dwelling uses permitted in a mixed-use residential building are:
- (a) child day care facility, provided that all residential floor area is developed as social housing; and
  - (b) neighbourhood grocery store.
- 2.2.3 Development on any site consisting of 3 or more dwelling units that:
- (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
  - (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,
- is subject to the [Rental Housing Stock Official Development Plan](#).
- 2.2.4 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building;
  - (b) no housekeeping or sleeping units are created; and
  - (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.
- 2.2.5 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing as of June 18, 1956, may be permitted as a conditional approval use if:
- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact 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 are in keeping with the character of the building.
- 2.2.6 Community care facility – class A is subject to the regulations, variations, and relaxations that apply to single detached house.
- 2.2.7 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

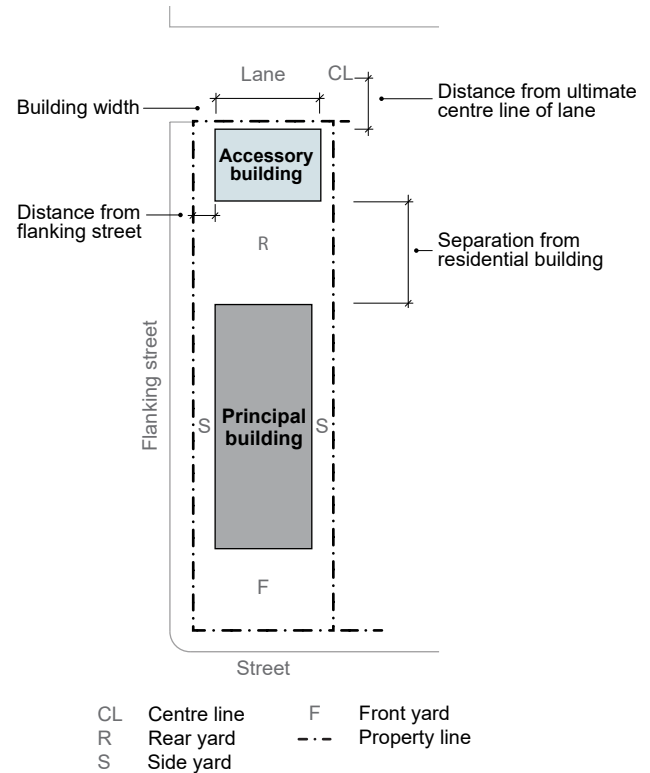
- (a) no accessory building exceeds 3.7 m in height measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:
  - (i) in the rear yard,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least the width of the required side yard from a flanking street;

- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 35% of the minimum rear yard required in this schedule, or 48 m<sup>2</sup>, whichever is greater;
- (d) the combined building width for all accessory buildings does not exceed 67% of the width of the site at the rear property line; and
- (e) the separation from any residential building is at least 3.7 m.

**Diagram: Building placement for accessory building**



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Mixed-Use Residential Building that Includes a Child Day Care Facility, and Multiple Dwelling

Mixed-use residential building that includes a child day care facility and multiple dwelling are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is 1.00, except that:

- (a) the floor space ratio may be increased:
  - (i) by an amount equal to 0.012 for each 1% or fraction of a percent that the site coverage is below 50%,
  - (ii) where the site area exceeds 837 m<sup>2</sup> and the frontage of the site is at least 22.8 m, by an amount equal to 0.002 multiplied by each 9.3 m<sup>2</sup> of site area over 837 m<sup>2</sup>, provided this increase does not exceed 0.25, and
  - (iii) where parking spaces are provided within the outermost walls of a building or underground, but in no case with the floor of the parking area above the highest point of the finished grade around the building, by an amount equal to 0.20 multiplied by the ratio of the number of parking spaces provided that are completely undercover to the total number of required parking spaces, but in no case may this increase exceed a figure of 0.20; or
- (b) the Director of Planning or Development Permit Board may increase the permitted floor space ratio to a maximum of 3.00 where 100% of the residential floor area is developed as social housing and the Director of Planning or Development Permit Board considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

##### 3.1.2 Building Form and Placement

Regulations	RM-3A
3.1.2.1 Minimum site area	550 m <sup>2</sup>
3.1.2.2 Maximum building height	10.7 m
3.1.2.3 Minimum front yard depth	6.1 m
3.1.2.4 Minimum side yard width	2.1 m
3.1.2.5 Minimum rear yard depth	10.7 m

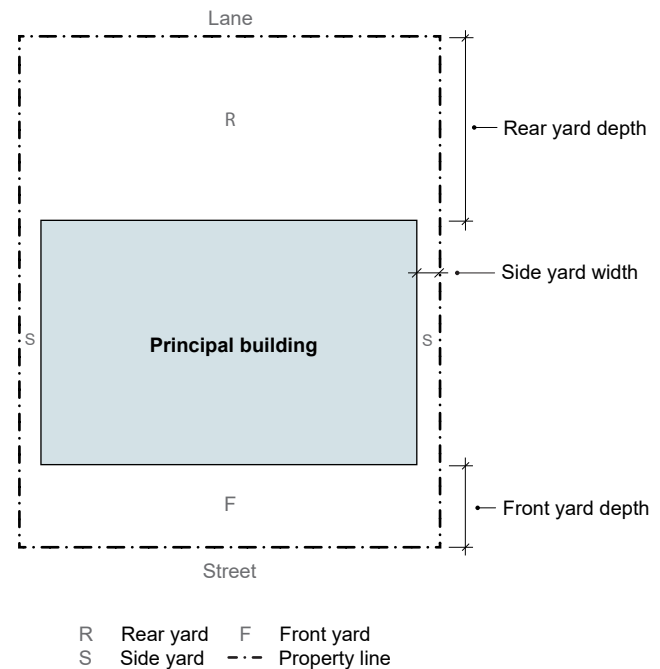
## Site Area

- 3.1.2.6 The Director of Planning may decrease the minimum site area:
- (a) to 500 m<sup>2</sup> if the lot was on record in the Land Title Office prior to September 7, 1965; or
  - (b) if the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Side Yard

- 3.1.2.7 Despite the minimum side yard width in section 3.1.2.4 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.
- 3.1.2.8 Where 100% of the residential floor area is developed as social housing, the Director of Planning or Development Permit Board may decrease the minimum side yard width if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.
- ## Rear Yard
- 3.1.2.9 Despite the minimum rear yard depth in section 3.1.2.5 above:
- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
  - (b) 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; and
  - (c) 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.
- 3.1.2.10 Where 100% of the residential floor area is developed as social housing, the Director of Planning or Development Permit Board may reduce the minimum rear yard depth if the Director of Planning or

**Diagram: Building placement for mixed-use residential building that includes a child day care facility, and multiple dwelling**



Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

### **Discretion to Vary Other Regulations**

3.1.2.11 Where 100% of the residential floor area is developed as social housing, and if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant, the Director of Planning or Development Permit Board may vary:

- (a) the maximum building height to a height not exceeding 19.9 m; and
- (b) the minimum front yard depth.



### 3.2 Duplex, Single Detached House, and Single Detached House with Secondary Suite

Duplex, single detached house, and single detached house with secondary suite are subject to the following regulations.

#### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.60.

#### 3.2.2 Building Form and Placement

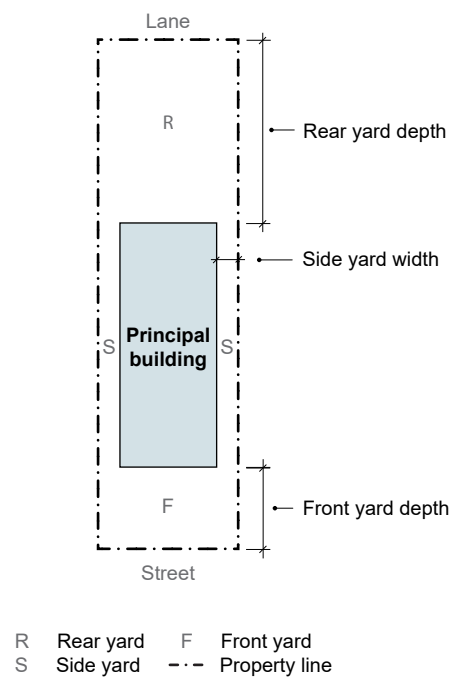
Regulations	RM-3A
3.2.2.1 Maximum building height	10.7 m
3.2.2.2 Minimum front yard depth	6.1 m
3.2.2.3 Minimum side yard width where the side width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.2.2.4 Minimum rear yard depth	10.7 m

#### Rear Yard

3.2.2.5 Despite the minimum rear yard depth in section [3.2.2.4](#) above:

- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane; and
- (b) 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.

**Diagram: Building placement for duplex, single detached house and single detached house with secondary suite**



### 3.3 Seniors Supportive or Assisted Housing

Seniors supportive or assisted housing is subject to the following regulations.

#### 3.3.1 Density and Floor Area

3.3.1.1 The maximum floor space ratio is 1.00, except that the floor space ratio may be increased:

- (a) by an amount equal to 0.012 for each 1% or fraction of a percent that the site coverage is below 50%;
- (b) where the site area exceeds 837 m<sup>2</sup> and the frontage of the site is at least 22.8 m, by an amount equal to 0.002 multiplied by each 9.3 m<sup>2</sup> of site area over 837 m<sup>2</sup>, provided this increase does not exceed 0.25; and
- (c) where parking spaces are provided within the outermost walls of a building or underground, but in no case with the floor of the parking area above the highest point of the finished grade around the building, by an amount equal to 0.20 multiplied by the ratio of the number of parking spaces provided that are completely undercover to the total number of required parking spaces, but in no case may this increase exceed a figure of 0.20.

#### 3.3.2 Building Form and Placement

Regulations	RM-3A
3.3.2.1 Minimum site area	550 m <sup>2</sup>
3.3.2.2 Maximum building height	10.7 m
3.3.2.3 Minimum front yard depth	6.1 m
3.3.2.4 Minimum side yard width	2.1 m
3.3.2.5 Minimum rear yard depth	10.7 m

#### Site Area

3.3.2.6 The Director of Planning may decrease the minimum site area to 500 m<sup>2</sup> if:

- (a) the lot was on record in the Land Title Office prior to September 7, 1965; or
- (b) the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

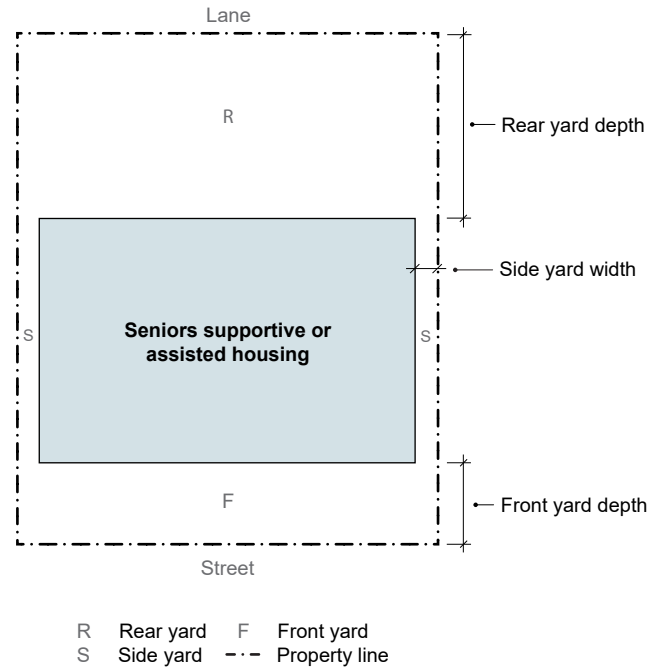
## Side Yard

- 3.3.2.7 Despite the minimum side yard width in section 3.3.2.4 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

## Rear Yard

- 3.3.2.8 Despite the minimum rear yard depth in section 3.3.2.5 above:
- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
  - (b) 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; and
  - (c) 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.

**Diagram: Building placement for seniors supportive or assisted housing**



### 3.4 Other Uses

Uses not regulated by sections 3.1 to 3.3 of this schedule are subject to the following regulations.

#### 3.4.1 Density and Floor Area

3.4.1.1 The maximum floor space ratio is 1.00, except that the floor space ratio may be increased:

- (a) by an amount equal to 0.012 for each 1% or fraction of a percent that the site coverage is below 50%;
- (b) where the site area exceeds 837 m<sup>2</sup> and the frontage of the site is at least 22.8 m, by an amount equal to 0.002 multiplied by each 9.3 m<sup>2</sup> of site area over 837 m<sup>2</sup>, provided this increase does not exceed 0.25; and
- (c) where parking spaces are provided within the outermost walls of a building or underground, but in no case with the floor of the parking area above the highest point of the finished grade around the building, by an amount equal to 0.20 multiplied by the ratio of the number of parking spaces provided that are completely undercover to the total number of required parking spaces, but in no case may this increase exceed a figure of 0.20.

#### 3.4.2 Building Form and Placement

Regulations	RM-3A
3.4.2.1 Minimum site area for rooming house	550 m <sup>2</sup>
3.4.2.2 Maximum building height	10.7 m
3.4.2.3 Minimum front yard depth	6.1 m
3.4.2.4 Minimum side yard width	2.1 m
3.4.2.5 Minimum rear yard depth	10.7 m

#### Site Area

3.4.2.6 The Director of Planning may decrease the minimum site area for rooming house:

- (a) to 500 m<sup>2</sup> if the lot was on record in the Land Title Office prior to September 7, 1965; or
- (b) if the Director of Planning considers the development to consist of locked in lots and provided the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

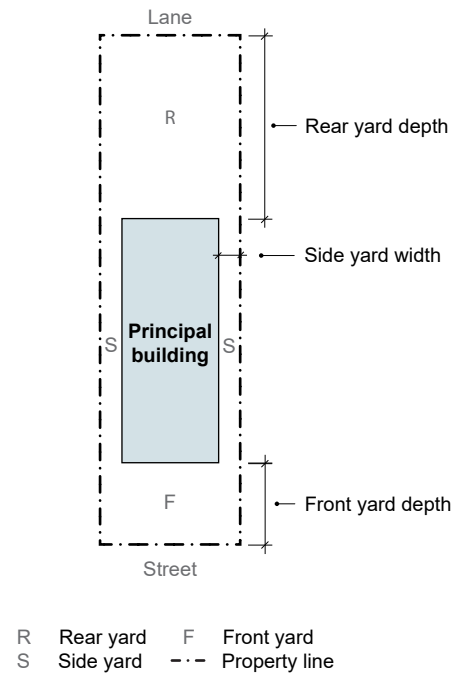
## Side Yard

- 3.4.2.7 Despite the minimum side yard width in section 3.4.2.4 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

## Rear Yard

- 3.4.2.8 Despite the minimum rear yard depth in section 3.4.2.5 above:
- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
  - (b) 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; and
  - (c) 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.

**Diagram: Building placement for principal building**



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, both above and below ground level, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 in building or relationship to yard setbacks, which exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) floors or portions of floors used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, which are:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) 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 does 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% of the total permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;

- (f) all residential storage area above or below base surface, except that where 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 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 that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% of permitted floor area;
- (h) entries, porches and verandahs, and covered porches above the first storey if:
  - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area; 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 section 4.1.2(h) above, to which there is no access from the interior of the building.

4.1.3 The Director of Planning may permit enclosed residential balconies to be excluded in the computation of floor space ratio, provided that the Director of Planning considers all applicable Council policies and guidelines and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or deck exclusions may not exceed 8% of the residential floor area being provided; and
- (b) no more than 50% of the excluded balcony floor area may be enclosed.

## 4.2 Site Coverage

4.2.1 The maximum site coverage for any portion of the site used as parking area is 30%.

## 4.3 Horizontal Angle of Daylight

4.3.1 Each habitable room must have at least 1 window on an exterior wall of a building.

4.3.2 For the purposes of section 4.3.1 above, habitable room means any room except a bathroom or kitchen.

4.3.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.3.4 The plane or planes referred to in section 4.3.3 above must be measured horizontally from the centre of the bottom of each window.



- 4.3.5 An obstruction referred to in section 4.3.3 above means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.3.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 3.7 m.

## SCHEDULE JJJ

# RM-4 and RM-4N

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit a variety of multiple dwelling forms including 4-storey apartments and 6-storey social housing apartments, to encourage the retention of existing buildings, and to achieve community and social objectives. In the RM-4N district, acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [Britannia and Woodland RM-4 and RM-4N Guidelines](#), [Broadway Station Area RM-4 and RM-4N Guidelines](#), [Fairview Heights RM-4 Guidelines](#), [Hudson Street RM-4 Guidelines](#), [Joyce Street RM-4N Guidelines](#), [Kitsilano RM-4 Guidelines](#), [Marpole Triangle RM-4 Guidelines](#), [Mount Pleasant RM-4 and RM-4N Guidelines](#), [RM-3A, RM-4, and RM-4N Guidelines for Social Housing](#) and [Brewery Creek IC-3, C-3A, C-2C and RM-4/4N Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-4 and RM-4N districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in [section 3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
550 m <sup>2</sup>	Mixed-Use Residential Building that includes a Child Day Care Facility	<a href="#">3.1</a>
	Multiple Dwelling	<a href="#">3.1</a>
	Seniors Supportive or Assisted Housing	<a href="#">3.4</a>
	Rooming House	<a href="#">3.5</a>

Minimum Site Area	Use	Density, Form and Placement Regulations
--	Duplex	<a href="#">3.2</a>
	Single Detached House or Single Detached House with Secondary Suite	<a href="#">3.2</a>
	Infill	<a href="#">3.3</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.5</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	<a href="#">2.2.1</a>
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	

Use	Approval	Use-Specific Regulations
Infill Duplex	Conditional	
Infill Multiple Dwelling	Conditional	<a href="#">2.2.2</a>
Infill Single Detached House	Conditional	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.3</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.4</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing as of June 18, 1956	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.5</a>
Multiple Dwelling	Conditional	<a href="#">2.2.2</a>
Rooming House	Outright	
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.6</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.7</a>
Neighbourhood Grocery Store	Conditional	<a href="#">2.2.3</a>
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	

Use	Approval	Use-Specific Regulations
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.8</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.
- 2.2.2 Development on any site consisting of 3 or more dwelling units that:
- (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
  - (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,
- is subject to the [Rental Housing Stock Official Development Plan](#).
- 2.2.3 The only non-dwelling uses permitted in a mixed-use residential building are:
- (a) child day care facility, provided that all residential floor area is developed as social housing; and
  - (b) neighbourhood grocery store.
- 2.2.4 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building;
  - (b) no housekeeping or sleeping units are created; and
  - (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- 2.2.5 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing as of June 18, 1956, may be permitted as a conditional approval use if:
- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size and the impact of the conversion on adjacent properties and character of the area; and
  - (b) building additions resulting in a total floor space ratio greater than 0.60 are in keeping with the character of the building.
- 2.2.6 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.7 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

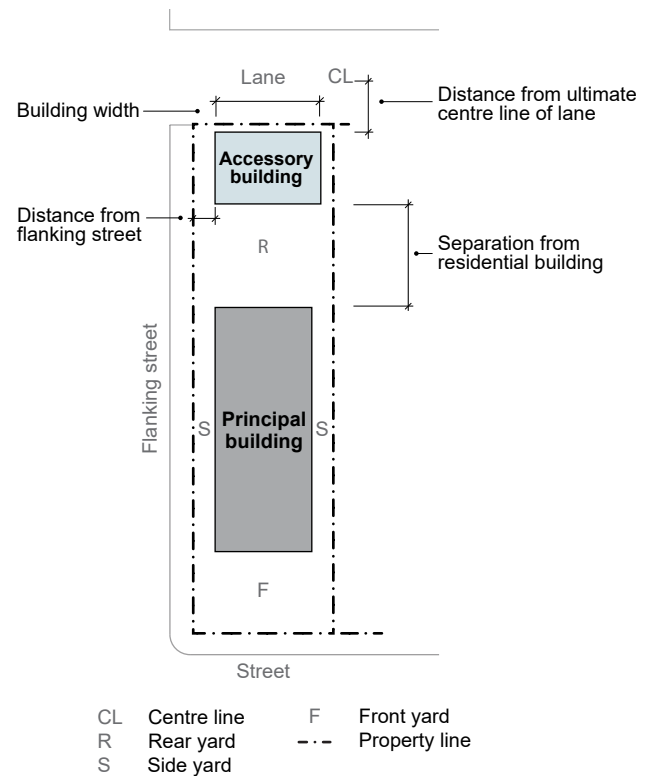
- 2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof.

provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:
  - (i) in the rear yard,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least the width of the required side yard from a flanking street, subject also to the provisions of section 10.4 of this by-law;

**Diagram: Building placement for accessory building**



- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 35% of the minimum rear yard required in this schedule, or 48 m<sup>2</sup>, whichever is the greater;
- (d) the combined building width for all accessory buildings does not exceed 67% of the width of the site at the rear property line; and
- (e) the separation from any residential building is at least 3.7 m.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Mixed-Use Residential Building that Includes a Child Day Care Facility, and Multiple Dwelling

Mixed-use residential building that includes a child day care facility, and multiple dwelling are subject to the following regulations.

##### 3.1.1 Density and Floor Area

###### 3.1.1.1 The maximum floor space ratio is 0.75, except that:

- (a) the Director of Planning may increase the permitted floor space ratio in accordance with section [3.1.2.12](#) of this schedule; or
- (b) the Director of Planning or Development Permit Board may increase the permitted floor space ratio to a maximum of 3.00 where 100% of the residential floor area is developed as social housing and the Director of Planning or Development Permit Board considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

##### 3.1.2 Building Form and Placement

Regulations		RM-4 and RM-4N
3.1.2.1	Minimum site area	550 m <sup>2</sup>
3.1.2.2	Maximum site frontage	45.8 m
3.1.2.3	Maximum building height	10.7 m
3.1.2.4	Minimum front yard depth	6.1 m
3.1.2.5	Minimum side yard width	2.1 m
3.1.2.6	Minimum rear yard depth	10.7 m

##### Site Area

###### 3.1.2.7 The Director of Planning may reduce the minimum site area:

- (a) to 500 m<sup>2</sup> if the lot was on record in the Land Title Office prior to March 9, 1976; or
- (b) if the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.



## Building Height

- 3.1.2.8 Despite the maximum building height in section 3.1.2.3 above, no portion of the building may extend above an envelope formed by a vertical line measuring 7.3 m in height at the north, northeast or northwest property line and a plane formed by an angle of 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north, northeast or northwest property line.

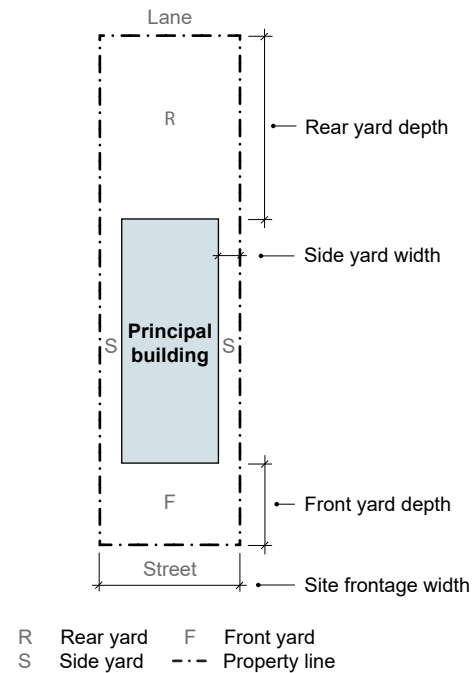
## Side Yard

- 3.1.2.9 Despite the minimum side yard width in section 3.1.2.5 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

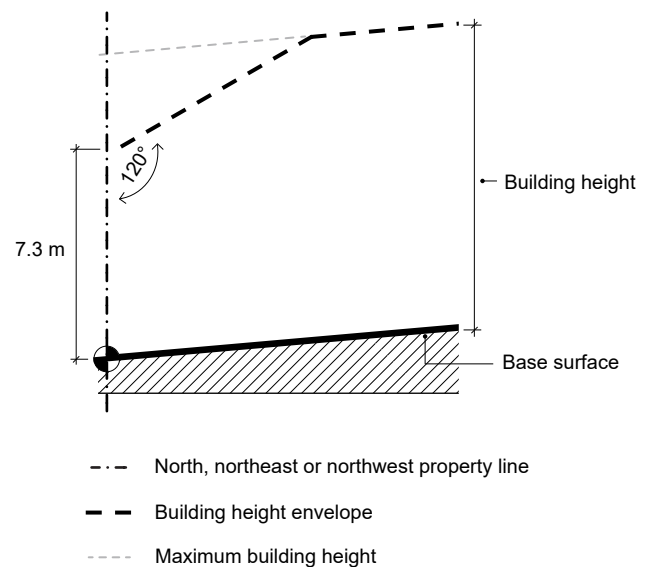
## Rear Yard

- 3.1.2.10 Despite the minimum rear yard depth in section 3.1.2.6 above:
- where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
  - 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; and
  - 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,

**Diagram: Building placement for mixed-use residential building that includes a child day care facility, and multiple dwelling**



**Diagram: Maximum building height envelope**



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.

### **Additional Discretion to Vary Regulations**

- 3.1.2.11 Where 100% of the residential floor area is developed as social housing, and if the Director of Planning or Development Permit Board considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant, the Director of Planning or Development Permit Board may vary:
- (a) the maximum building height to a height not exceeding 19.9 m;
  - (b) the minimum front yard depth;
  - (c) the minimum side yard width; and
  - (d) the minimum rear yard depth.
- 3.1.2.12 The Director of Planning may vary any of the regulations of this section [3.1](#) 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 Council policies and guidelines, provided that:
- (a) all required parking spaces are 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 is provided;
  - (c) a minimum of 20% of total units within any multiple dwelling building contain 2 or more bedrooms;
  - (d) the site coverage does not exceed 65%; and
  - (e) the floor space ratio does not exceed 1.45.

### 3.2 Duplex, Single Detached House, and Single Detached House with Secondary Suite

Duplex, single detached house, and single detached house with secondary suite are subject to the following regulations.

#### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.60, except that the Director of Planning may increase the permitted floor space ratio in accordance with section 3.2.2.7 of this schedule.

#### 3.2.2 Building Form and Placement

Regulations	RM-4 and RM-4N
3.2.2.1 Maximum building height	10.7 m
3.2.2.2 Minimum front yard depth	6.1 m
3.2.2.3 Minimum side yard width where the side width:	
(a) does not exceed 15.0 m	10% of the site width
(b) exceeds 15.0 m	1.5 m
3.2.2.4 Minimum rear yard depth	10.7 m

#### Building Height

3.2.2.5 Despite the maximum building height in section 3.2.2.1 above, no portion of the building may extend above an envelope formed by a vertical line measuring 7.3 m in height at the north, northeast or northwest property line and a plane formed by an angle of 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north, northeast or northwest property line.

#### Rear Yard

3.2.2.6 Despite the minimum rear yard depth in section 3.2.2.4 above:

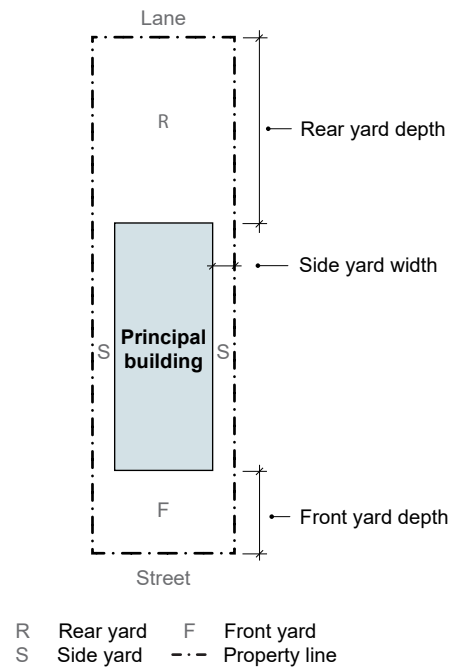
- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
- (b) where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard; and
- (c) 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.

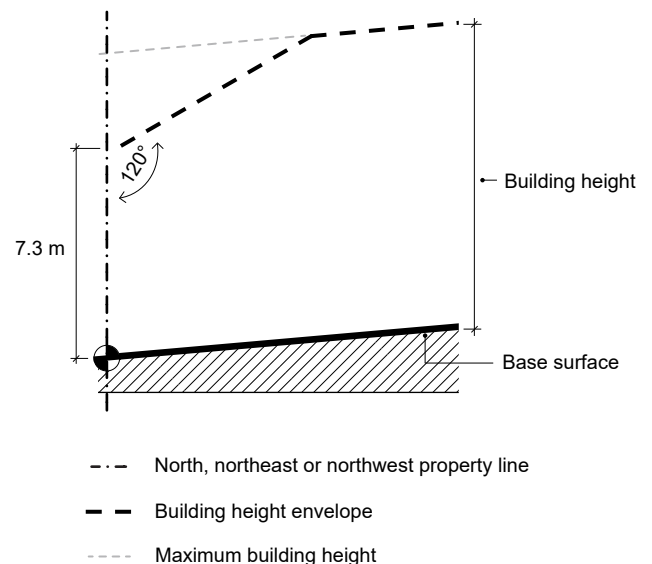
### Additional Discretion to Vary Regulations

3.2.2.7 The Director of Planning may vary any of the regulations of this section 3.2 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 Council policies and guidelines, provided that the floor space ratio does not exceed 1.00.

**Diagram: Building placement for duplex, single detached house and single detached house with secondary suite**



**Diagram: Maximum building height envelope**



### 3.3 Infill

Infill is subject to the following regulations.

#### 3.3.1 Density and Floor Area

The maximum floor space ratio is 0.75 for the overall site, except that the Director of Planning may increase the permitted floor space ratio in accordance with section 3.3.2.6 of this schedule.

#### 3.3.2 Building Form and Placement

Regulations	RM-4 and RM-4N
3.3.2.1 Maximum building height	10.7 m
3.3.2.2 Minimum front yard depth	6.1 m
3.3.2.3 Minimum rear yard depth	10.7 m

#### Building Height

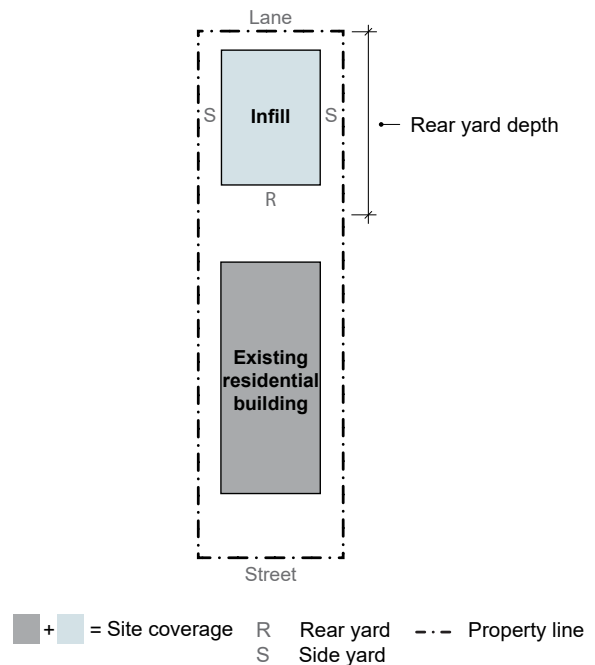
- 3.3.2.4 Despite the maximum building height in section 3.3.2.1 above, no portion of the building may extend above an envelope formed by a vertical line measuring 7.3 m in height at the north, northeast or northwest property line and a plane formed by an angle of 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north, northeast or northwest property line.

#### Rear Yard

- 3.3.2.5 Despite the minimum rear yard depth in section 3.3.2.3 above:

- where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
- 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; and

Diagram: Building placement for infill

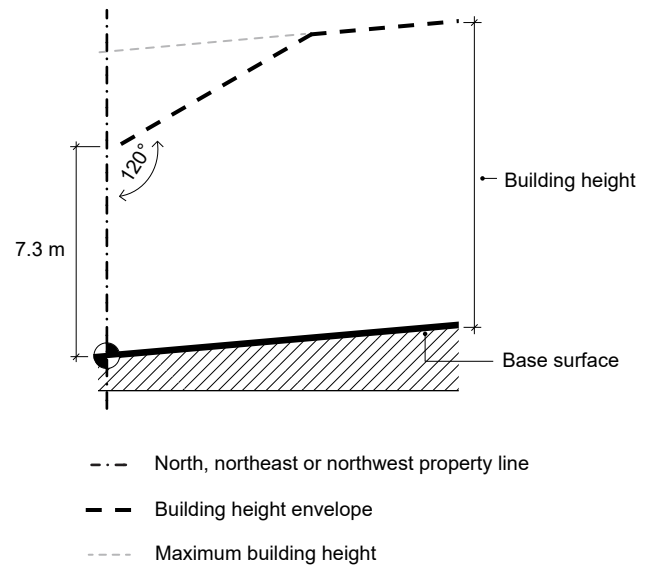


- (c) where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site, and where the average distance from the building to the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.

#### Additional Discretion to Vary Requirements

- 3.3.2.6 The Director of Planning may vary any of the regulations of this section 3.3 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 Council policies and guidelines, provided that the floor space ratio does not exceed 1.45.

**Diagram: Maximum building height envelope**



### 3.4 Seniors Supportive or Assisted Housing

Seniors supportive or assisted housing is subject to the following regulations.

#### 3.4.1 Density and Floor Area

- 3.4.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase the permitted floor space ratio in accordance with section [3.4.2.10](#) of this schedule.

#### 3.4.2 Building Form and Placement

Regulations	RM-4 and RM-4N
3.4.2.1 Minimum site area	550 m <sup>2</sup>
3.4.2.2 Maximum building height	10.7 m
3.4.2.3 Minimum front yard depth	6.1 m
3.4.2.4 Minimum side yard width	2.1 m
3.4.2.5 Minimum rear yard depth	10.7 m

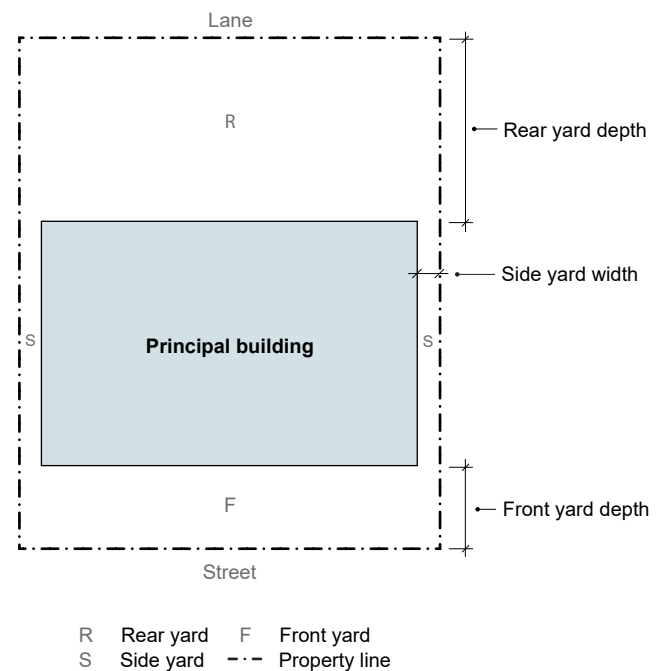
#### Site Area

- 3.4.2.6 The Director of Planning may reduce the minimum site area to 500 m<sup>2</sup> if:
- the lot was on record in the Land Title Office prior to March 9, 1976; or
  - the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

#### Building Height

- 3.4.2.7 Despite the maximum building height in section [3.4.2.2](#) above, no portion of the building may extend above an envelope formed by a vertical line measuring 7.3 m in height at the north, northeast or northwest property line and a plane formed by an angle

**Diagram: Building placement for seniors supportive or assisted housing**



of 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north, northeast or northwest property line.

### Side Yard

- 3.4.2.8 Despite the minimum side yard width in section 3.4.2.4 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

### Rear Yard

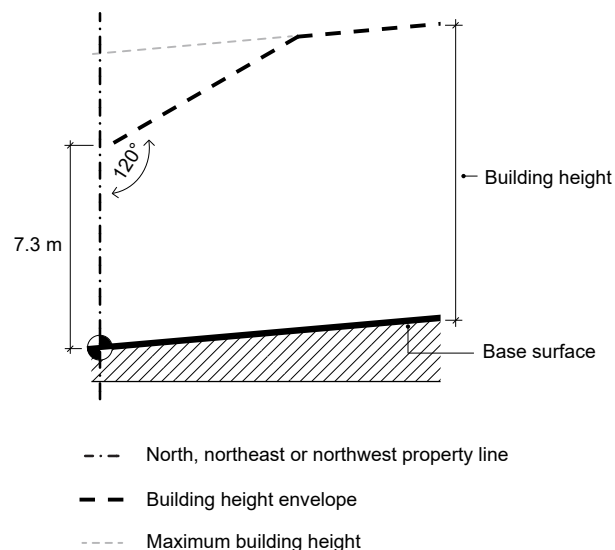
- 3.4.2.9 Despite the minimum rear yard depth in section 3.4.2.5 above:

- where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
- 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; and
- 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.

### Additional Discretion to Vary Regulations

- 3.4.2.10 The Director of Planning may vary any of the regulations of this section 3.4 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 Council policies and guidelines, provided that:
- all required parking spaces are 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;
  - useable on-site open space is provided;
  - the site coverage does not exceed 65%; and
  - the floor space ratio does not exceed 1.45.

**Diagram: Maximum building height envelope**





### 3.5 Other Uses

Uses not regulated by sections 3.1 to 3.4 of this schedule are subject to the following regulations.

#### 3.5.1 Density and Floor Area

- 3.5.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase the permitted floor space ratio for additions to existing buildings in accordance with section [3.5.2.10](#) of this schedule.

#### 3.5.2 Building Form and Placement

Regulations	RM-4 and RM-4N
3.5.2.1 Minimum site area for rooming house	550 m <sup>2</sup>
3.5.2.2 Maximum building height	10.7 m
3.5.2.3 Minimum front yard depth	6.1 m
3.5.2.4 Minimum side yard width	2.1 m
3.5.2.5 Minimum rear yard depth	10.7 m

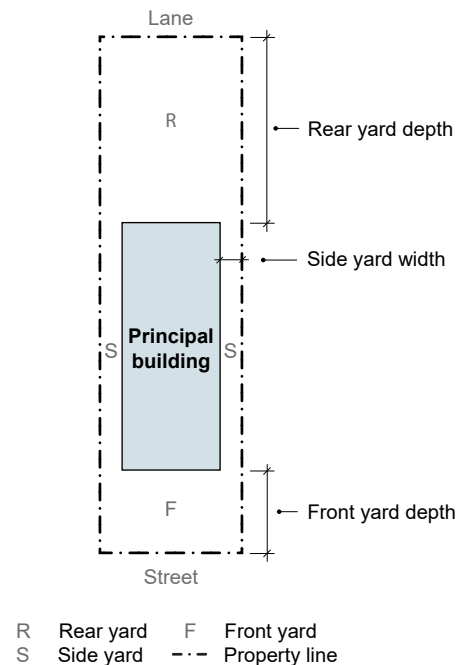
#### Site Area

- 3.5.2.6 The Director of Planning may reduce the minimum site area:
- to 500 m<sup>2</sup> if the lot was on record in the Land Title Office prior to March 9, 1976; or
  - if 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 Council policies and guidelines.

#### Building Height

- 3.5.2.7 Despite the maximum building height in section [3.5.2.2](#) above, no portion of the building may extend above an envelope formed by a vertical line measuring 7.3 m in height at the north, northeast or northwest

**Diagram: Building placement for principal building**



property line and a plane formed by an angle of 120 degrees measured from the vertical and having its vertex at the maximum building height permitted at the north, northeast or northwest property line.

## Side Yard

3.5.2.8 Despite the minimum side yard width in section 3.5.2.4 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

## Rear Yard

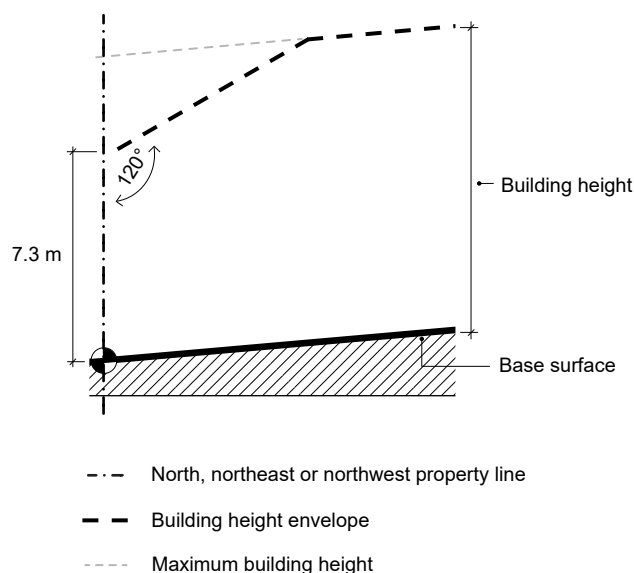
3.5.2.9 Despite the minimum rear yard depth in section 3.5.2.5 above:

- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
- (b) 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; and
- (c) 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.

## Additional Discretion to Vary Regulations

3.5.2.10 The Director of Planning may vary any of the regulations of this section 3.5 for additions to existing buildings, 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 Council policies and guidelines, provided that the floor space ratio does not exceed 1.45.

**Diagram: Maximum building height envelope**



## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area for multiple dwellings and mixed-use residential buildings and 8% of the permitted floor area for all other uses;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) floors or portion of floors used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, which are:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) 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 does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreation facilities and meeting rooms, to a maximum floor area of 10% of the total permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;

- (f) for multiple dwelling and mixed-use residential building, all residential storage area below base surface;
- (g) for multiple dwelling and mixed-use residential building, all residential storage area above base surface, except that 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;
- (h) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% of permitted floor area;
- (i) entries, porches and verandahs, and covered porches above the first storey if:
  - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 16% of the permitted floor area for multiple dwellings and mixed-use residential buildings, and 13% of the permitted floor area for all other uses; and
- (j) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with section 4.1.2(i) above, to which there is no access from the interior of the building.

## 4.2 Site Coverage

4.2.1 The maximum site coverage for any portion of the site used as parking area is 30%.

## 4.3 Horizontal Angle of Daylight

4.3.1 Each habitable room must have at least 1 window on an exterior wall of a building.

4.3.2 For the purposes of section 4.3.1 above, habitable room means any room except a bathroom or kitchen.

4.3.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.3.4 The plane or planes referred to in section 4.3.3 above must be measured horizontally from the centre of the bottom of each window.

4.3.5 An obstruction referred to in section 4.3.3 above means:

- (a) any part of the same building excluding permitted projections; or
- (b) the largest building permitted on any adjoining site.

- 4.3.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 3.7 m.

## SCHEDULE KKK

# RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule

## 1 INTENT AND OVERVIEW

### 1.1 Intent

The intent of this schedule is to enable a variety of forms of residential development in the West End, including tower forms and infill townhouses, while also permitting compatible retail, office, service and institutional uses. Infill developed as secured market rental housing is encouraged. Emphasis is placed on achieving development that is compatible with neighbouring development with respect to the streetscape character, open spaces, view retention, sunlight access and privacy.

The RM-5 district encourages developments suited to families with children. The RM-5A, RM-5B, RM-5C and RM-5D districts permit greater densities than the RM-5 district. The RM-5C district permits a greater range of uses. The RM-5D district supports the development of social housing.

Acoustic regulations in [Section 10](#) of this by-law apply to all dwelling units.

Without limitation, applicable Council policies and guidelines for consideration include the [West End RM-5, RM-5A, RM-5B, RM-5C and RM-5D Guidelines](#).

### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-5, RM-5A, RM-5B, RM-5C and RM-5D districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in [section 3](#) of this schedule are cross-referenced in the third column of the table below.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in <a href="#">section 2.1</a> of this schedule, except Infill	<a href="#">3.1</a>
	Infill	<a href="#">3.2</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Bowling Alley, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Club, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Community Centre or Neighbourhood House	Outright	<a href="#">2.2.1</a>
Fitness Centre, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Library, in combination with Community Centre	Outright	<a href="#">2.2.1</a>
Museum or Archives	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Park or Playground	Outright	
Theatre, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
<b>Dwelling Uses</b>		
Duplex	Conditional	
Infill Duplex	Conditional	
Infill Multiple Dwelling	Conditional	<a href="#">2.2.5</a>
Infill Single Detached House	Conditional	
Mixed-Use Residential Building	Outright	<a href="#">2.2.5</a> , <a href="#">2.2.6</a> , <a href="#">2.2.7</a> , <a href="#">2.2.8</a>

Use	Approval	Use-Specific Regulations
Mixed-Use Residential Building not permitted as an outright approval use	Conditional	<a href="#">2.2.5</a> , <a href="#">2.2.6</a> , <a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	
Multiple Conversion Dwelling, containing 3 or more dwelling units	Conditional	<a href="#">2.2.5</a>
Multiple Dwelling	Conditional	<a href="#">2.2.5</a> , <a href="#">2.2.8</a> , <a href="#">2.2.9</a>
Rooming House	Outright	
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Conditional	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Child Day Care Facility	Outright	
Church	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Community Care Facility – Class A	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Community Care Facility – Class B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Group Residence	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Hospital	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.14</a>
Public Authority Use, essential in these districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
School – Elementary or Secondary	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.15</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.15</a>
<b>Office Uses</b>		
Financial Institution, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.16</a>
General Office, in a building protected by a heritage designation by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
General Office, only in the RM-5C and RM-5D districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
Health Care Office, in a building protected by a heritage designation by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
Health Care Office, only in the RM-5C and RM-5D districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
Health Enhancement Centre, in a building protected by a heritage designation by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
Health Enhancement Centre, only in the RM-5C and RM-5D districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.18</a>
Grocery or Drug Store, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.19</a>
Neighbourhood Grocery Store	Outright	<a href="#">2.2.1</a>



Use	Approval	Use-Specific Regulations
Public Bike Share	Conditional	
Retail Store, in a building protected by a heritage designation by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
Retail Store, only in the RM-5C and RM-5D districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.18</a>
Small-Scale Pharmacy, only in the RM-5C district	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Animal Clinic, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.20</a>
Barber Shop or Beauty Salon, only in the RM-5C and RM-5D districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.21</a>
Beauty and Wellness Centre, only in the RM-5C district	Conditional	<a href="#">2.2.1</a>
Bed and Breakfast Accommodation	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Hotel, existing as of September 26, 1989	Outright	<a href="#">2.2.1</a>
Hotel, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.22</a>
Laundromat or Dry Cleaning Establishment, existing as of September 26, 1989	Outright	<a href="#">2.2.1</a>
Laundromat or Dry Cleaning Establishment, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.23</a>
Photofinishing or Photography Studio, only in the RM-5C and RM-5D districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.24</a>
Print Shop, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.21</a>
Restaurant – Class 1, in a building protected by a heritage designation by-law	Conditional	<a href="#">2.2.17</a>
Restaurant – Class 1, only in the RM-5C or RM-5D districts	Conditional	<a href="#">2.2.17</a>
School – Arts or Self-Improvement, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.25</a>
School – Business, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.26</a>
School – Vocational or Trade, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.25</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.15</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.27</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a> , except hotel	Outright	<a href="#">2.2.1</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a> or hotel	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

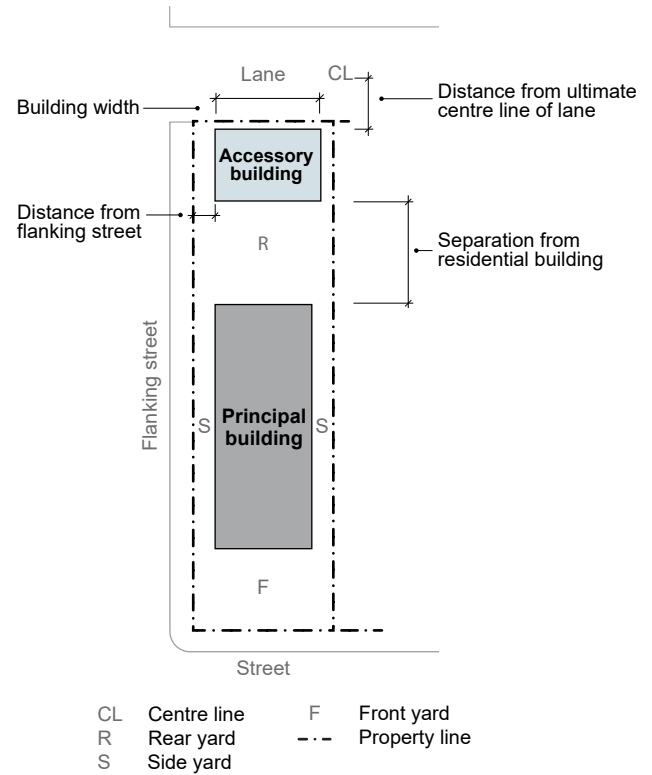
- 2.2.1 All uses listed in section [2.1](#) of this schedule, other than dwelling uses, must be carried on wholly within a completely enclosed building, except for the following:
- (a) child day care facility;
  - (b) display of flowers, plants, fruit and vegetables;
  - (c) farmers' market;
  - (d) park or playground;
  - (e) parking and loading facilities;
  - (f) public bike share;
  - (g) restaurant; and
  - (h) urban farm – class A.
- 2.2.2 Bowling alley and museum or archives may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, proximity to major streets, and size of facility.
- 2.2.3 Club and fitness centre may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity and size of facility.
- 2.2.4 Theatre may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, hours of operation and traffic.
- 2.2.5 Development on any site consisting of 3 or more dwelling units that:
- (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
  - (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,
- is subject to the [Rental Housing Stock Official Development Plan](#).
- 2.2.6 The only non-dwelling uses permitted in a mixed-use residential building that is permitted as an outright approval use are:
- (a) neighbourhood grocery store; and
  - (b) laundromat or dry cleaning establishment existing as of September 26, 1989.

- 2.2.7 Mixed-use residential building may be permitted as a conditional approval use and may include any non-dwelling use listed in section 2.1 of this schedule.
- 2.2.8 In the RM-5 district, every townhouse, apartment or mixed-use residential building must include an outdoor area with a minimum area of 37 m<sup>2</sup>, in an appropriate location that could be developed as a children's play area.
- 2.2.9 In the RM-5 district, a minimum of 20% of total dwelling units within any townhouse or apartment must:
- (a) contain 2 or more bedrooms;
  - (b) have private open space directly accessible from the unit and that is a minimum of 5.6 m<sup>2</sup> in area, and with a minimum dimension of 1.8 m; and
  - (c) be located within 3 storeys of grade.
- 2.2.10 Ambulance station and public authority use may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, vehicular ingress and egress, and proximity to major streets.
- 2.2.11 Church may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking and size of facility.
- 2.2.12 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.13 Community care facility – class B, group residence and bed and breakfast accommodation may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites.
- 2.2.14 Hospital may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, vehicular ingress and egress and the category of the facility.
- 2.2.15 School – elementary or secondary, social service centre, and public utility may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites and the category of the facility.
- 2.2.16 Financial institution may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to the size of the facility and parking.
- 2.2.17 General office, health care office, health enhancement centre, retail store in a building that is protected by a heritage designation by-law, and restaurant – class 1 may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise and hours of operation.

- 2.2.18 Retail store in the RM-5C and RM-5D districts and farmers' market may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, pedestrian amenity and size of facility.
- 2.2.19 Grocery or drug store may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking, the size of the facility and pedestrian amenity.
- 2.2.20 Animal clinic may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, noise and hours of operation.
- 2.2.21 Barber shop or beauty salon and print shop may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, hours of operation and parking.
- 2.2.22 Hotel in the RM-5C district may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites and traffic.
- 2.2.23 Laundromat or dry cleaning establishment in the RM-5C district may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, parking, noise and hours of operation.
- 2.2.24 Photofinishing or photography studio may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking.
- 2.2.25 School – arts or self-improvement and school – vocational or trade may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to size of facility, parking, noise impacts and hours of operation.
- 2.2.26 School – business may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, size of facility, category of facility and hours of operation.
- 2.2.27 Accessory buildings customarily ancillary to any use listed in section [2.1](#) of this schedule are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
  - (b) all accessory buildings are located:
    - (i) in the rear yard,

- (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
- (iii) at least the width of the required side yard from a flanking street;
- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 35% of the minimum rear yard required in this schedule, or 48 m<sup>2</sup>, whichever is greater;
- (d) the combined building width for all accessory buildings does not exceed 67% of the width of the site at the rear property line; and
- (e) the separation from any residential building is at least 3.7 m.

**Diagram: Building placement for accessory building**



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 **All Uses, Except Infill**

All uses in these districts, except infill, are subject to the following regulations.

##### 3.1.1 Density and Floor Area

##### 3.1.1.1 The maximum floor space ratio is 1.00, except that:

- (a) the Director of Planning or Development Permit Board may increase the permitted floor space ratio to a maximum of:
  - (i) 1.50 in the RM-5 district,
  - (ii) 2.20 in the RM-5A, RM-5C and RM-5D districts, and
  - (iii) 2.75 in the RM-5B district,if the Director of Planning or Development Permit Board considers the building height, bulk, location and overall design of the development, the impact of the development on nearby sites, street and public open spaces, the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;
- (b) despite the regulations in section [3.1.1.1\(a\)](#) above, for sites located in the RM-5A, RM-5B, RM-5C and RM-5D districts that do not exceed 20.2 m in width, the floor space ratio must not exceed:
  - (i) 2.00 on corner sites with a minimum site area of 800 m<sup>2</sup>, and
  - (ii) 1.50 on all other sites;
- (c) despite the regulations in sections [3.1.1.1\(a\)](#) and [3.1.1.1\(b\)](#) above, the maximum allowable floor space ratio for all permitted uses in the RM-5D district, other than dwelling uses, is 0.65;
- (d) despite the regulations in sections [3.1.1.1\(a\)](#), [3.1.1.1\(b\)](#) and [3.1.1.1\(c\)](#) above, if there is no heritage floor area available for transfer, the Director of Planning may permit an additional increase in the permitted floor area of 1 m<sup>2</sup> per amenity share provided to the City at no cost to the City, to a maximum of 10% of the permitted floor space ratio, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;
- (e) the Development Permit Board may increase the permitted floor space ratio by a maximum of 10% where the increase results from a transfer of heritage floor area, except that this provision does not apply to a development where there has been an increase in floor space ratio pursuant to sections [3.1.1.1\(d\)](#) above or [5.3](#) of this schedule; and
- (f) the Director of Planning or Development Permit Board may increase the permitted floor space ratio in the RM-5D district for multiple dwelling or mixed-use residential building, to a maximum of 7.00, if a minimum of 20% of the floor area included in the calculation of floor space ratio is developed as

social housing and the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

3.1.1.2 The maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this schedule and this by-law.

3.1.1.3 In this section 3.1.1, “heritage floor area” means floor area that may be transferred from a heritage site to another site, in accordance with Council policies and guidelines.

### 3.1.2 Building Form and Placement

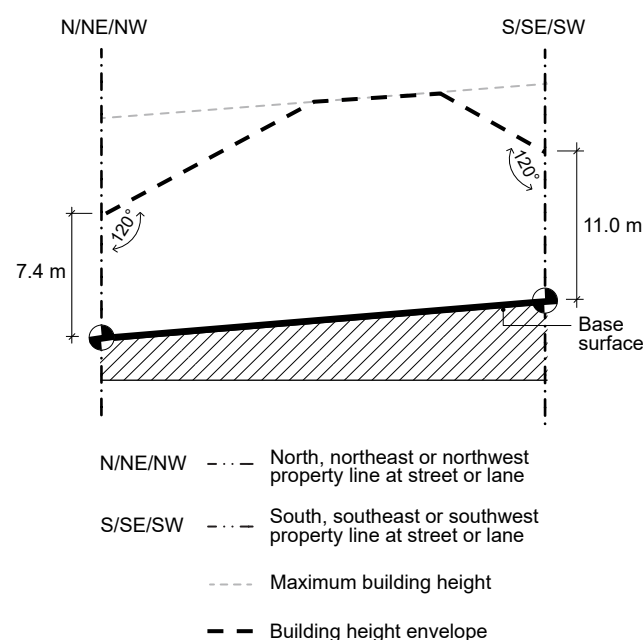
Regulations	RM-5, RM-5A, RM-5B, RM-5C and RM-5D
3.1.2.1 Maximum building height	18.3 m
3.1.2.2 Minimum front yard depth	3.7 m
3.1.2.3 Minimum side yard width	2.1 m
3.1.2.4 Minimum rear yard depth	2.1 m
3.1.2.5 Maximum site coverage for all buildings	50% of the site area

### Building Height

3.1.2.6 Despite the maximum building height in section 3.1.2.1 above, no portion of the building may extend above the envelope formed by a vertical line measuring 7.4 m in height at the north, northeast or northwest property line at a street or lane and a vertical line measuring 11.0 m at the south, southeast or southwest property line at a street or lane and a plane formed by an angle of 120 degrees measured from each of the vertical lines.

3.1.2.7 The Director of Planning or Development Permit Board may increase the maximum building height in the RM-5, RM-5A, RM-5B, and RM-5C districts to a height not exceeding 58.0 m if the liveability and environmental quality of the surrounding neighbourhood is not unduly harmed and the Director of

**Diagram: Maximum building height envelope**



Planning or the Development Permit Board considers:

- (a) the intent of this schedule and all applicable Council policies and guidelines;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the impact on public and private views, sunshine, privacy and open spaces.

3.1.2.8 The Director of Planning or Development Permit Board may increase the maximum building height in the RM-5D district for multiple dwellings and mixed-use residential building to a height not exceeding 58.0 m if:

- (a) a minimum of 20% of the floor area included in the calculation of floor space ratio is developed as social housing; and
- (b) the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

### Side Yard

3.1.2.9 Despite the minimum side yard width in section 3.1.2.3 above, in the case of a corner site, the width of the exterior side yard must be at least 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

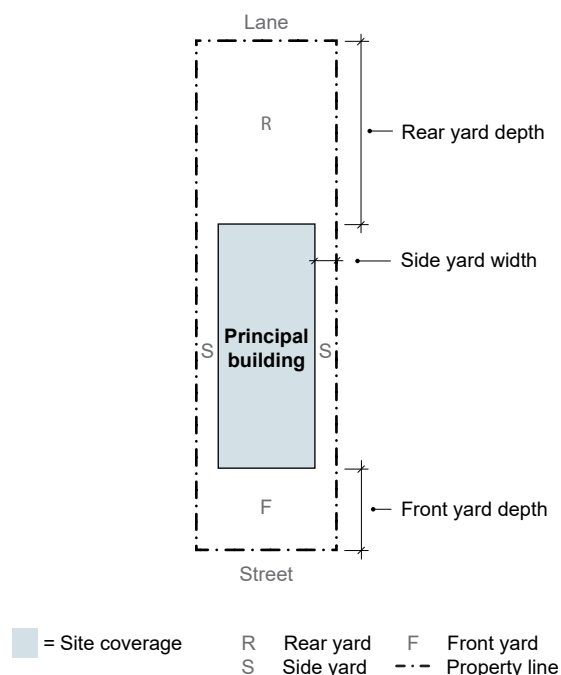
3.1.2.10 The Director of Planning or Development Permit Board may decrease the minimum side yard depth if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

### Discretion to Vary Other Regulations

3.1.2.11 If the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines the Director of Planning or Development Permit Board may vary:

- (a) the minimum front yard depth;
- (b) the minimum rear yard depth; and
- (c) the maximum site coverage.

**Diagram: Building placement for all permitted uses except infill**





## 3.2 **Infill**

Infill is subject to the following regulations.

### 3.2.1 Density and Floor Area

#### 3.2.1.1 The maximum floor space ratio for the overall site is 1.00, except that:

- (a) the Director of Planning or Development Permit Board may increase the permitted floor space ratio for the overall site to a maximum of:

- (i) 1.50 in the RM-5 district,
- (ii) 2.20 in the RM-5A, RM-5C and RM-5D districts, and
- (iii) 2.75 in the RM-5B district,

if the Director of Planning or Development Permit Board considers the building height, bulk, location and overall design of the development, the impact of the development on nearby sites, street and public open spaces, the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;

- (b) despite the regulations in section [3.2.1.1\(a\)](#) above, for sites located in the RM-5A, RM-5B, RM-5C and RM-5D districts that do not exceed 20.2 m in width, the floor space ratio for the overall site must not exceed:

- (i) 2.00 on corner sites with a minimum site area of 800 m<sup>2</sup>, and
- (ii) 1.50 on all other sites;

- (c) despite the regulations in sections [3.2.1.1\(a\)](#) and [3.2.1.1\(b\)](#) above, the maximum allowable floor space ratio for all permitted uses in the RM-5D district, other than dwelling uses, is 0.65;

- (d) despite the regulations in sections [3.2.1.1\(a\)](#), [3.2.1.1\(b\)](#) and [3.2.1.1\(c\)](#) above, if there is no heritage floor area available for transfer, the Director of Planning may permit an additional increase in the permitted floor area of 1 m<sup>2</sup> per amenity share provided to the City at no cost to the City, to a maximum of 10% of the permitted floor space ratio, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;

- (e) the Development Permit Board may increase the permitted floor space ratio by a maximum of 10% where the increase results from a transfer of heritage floor area, except that this provision must not apply to a development where there has been an increase in floor space ratio pursuant to sections [3.2.1.1\(d\)](#) above or [5.3](#) of this schedule; and

- (f) the Director of Planning or Development Permit Board may vary the floor area for infill multiple dwelling in the RM-5, RM-5A and RM-5B districts provided that:

- (i) the infill multiple dwelling is developed as secured market rental housing,

- (ii) in an infill multiple dwelling with 4 or more dwelling units, at least 50% of the dwelling units contain 2 or more bedrooms,
- (iii) in an infill multiple dwelling with 10 or more dwelling units, at least 50% of the dwelling units contain 2 or more bedrooms and at least 10% of the dwelling units contain 3 or more bedrooms, and
- (iv) existing buildings, landmarks or features on the site that are listed on the Vancouver Heritage Register or which may have heritage value are conserved, to the satisfaction of the Director of Planning,

if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

3.2.1.2 The maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this schedule and this by-law.

3.2.1.3 In this section [3.2.1](#), “heritage floor area” means floor area that may be transferred from a heritage site to another site, in accordance with Council policies and guidelines.

### 3.2.2 Building Form and Placement

Regulations	RM-5, RM-5A, RM-5B, RM-5C and RM-5D
3.2.2.1 Maximum building height	12.2 m
3.2.2.2 Minimum side yard width	2.1 m
3.2.2.3 Minimum rear yard depth	2.1 m
3.2.2.4 Maximum site coverage for all buildings	50% of the site area

### Building Height

3.2.2.5 Despite the maximum building height in section [3.2.2.1](#) above, no portion of the building may extend above the envelope formed by a vertical line measuring 7.4 m in height at the north, northeast or northwest property line and a vertical line measuring 11.0 m at the south, southeast or southwest property line and a plane formed by an angle of 120 degrees measured from each of the vertical lines.

3.2.2.6 For infill multiple dwelling in the RM-5, RM-5A and RM-5B districts, where the development satisfies the conditions set out in section [3.2.1.1\(f\)](#) above, the Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 18.3 m if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

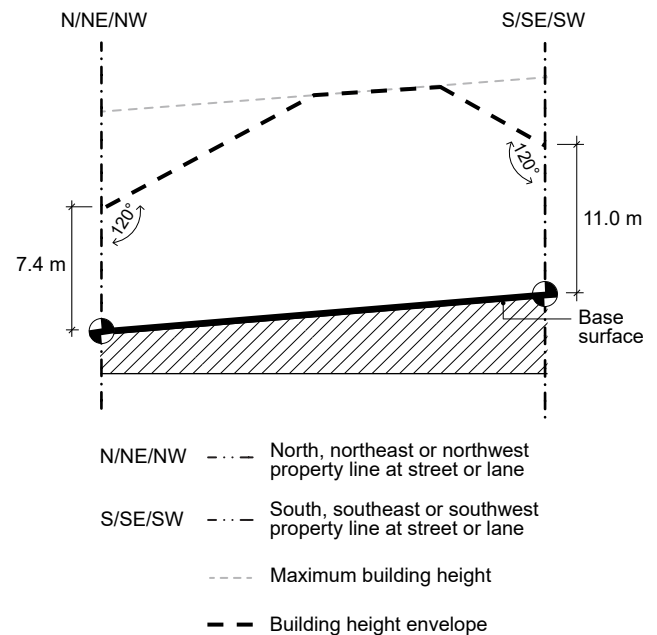
## Side Yard

- 3.2.2.7 Despite the minimum side yard width in section 3.2.2.2 above, in the case of a corner site, the width of the exterior side yard must be at least 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.
- 3.2.2.8 For infill multiple dwelling in the RM-5, RM-5A and RM-5B districts, where the development satisfies the conditions set out in section 3.2.1.1(f) above, the Director of Planning or Development Permit Board may decrease the minimum side yard width if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

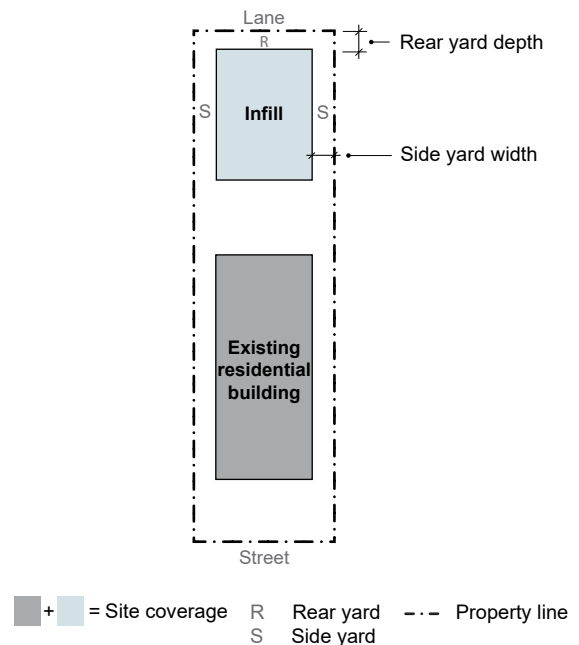
## Discretion to Vary Other Regulations

- 3.2.2.9 For infill multiple dwelling in the RM-5, RM-5A and RM-5B districts, where the development satisfies the conditions set out in section 3.2.1.1(f) above, the Director of Planning or Development Permit Board may vary:
- (a) the minimum rear yard depth; and
  - (b) the maximum site coverage,
- if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Maximum building height envelope**



**Diagram: Building placement for infill**



## 4 GENERAL REGULATIONS

All uses in these districts are subject to the following regulations.

### 4.1 Amenity Shares

4.1.1 For the purposes of this schedule, amenity means conservation of protected heritage property.

4.1.2 For the purposes of this schedule, the cost of an amenity share is the amount specified per m<sup>2</sup> in **Schedule G: Heritage Amenity Share Cost Schedule** of this by-law for the RM-5, RM-5A, RM-5B, RM-5C and RM-5D zoning districts.

### 4.2 Computation of Floor Area

4.2.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

4.2.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are:
  - (i) at or below the base surface provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) 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 does not exceed 7.3 m in length;
- (d) amenity areas accessory to a dwelling use, including child day care facilities, recreation facilities and meeting rooms if:

- (i) in the case of child day care facilities, the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood, and
  - (ii) the total area being excluded for amenity areas does not exceed the lesser of 10% of the total permitted floor area or 1,000 m<sup>2</sup>, with an additional 10% of the permitted floor area or 500 m<sup>2</sup>, whichever is lesser, for child day care facilities where these are included;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) all residential storage 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;
- (h) bicycle storage at or below base surface, if a secured and separate bicycle room is provided and equipped with bicycle racks adequate for the storage of a minimum of 1 bicycle for every 4 dwelling units;
- (i) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% of the permitted floor area; and
- (j) entries, porches and verandahs, and covered porches above the first storey if:
  - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.2.2(a) above, does not exceed 16% of the permitted floor area; and
- (k) 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 section 4.2.2(j) above, to which there is no access from the interior of the building.

## 4.3 Yards: Projections and Measurement

- 4.3.1 Despite the yard projection regulations in Section 10 of this by-law, the Director of Planning or the Development Permit Board may permit entries, porches and verandahs, entrance lobbies and canopies to project up to 1.8 m into the required front yard and porte cocheres to project up to the front property line, if none of the foregoing exceed a width of 6.1 m, and if the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines.

#### 4.4 Horizontal Angle of Daylight

- 4.4.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.4.2 For the purposes of section 4.4.1 above, habitable room means any room except a bathroom or kitchen.
- 4.4.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.4.4 The plane or planes referred to in section 4.4.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.4.5 An obstruction referred to in section 4.4.3 above means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.4.6 The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 6.1 m.
- 4.4.7 For infill multiple dwelling in the RM-5, RM-5A and RM-5B districts, the Director of Planning or the Development Permit Board may vary the regulations in this section 4.4 if:
- (a) the infill multiple dwelling is developed as secured market rental housing;
  - (b) in an infill multiple dwelling with 4 or more dwelling units, at least 50% of the dwelling units contain 2 or more bedrooms;
  - (c) in an infill multiple dwelling with 10 or more dwelling units, at least 50% of the dwelling units contain 2 or more bedrooms and at least 10% of the dwelling units contain 3 or more bedrooms; and
  - (d) existing buildings, landmarks or features on the site that are listed on the Vancouver Heritage Register or which may have heritage value are conserved, to the satisfaction of the Director of Planning,
- if the Director of Planning or the Development Permit Board considers the intent of this schedule, and all applicable Council policies and guidelines.

## 4.5 External Design

- 4.5.1 A covered storage area must be provided for garbage and recycling containers and must be screened from view from adjacent sidewalks and dwelling units.
- 4.5.2 Mechanical equipment, including duct work, must be enclosed and set back so as not to be visible from street level or may be architecturally treated by other means satisfactory to the Director of Planning.
- 4.5.3 For infill multiple dwelling in the RM-5, RM-5A and RM-5B districts, the Director of Planning or the Development Permit Board may vary the regulations in this section [4.5](#) if:
- (a) the infill multiple dwelling is developed as secured market rental housing;
  - (b) in an infill multiple dwelling with 4 or more dwelling units, at least 50% of the dwelling units contain 2 or more bedrooms;
  - (c) in an infill multiple dwelling with 10 or more dwelling units, at least 50% of the dwelling units contain 2 or more bedrooms and at least 10% of the dwelling units contain 3 or more bedrooms; and
  - (d) existing buildings, landmarks or features on the site that are listed on the Vancouver Heritage Register or which may have heritage value are conserved, to the satisfaction of the Director of Planning,

if the Director of Planning or the Development Permit Board considers the intent of the schedule, and all applicable Council policies and guidelines.

## 4.6 Acoustics

- 4.6.1 The Director of Planning may waive the requirement for an acoustic report in [Section 10](#) of this by-law, except for those areas indicated on [Map 1: Areas where acoustic report will not be waived](#) at the end of this schedule.

## 5 RELAXATIONS

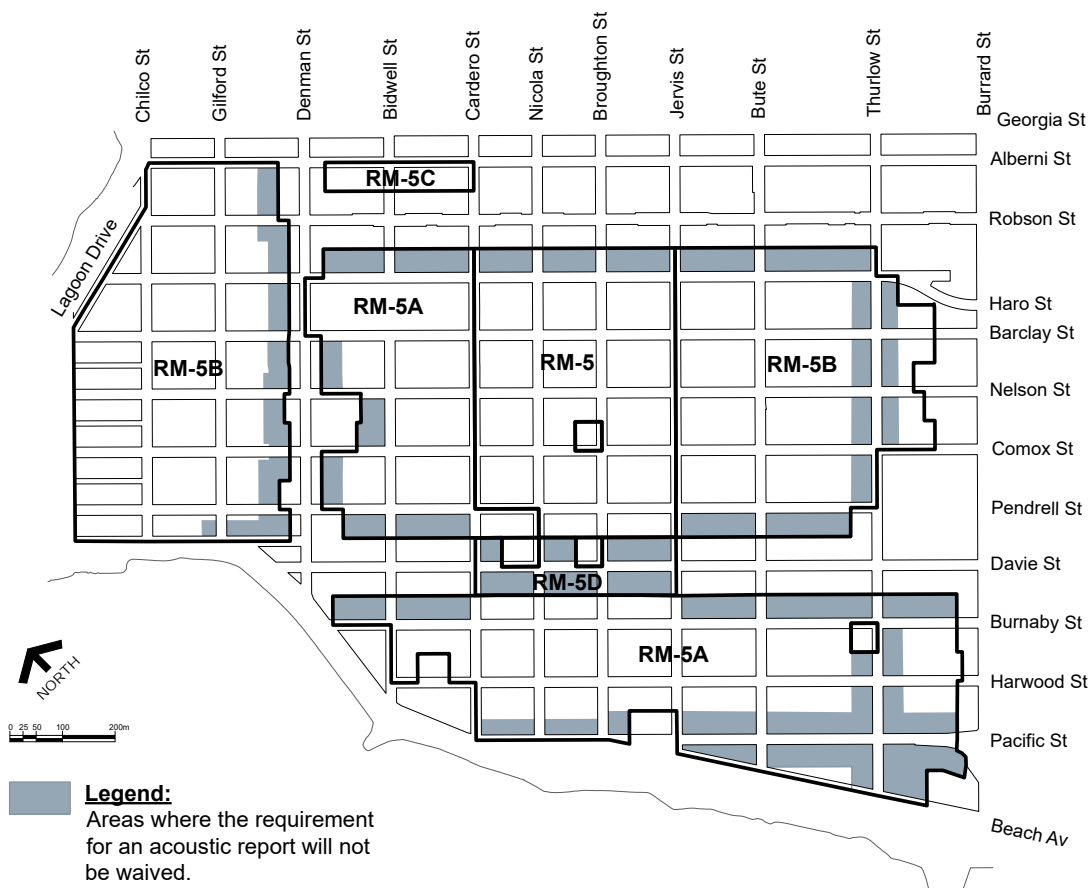
- 5.1 Where a need for any public facility of a social, cultural or recreational nature has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax for any 1 building, which includes 1 or more of such facilities, the maximum floor space ratio and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.
- 5.2 In determining the increase in floor area that may be permitted under section [5.1](#) above, the Development Permit Board must consider:
- (a) the construction cost of the facility;
  - (b) any costs to the developer of continuing maintenance required for the facility;
  - (c) the rental value of the increased floor area;

- (d) the value of any authorized relaxation of other restrictions;
- (e) the opinion of City Council; and
- (f) all applicable Council policies and guidelines.

5.3 The Director of Planning or Development Permit Board may relax the maximum floor space ratio for a development that includes the restoration of an existing building, site, landmark or feature, if the existing building, site, landmark or feature is listed in the Vancouver Heritage Register, if Council approves a heritage designation by-law, and if the Director of Planning or Development Permit Board considers:

- (a) the cost and extent of the heritage restoration;
- (b) the value of the increased floor area;
- (c) the impact of the development upon neighbourhood liveability and environmental quality; and
- (d) all applicable Council policies and guidelines.

**Map 1: Areas where acoustic report will not be waived**





## SCHEDULE LLL

# RM-6

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit apartments and compatible retail, cultural, recreational, service and institutional uses. Development is intended to recognize the formal character of Georgia Street and be compatible with the West End residential character along Alberni Street. Acoustic regulations in [Section 10](#) of this by-law apply to all dwelling units.

Without limitation, applicable Council policies and guidelines for consideration include the [RM-6 West End Georgia/Alberni Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-6 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses listed in section <a href="#">2.1</a> of this schedule	<a href="#">3.1</a>

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Bowling Alley	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Club	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Community Centre or Neighbourhood House	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Fitness Centre	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Library, in combination with Community Centre	Conditional	<a href="#">2.2.1</a>
Museum or Archives	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
Park or Playground	Outright	
Theatre	Conditional	<a href="#">2.2.5</a>
<b>Dwelling Uses</b>		
Mixed-Use Residential Building	Conditional	<a href="#">2.2.6</a> , <a href="#">2.2.7</a>
Multiple Dwelling	Conditional	<a href="#">2.2.7</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
Child Day Care Facility	Outright	
Church	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.9</a>
Community Care Facility – Class B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Group Residence	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Hospital	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Public Authority Use, essential in this district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.8</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>

Use	Approval	Use-Specific Regulations
<b>Office Uses</b>		
Financial Institution	Conditional	2.2.1, 2.2.13
General Office	Conditional	2.2.1, 2.2.14
Health Care Office	Conditional	2.2.1, 2.2.14
Health Enhancement Centre	Conditional	2.2.1, 2.2.14
<b>Parking Uses</b>		
Parking Area	Conditional	2.2.1, 2.2.15
<b>Retail Uses</b>		
Farmers' Market	Conditional	2.2.16
Gasoline Station – Split Island, existing as of September 26, 1989	Conditional	
Grocery or Drug Store	Conditional	2.2.1, 2.2.17
Neighbourhood Grocery Store	Outright	2.2.1
Public Bike Share	Conditional	
Retail Store	Outright	2.2.1, 2.2.18
Retail Store, not permitted as an outright approval use	Conditional	2.2.1, 2.2.19
Small-Scale Pharmacy	Conditional	2.2.1
<b>Service Uses</b>		
Animal Clinic	Conditional	2.2.1, 2.2.20
Barber Shop or Beauty Salon	Conditional	2.2.1, 2.2.21
Beauty and Wellness Centre	Conditional	2.2.1
Bed and Breakfast Accommodation	Conditional	2.2.1, 2.2.10
Hotel	Conditional	2.2.1, 2.2.22
Laundromat or Dry Cleaning Establishment	Conditional	2.2.1, 2.2.23
Photofinishing or Photography Studio	Conditional	2.2.1, 2.2.24
Print Shop	Conditional	2.2.1, 2.2.21
Restaurant – Class 1	Conditional	2.2.1, 2.2.14
School – Arts or Self-Improvement	Conditional	2.2.1, 2.2.25
School – Business	Conditional	2.2.1, 2.2.26
School – Vocational or Trade	Conditional	2.2.1, 2.2.25
Short Term Rental Accommodation	Conditional	2.2.1
Wedding Chapel	Conditional	2.2.1
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	2.2.1, 2.2.12

Use	Approval	Use-Specific Regulations
<b>uncategorized</b>		
Accessory Uses customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a>
Accessory Uses customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	<a href="#">2.2.1</a>

## 2.2 Use-Specific Regulations

- 2.2.1 All commercial uses listed in section [2.1](#) of this schedule must be carried on wholly within a completely enclosed building, except for the following:
- (a) child day care facility;
  - (b) display of flowers, plants, fruits and vegetables;
  - (c) farmers' market;
  - (d) gasoline station – split island;
  - (e) park or playground;
  - (f) parking and loading facilities;
  - (g) public bike share;
  - (h) restaurant; and
  - (i) urban farm – class A.
- 2.2.2 Bowling alley may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, traffic, noise and hours of operation.
- 2.2.3 Club, community centre or neighbourhood house, and fitness centre may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity and size of facility.
- 2.2.4 Museum or archives may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, proximity to major streets and size of facility.
- 2.2.5 Theatre may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, traffic and hours of operation.

- 2.2.6 Any of the non-dwelling uses listed in section 2.1 of this schedule are permitted in a mixed-use residential building.
- 2.2.7 Development on any site consisting of 3 or more dwelling units that:
- (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
  - (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,
- is subject to the [Rental Housing Stock Official Development Plan](#).
- 2.2.8 Ambulance station and public authority use may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, proximity to major streets and vehicular ingress and egress.
- 2.2.9 Church may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking and size of facility.
- 2.2.10 Community care facility – class B, group residence, and bed and breakfast accommodation may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites.
- 2.2.11 Hospital may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, vehicular ingress and egress, and category of facility.
- 2.2.12 Social service centre and public utility may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites and category of facility.
- 2.2.13 Financial institution may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking and size of facility.
- 2.2.14 General office, health care office, health enhancement centre, and restaurant – class 1 may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise and hours of operation.
- 2.2.15 Parking area may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, pedestrian amenity and vehicle ingress and egress.
- 2.2.16 Farmers' market may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

- 2.2.17 Grocery or drug store may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking, size of facility and pedestrian amenity.
- 2.2.18 Retail store is permitted as an outright approval use if it is on the first storey of a building and if the floor space ratio of all retail uses does not exceed 0.50.
- 2.2.19 Retail store may be permitted as a conditional approval use if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking, size of facility and pedestrian amenity.
- 2.2.20 Animal clinic may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, noise and hours of operation.
- 2.2.21 Barber shop or beauty salon and print shop may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, hours of operation and parking.
- 2.2.22 Hotel may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, suitability of site, traffic, access, parking and size of facility.
- 2.2.23 Laundromat or dry cleaning establishment may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, hours of operation, parking and noise.
- 2.2.24 Photofinishing or photography studio may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking.
- 2.2.25 School – arts or self-improvement and school – vocational or trade may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking, size of facility, noise and hours of operation.
- 2.2.26 School – business may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking, size and category of facility, and hours of operation.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 1.00, except that the Director of Planning or Development Permit Board may increase the permitted floor space ratio to a maximum of 2.50 if the Director of Planning or Development Permit Board considers:

- (a) the building height, bulk, location and overall design of the development and its impact on nearby sites, streets and public open spaces;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the intent of this schedule and all applicable Council policies and guidelines.

3.1.1.2 Where a need for any public facility of a social, cultural or recreational nature has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax for any 1 building, which includes 1 or more of such facilities, the maximum floor space ratio and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

3.1.1.3 In determining the increase in floor area that may be permitted under section [3.1.1.2](#) above, the Development Permit Board must consider:

- (a) the construction cost of the facility;
- (b) any costs to the developer of continuing maintenance required for the facility;
- (c) the rental value of the increased floor area;
- (d) the value of any authorized relaxation of other restrictions;
- (e) the opinion of City Council; and
- (f) all applicable Council policies and guidelines.

### 3.1.2 Building Form and Placement

Regulations		RM-6
3.1.2.1	Maximum building height	12.2 m
3.1.2.2	Minimum front yard depth for buildings with a height:	
	(a) of 12.2 m or less	12.2 m
	(b) greater than 12.2 m	3.0 m
3.1.2.3	Minimum interior side yard width	2.1 m
3.1.2.4	Minimum depth of setback from exterior side property line for portions of buildings with a height greater than 12.2 m on:	
	(a) the west side of Cardero Street, Bidwell Street or Gilford Street	7.6 m
	(b) the east side of Bidwell Street or Gilford Street	7.6 m
	(c) the east side of Denman Street	12.2 m
	(d) the west side of Denman Street	12.2 m
	(e) the east side of Chilco Street	not required
3.1.2.5	Maximum depth of setback from exterior side property line for portions of buildings with a height greater than 12.2 m on:	
	(a) the west side of Cardero Street, Bidwell Street or Gilford Street	12.2 m
	(b) the east side of Bidwell Street or Gilford Street	18.3 m
	(c) the east side of Denman Street	24.4 m
	(d) the west side of Denman Street	30.5 m
	(e) the east side of Chilco Street	no maximum
3.1.2.6	Minimum rear yard depth	3.7 m



## Yards

3.1.2.7 For the purposes of this section [3.1](#):

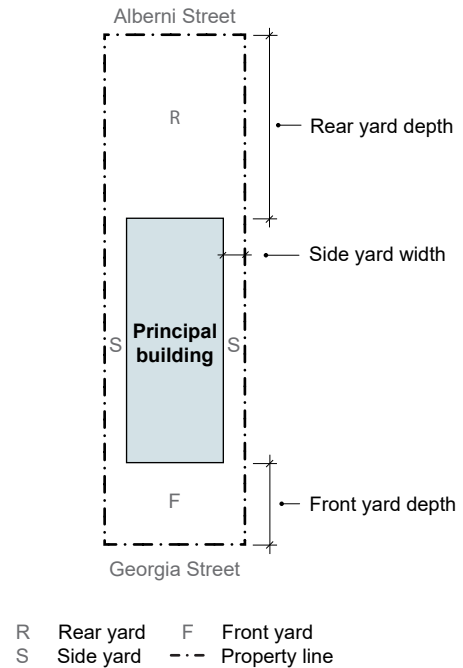
- (a) front yard means that portion of a site that abuts Georgia Street;
- (b) interior side yard means those portions of a site that abut an interior property line; and
- (c) rear yard means that portion of a site that abuts Alberni Street.

## Discretion to Vary Regulations

3.1.2.8 If the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning or Development Permit Board may vary:

- (a) the maximum building height to a height not exceeding 64.0 m if the liveability and environmental quality of the surrounding neighbourhood is not unduly harmed, and if the Director of Planning or Development Permit Board considers the submission of any advisory group, property owner or tenant and the impact on public and private views, sunshine, privacy and open spaces;
- (b) the minimum front yard depth; and
- (c) the minimum rear yard depth.

**Diagram: Building placement for principal building**



## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

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

- (a) balconies and decks and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof that are at or below base surface, provided the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas accessory to a dwelling use, including child day care facilities, recreation facilities and meeting rooms if:
  - (i) in the case of child day care facilities the Director of Planning is satisfied there is a need for a child day care facility in the immediate neighbourhood, and
  - (ii) the total area being excluded for amenity areas must not exceed the lesser of 10% of the permitted floor area or 1,000 m<sup>2</sup>, with an additional 10% of the permitted floor area or 500 m<sup>2</sup>, whichever is less, for child day care facilities where these are included;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;

- (g) all residential storage 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 area above base surface for that unit;
- (h) bicycle storage at or below base surface, if a secured and separate bicycle room is provided and equipped with bicycle racks adequate for the storage of a minimum of 1 bicycle for every 4 dwelling units;
- (i) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation, to a maximum exclusion of 1% of permitted floor area;
- (j) entries, porches and verandahs, and covered porches above the first storey if:
  - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.1.2(a) above, does not exceed 13% of the permitted floor area; and
- (k) 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 section 4.1.2(j) above, to which there is no access from the interior of the building.

4.1.3 The Director of Planning may permit enclosed residential balconies to be excluded from the computation of floor space ratio, provided that the Director of Planning considers all applicable Council policies and guidelines and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or deck exclusions may not exceed 8% of the permitted residential floor area; and
- (b) no more than 50% of the excluded balcony floor area may be enclosed.

## 4.2 Yards: Projections and Measurement

4.2.1 Despite the yard projection regulations in Section 10 of this by-law, the Director of Planning or Development Permit Board may permit entries, porches and verandahs, entrance lobbies, and canopies to project up to 1.8 m into the required rear yard and porte cocheres to project up to the rear property line, if none of the foregoing exceed a width of 6.1 m, and if the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines.

## 4.3 Horizontal Angle of Daylight

4.3.1 Each habitable room must have at least 1 window on an exterior wall of a building.

4.3.2 For the purposes of section 4.3.1 above, habitable room means any room except a bathroom or kitchen.

- 4.3.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.3.4 The plane or planes referred to in section 4.3.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.3.5 An obstruction referred to in section 4.3.3 above means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.3.6 The Director of Planning or the Development Permit Board may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning or the Development Permit Board considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 6.1 m.
- 4.4 External Design
- 4.4.1 A covered storage area must be provided for garbage and recycling containers and must be screened from view from adjacent sidewalks and dwelling units.
- 4.4.2 Mechanical equipment, including duct work, must be enclosed and set back so as not to be visible from street level or may be architecturally treated by other means satisfactory to the Director of Planning.
- 4.4.3 The first and second storeys of any development fronting Denman Street must not be set back from the property line and must provide any one or a combination of: display windows; individualized tenancy unit design; building articulation; pedestrian entrance definition via a recess or projecting canopy; or any other architectural features which facilitate pedestrian interest to the satisfaction of the Director of Planning.

## SCHEDULE MMM

# RM-7, RM-7N and RM-7AN

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage development of townhouses, while continuing to permit a variety of other housing types to provide flexible housing options. Retention of character buildings is encouraged. Siting and massing of new developments are intended to be compatible with, but not the same as, pre-existing residential development.

The RM-7AN district allows opportunity for townhouse development in a courtyard arrangement. In the RM-7N and RM-7AN districts, acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [RM-7 and RM-7N Guidelines](#), [RM-7AN Guidelines](#) and [Norquay Village Character House and Retention Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-7, RM-7N and RM-7AN districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in [section 3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
703 m <sup>2</sup>	Townhouse – buildings in a courtyard configuration, only in the RM-7AN district	<a href="#">3.1</a>
445 m <sup>2</sup>	Townhouse – buildings other than in a courtyard configuration	<a href="#">3.2</a>
	Freehold Rowhouse	<a href="#">3.3</a>
	Seniors Supportive or Assisted Housing	<a href="#">3.10</a>

Minimum Site Area	Use	Density, Form and Placement Regulations
303 m <sup>2</sup>	Triplex	<a href="#">3.4</a>
	Duplex or Duplex with Secondary Suite	<a href="#">3.5</a>
	Duplex or Duplex with Secondary Suite, in combination with Single Detached House	<a href="#">3.6</a>
	Single Detached House or Single Detached House with Secondary Suite, in combination with another Single Detached House	<a href="#">3.7</a>
	Infill Single Detached House	<a href="#">3.8</a>
	Multiple Conversion Dwelling	<a href="#">3.9</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.11</a>
Regulated by the <a href="#">RS-1 District Schedule</a>	Single Detached House or Single Detached House with Secondary Suite	Regulated by the <a href="#">RS-1 District Schedule</a>
--	Laneway House	Subject to the <a href="#">RS-1 District Schedule</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a>
Duplex, in combination with Single Detached House	Conditional	<a href="#">2.2.2</a>
Duplex with Secondary Suite, in combination with Single Detached House	Conditional	<a href="#">2.2.2</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.3</a>
Freehold Rowhouse	Conditional	<a href="#">2.2.4</a>
Infill Single Detached House, in combination with the retention of a building existing on the site prior to January 1, 1940	Conditional	<a href="#">2.2.5</a>
Laneway House	Conditional	<a href="#">2.2.6</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.7</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing as of May 15, 2013	Conditional	<a href="#">2.2.8</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.9</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	<a href="#">2.2.10</a>
Single Detached House with Secondary Suite	Conditional	<a href="#">2.2.10</a>
Single Detached House, in combination with another Single Detached House	Conditional	<a href="#">2.2.2</a>
Single Detached House with Secondary Suite, in combination with Single Detached House	Conditional	<a href="#">2.2.2</a>
Townhouse	Conditional	<a href="#">2.2.4</a> , <a href="#">2.2.11</a>
Triplex	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	

Use	Approval	Use-Specific Regulations
Community Care Facility – Class A	Outright	<a href="#">2.2.12</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.13</a>
Neighbourhood Grocery Store	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> , other than Triplex, Townhouse or Freehold Rowhouse	Outright	<a href="#">2.2.14</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> , other than Triplex, Townhouse or Freehold Rowhouse, and not permitted as an outright approval use	Conditional	
Accessory Buildings, customarily ancillary to Triplex, Townhouse or Freehold Rowhouse	Conditional	<a href="#">2.2.15</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.16</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.

2.2.2 The Director of Planning may permit a single detached house, single detached house with secondary suite, duplex, or duplex with secondary suite on a site in combination with a single detached house located in the rear yard if:



- (a) the site meets at least 1 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 52.0 m;
- (b) the total number of dwelling units on the site does not exceed 3, not including secondary suites; and
- (c) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.3 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.

2.2.4 The Director of Planning may permit more than 1 townhouse or freehold rowhouse building on a site if the site has a minimum area of 703 m<sup>2</sup> and the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.5 Infill single detached house may be permitted, in combination with the retention of a building existing on the site prior to January 1, 1940, if:

- (a) the total number of dwelling units on the site does not exceed 3; and
- (b) the site meets at least 1 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 52.0 m.

2.2.6 Laneway house is subject to the **RS-1 District Schedule** and must be in combination with a single detached house or a single detached house with secondary suite, which is the only principal building on site.

2.2.7 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:

- (a) there are no additions to the building;
- (b) no housekeeping or sleeping units are created;
- (c) the development complies with sections **3.9.2.6**, **3.9.2.7** and **4.4** of this schedule; and
- (d) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.8 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing as of May 15, 2013, may be permitted as a conditional approval use if:

- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size and the impact of the conversion on adjacent properties;
  - (b) there are no additions to 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 3 dwelling units.
- 2.2.9 Principal dwelling unit with lock-off unit may be permitted only in a townhouse, triplex or freehold rowhouse and there may be:
- (a) no more than 1 lock-off unit for every 3 principal dwelling units in a multiple dwelling, except that the Director of Planning may permit a higher ratio if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) no more than 1 lock-off unit for every freehold rowhouse.
- 2.2.10 Where a single detached house or single detached house with secondary suite is the only principal building on a site, it must comply with the [RS-1 District Schedule](#).
- 2.2.11 Townhouse in a courtyard configuration may be permitted only in the RM-7AN district.
- 2.2.12 Community care facility – class A is subject to the regulations, variations, and relaxations that apply to single detached house.
- 2.2.13 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.14 Accessory buildings customarily ancillary to any of the uses listed in section [2.1](#) of this schedule, other than those ancillary to townhouse, triplex or freehold rowhouse, are permitted as an outright approval use if:
- (a) no accessory building exceeds 3.7 m in height, measured to:
    - (i) the highest point of a flat roof,
    - (ii) the deck line of a mansard roof, or
    - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in height;
  - (b) all accessory buildings are located:
    - (i) within 7.9 m of the ultimate rear property line,

(ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and

(iii) at least 1.5 m from a flanking street;

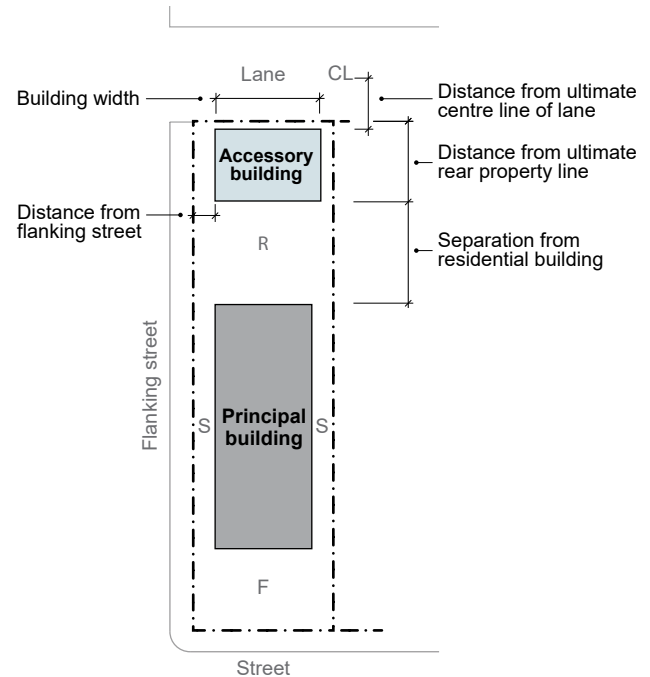
(c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>;

(d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line;

(e) the separation from any residential building is 3.7 m; and

(f) roof decks and decks are not located on an accessory building.

**Diagram: Building placement for accessory buildings**



CL	Centre line	F	Front yard
R	Rear yard	- - -	Property line
S	Side yard		

2.2.15 Accessory buildings customarily ancillary to townhouse, triplex or freehold rowhouse may be permitted as a conditional approval use if:

(a) no accessory building exceeds 3.7 m in height, measured to:

(i) the highest point of a flat roof,

(ii) the deck line of a mansard roof, or

(iii) the mean height 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 7.9 m of the ultimate rear property line,

(ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and

(iii) at least 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, does not exceed 48 m<sup>2</sup>, except that the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m<sup>2</sup> for each dwelling unit, not including lock-off units, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;

- (d) the combined building width for all accessory buildings does not exceed 30% of the width of the site at the rear property line, except that the Director of Planning may increase the maximum building width up to 80%, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (e) the separation from any residential building is at least 3.7 m; and
- (f) roof decks and decks are not located on an accessory building.

2.2.16 Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 of this schedule must comply with the provisions of section 2.2.14(b) above.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 **Townhouse – Courtyard Configuration**

Townhouse in a courtyard configuration is subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 0.60, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 1.20 if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and submission of any advisory group, property owner or tenant.

3.1.1.2 The total number of dwelling units on a site, excluding lock-off units, must not exceed:

- (a) 100 units per hectare of site area where the floor space ratio does not exceed 0.90; or
- (b) 132 units per hectare of site area where the floor space ratio exceeds 0.90.

##### 3.1.2 Building Form and Placement

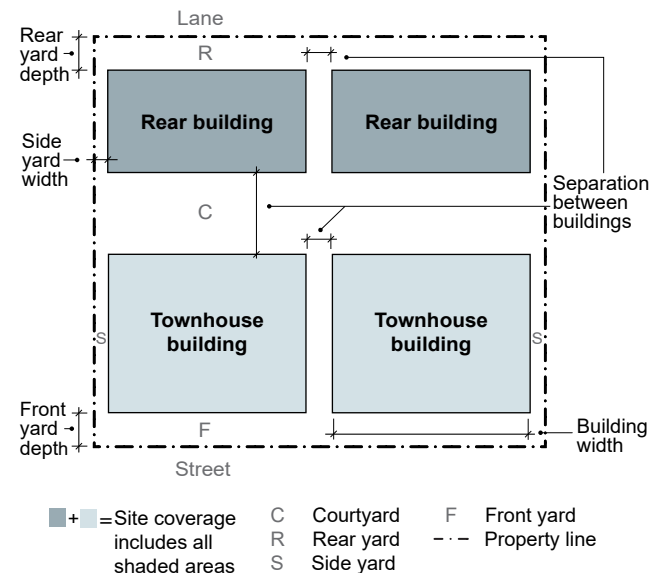
Regulations		RM-7AN
3.1.2.1	Minimum site area	703 m <sup>2</sup>
3.1.2.2	Minimum site frontage	12.8 m
3.1.2.3	Maximum building height for:	
	(a) a building other than a rear building	10.7 m and 3 storeys
	(b) a rear building	7.7 m and 2 storeys
3.1.2.4	Minimum front yard depth on sites with a depth of:	
	(a) 27.4 m or more	6.1 m
	(b) less than 27.4 m	4.9 m
3.1.2.5	Minimum side yard width	1.2 m
3.1.2.6	Minimum rear yard depth	1.8 m
3.1.2.7	Maximum site coverage for all buildings	55% of the site area

Regulations	RM-7AN
3.1.2.8 Maximum area of impermeable materials	70% of the site area
3.1.2.9 Maximum building width for sites having a width of at least 24.0 m	22.0 m
3.1.2.10 Minimum separation between:	
(a) buildings located on a site frontage	2.4 m
(b) rear buildings	2.4 m
(c) buildings located on a site frontage and rear buildings	7.3 m

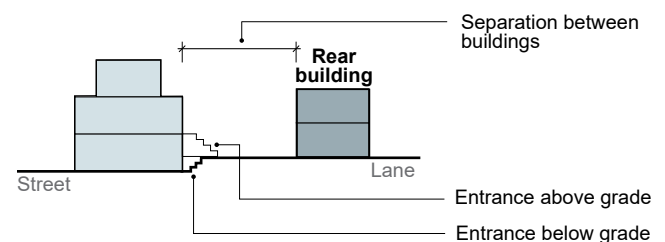
### Building Height

- 3.1.2.11 Despite the maximum building height in section 3.1.2.3(a) above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.
- 3.1.2.12 Despite the maximum building height in section 3.1.2.3(b) above, the second storey of a rear building must be a partial storey not exceeding 50% of the storey immediately below.
- 3.1.2.13 The Director of Planning may vary the maximum building height for a building that is not a rear building to a height not exceeding:
- 11.5 m and 3 storeys if the third storey is a partial storey not exceeding 60% of the storey immediately below; or
  - 11.5 m and 4 storeys if:
    - compliance with the maximum building height in section 3.1.2.3(a) above would result in any portion of the floor used for living accommodation being more than 1.83 m below the finished grade of the adjoining ground, and

**Diagram: Building separation for townhouse in a courtyard configuration**



**Diagram: Building separation for townhouse in a courtyard configuration**



(ii) the fourth storey is a partial storey not exceeding 60% of the storey immediately below,  
if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

- 3.1.2.14 The Director of Planning may vary the maximum building height for a rear building to a height not exceeding 9.5 m and 2 storeys, unless the rear building is within 4.9 m of adjacent properties, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### **Building Separation**

- 3.1.2.15 Minimum separation between townhouse buildings must be measured from the closest portion of the exterior side wall of any other townhouse building on the site.
- 3.1.2.16 Despite the minimum building separation in section [3.1.2.10\(c\)](#) above, where an entrance located at or above 1.5 m of grade, or more than 0.6 m below grade, is connected by stairs that project into a courtyard, the separation between buildings must be at least 9.1 m.
- 3.1.2.17 The Director of Planning may vary the minimum building separation if the Director of Planning considers the intent of this schedule and all applicable Council policies and guideline

### **Discretion to Vary Other Regulations**

- 3.1.2.18 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the minimum front yard depth on sites less than 27.4 m in depth;
  - (b) the maximum area of impermeable materials; and
  - (c) the maximum building width.

### 3.2 **Townhouse – Other Than in a Courtyard Configuration**

Townhouse, other than in a courtyard configuration, is subject to the following regulations.

#### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.60, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 1.20, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and submission of any advisory group, property owner or tenant.

3.2.1.2 The total number of dwelling units on a site, excluding lock-off units, must not exceed:

- (a) 100 units per hectare of site area where the floor space ratio does not exceed 0.90; or
- (b) 132 units per hectare of site area where the floor space ratio exceeds 0.90.

#### 3.2.2 Building Form and Placement

Regulations		RM-7 and RM-7N	RM-7AN
3.2.2.1	Minimum site area for:		
	(a) 1 townhouse building on a site	445 m <sup>2</sup>	
	(b) more than 1 townhouse building on a site	703 m <sup>2</sup>	
3.2.2.2	Minimum site frontage	12.8 m	
3.2.2.3	Maximum building height	10.7 m and 3 storeys	
3.2.2.4	Minimum front yard depth on sites with a depth of:		
	(a) 27.4 m or more	6.1 m	
	(b) less than 27.4 m	4.9 m	
3.2.2.5	Minimum side yard width	1.2 m	
3.2.2.6	Minimum rear yard depth	no minimum	1.8 m
3.2.2.7	Maximum site coverage for all buildings	55% of the site area	
3.2.2.8	Maximum area of impermeable materials	70% of the site area	
3.2.2.9	Maximum building depth	40% of the site depth	



Regulations	RM-7 and RM-7N	RM-7AN
3.2.2.10 Maximum building width for sites having a width of at least 24.0 m	22.0 m	
3.2.2.11 Minimum separation between buildings	2.4 m	

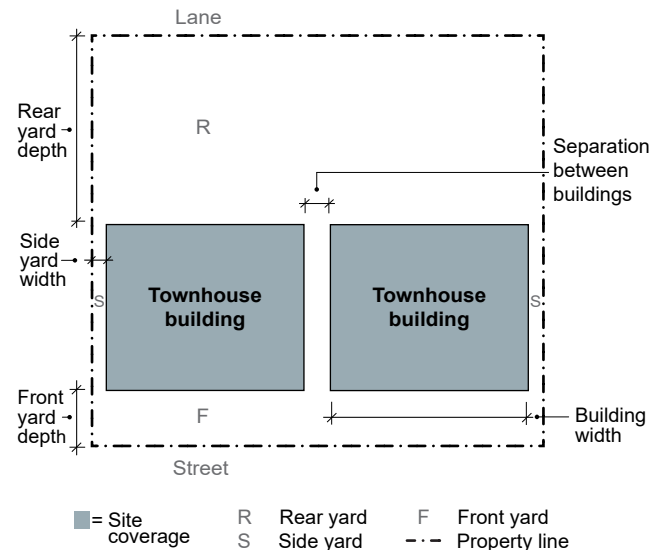
### Building Height

3.2.2.12 Despite the maximum building height in section 3.2.2.3 above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.

3.2.2.13 The Director of Planning may vary the maximum building height to a height not exceeding:

- (a) 11.5 m and 3 storeys if the third storey is a partial storey not exceeding 60% of the storey immediately below; or
- (b) 11.5 m and 3 storeys for a site that is encumbered by a right of way granted to the Greater Vancouver Sewerage and Drainage District; or
- (c) 11.5 m and 4 storeys if:
  - (i) compliance with the maximum building height in sections 3.2.2.3 and 3.2.2.12 above 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, and
  - (ii) the fourth storey is a partial storey not exceeding 60% of the storey immediately below,
 if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for townhouse in a non courtyard configuration**



### Building Separation

3.2.2.14 Minimum separation between townhouse buildings must be measured from the closest portion of the exterior side wall of any other townhouse building on the site.

### **Discretion to Vary Other Regulations**

3.2.2.15 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:

- (a) the minimum site area for 1 townhouse building on a site;
- (b) the minimum front yard depth on sites less than 27.4 m in depth;
- (c) the maximum area of impermeable materials;
- (d) the maximum building depth; and
- (e) the maximum building width.

### 3.3 Freehold Rowhouse

Freehold rowhouse is subject to the following regulations.

#### 3.3.1 Density and Floor Area

3.3.1.1 The maximum floor space ratio is 0.60, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 1.20, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and submission of any advisory group, property owner or tenant.

3.3.1.2 The total number of dwelling units on a site, excluding lock-off units, must not exceed:

- (a) 100 units per hectare of site area where the floor space ratio does not exceed 0.90; or
- (b) 132 units per hectare of site area where the floor space ratio exceeds 0.90.

#### 3.3.2 Building Form and Placement

Regulations		RM-7 and RM-7N	RM-7AN
3.3.2.1	Minimum site area for:		
	(a) 1 freehold rowhouse building on a site	445 m <sup>2</sup>	
	(b) more than 1 freehold rowhouse building on a site	703 m <sup>2</sup>	
3.3.2.2	Maximum building height	10.7 m and 3 storeys	
3.3.2.3	Minimum front yard depth on sites with a depth of:		
	(a) 27.4 m or more	6.1 m	
	(b) less than 27.4 m	4.9 m	
3.3.2.4	Minimum side yard width	1.2 m	
3.3.2.5	Minimum rear yard depth	no minimum	1.8 m
3.3.2.6	Maximum site coverage for all buildings	55% of the site area	
3.3.2.7	Maximum area of impermeable materials	70% of the site area	
3.3.2.8	Maximum building depth	40% of the site depth	
3.3.2.9	Minimum separation between buildings	2.4 m	

## Building Height

- 3.3.2.10 Despite the maximum building height in section 3.3.2.2 above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.

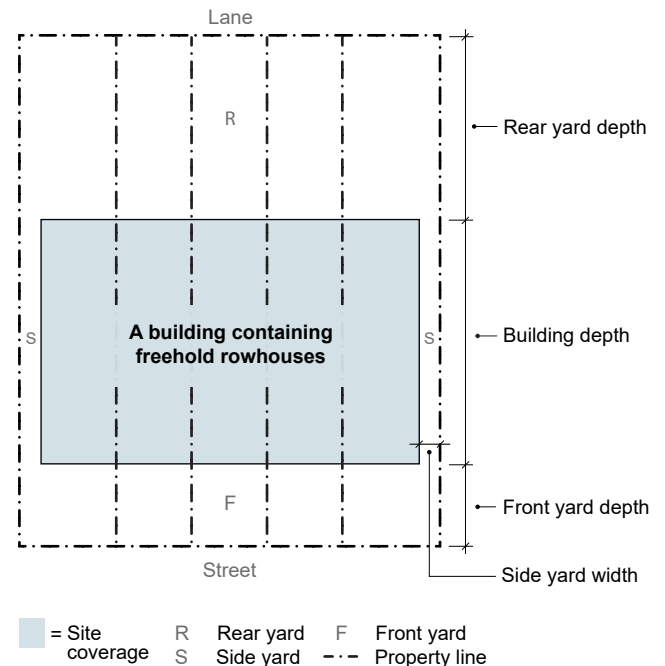
## Building Separation

- 3.3.2.11 Minimum separation between freehold rowhouse buildings must be measured from the closest portion of the exterior side wall of any other freehold rowhouse building on the site.

## Discretion to Vary Other Regulations

- 3.3.2.12 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the minimum site area for 1 freehold rowhouse building on a site; and
  - (b) the minimum front yard depth on sites less than 27.4 m in depth.

**Diagram: Building placement for freehold rowhouses**



### 3.4 Triplex

Triplex is subject to the following regulations.

#### 3.4.1 Density and Floor Area

- 3.4.1.1 The maximum floor space ratio is 0.60, except that for sites that are less than 445 m<sup>2</sup> in size or with a frontage less than 12.8 m, the Director of Planning may increase the permitted floor space ratio to a maximum of 0.90, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and submission of any advisory group, property owner or tenant.
- 3.4.1.2 The total number of dwelling units on a site, excluding lock-off units, must not exceed 100 units per hectare of site area.

#### 3.4.2 Building Form and Placement

Regulations		RM-7 and RM-7N	RM-7AN
3.4.2.1	Minimum site area	303 m <sup>2</sup>	
3.4.2.2	Maximum building height	10.7 m and 3 storeys	
3.4.2.3	Minimum front yard depth on sites with a depth of:		
	(a) 27.4 m or more	6.1 m	
	(b) less than 27.4 m	4.9 m	
3.4.2.4	Minimum side yard width	1.2 m	
3.4.2.5	Minimum rear yard depth	no minimum	1.8 m
3.4.2.6	Maximum site coverage for all buildings	55% of the site area	
3.4.2.7	Maximum area of impermeable materials	70% of the site area	
3.4.2.8	Maximum building depth	40% of the site depth	
3.4.2.9	Maximum building width for sites having a width of at least 24.0 m	22.0 m	

#### Site Area

- 3.4.2.10 The Director of Planning may reduce minimum site area if the lot was on record in the Land Title Office prior to May 15, 2013 and if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, the quality and liveability of the resulting units and the impact on neighbouring properties.

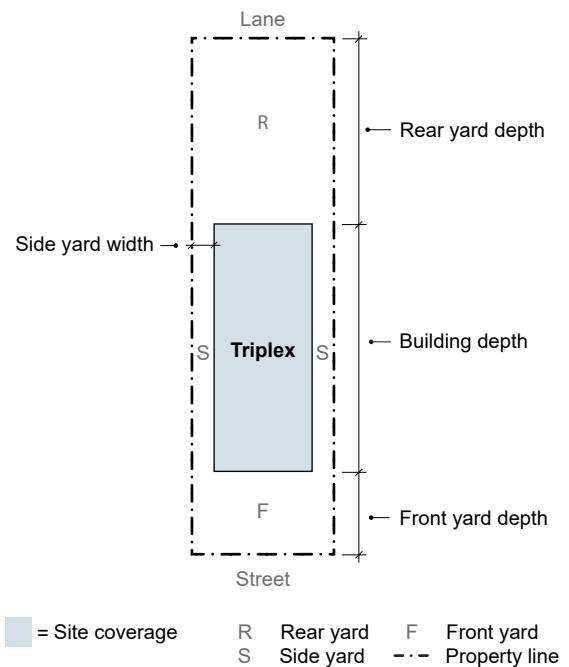
## Building Height

- 3.4.2.11 Despite the maximum building height in section 3.4.2.2 above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.

## Discretion to Vary Other Regulations

- 3.4.2.12 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the minimum front yard depth on sites less than 27.4 m in depth;
  - (b) the maximum area of impermeable materials;
  - (c) the maximum building depth; and
  - (d) the maximum building width.

**Diagram: Building placement for triplex**



### 3.5 Duplex and Duplex with Secondary Suite

Duplex and duplex with secondary suite are subject to the following regulations.

#### 3.5.1 Density and Floor Area

3.5.1.1 The maximum floor space ratio is 0.75.

#### 3.5.2 Building Form and Placement

Regulations		RM-7 and RM-7N	RM-7AN
3.5.2.1	Minimum site area	303 m <sup>2</sup>	
3.5.2.2	Maximum building height	10.7 m and 3 storeys	
3.5.2.3	Minimum front yard depth on sites with a depth of:		
	(a) 27.4 m or more	6.1 m	
	(b) less than 27.4 m	4.9 m	
3.5.2.4	Minimum side yard width	1.2 m	
3.5.2.5	Minimum rear yard depth	no minimum	1.8 m
3.5.2.6	Maximum site coverage for all buildings	45% of the site area	
3.5.2.7	Maximum area of impermeable materials	70% of the site area	
3.5.2.8	Maximum building depth	40% of the site depth	

#### Site Area

3.5.2.9 The Director of Planning may reduce minimum site area if the lot was on record in the Land Title Office prior to May 15, 2013 and if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, the quality and liveability of the resulting units and the impact on neighbouring properties.

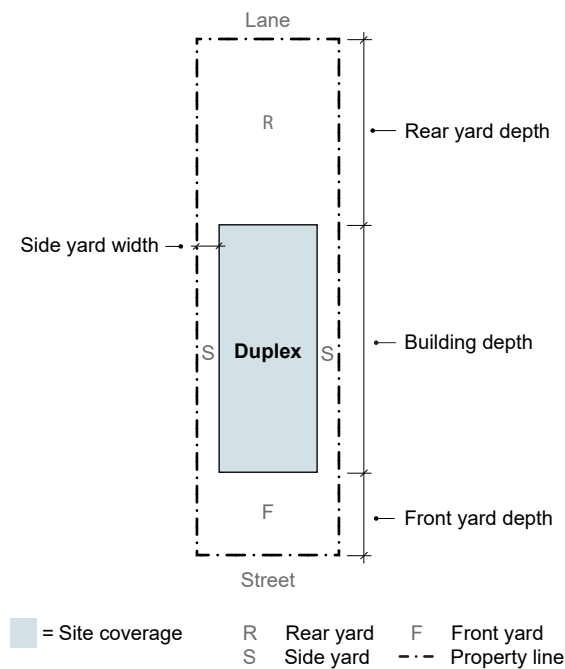
#### Building Height

3.5.2.10 Despite the maximum building height in section [3.5.2.2](#) above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.

**Building Depth**

3.5.2.11 The Director of Planning may increase the maximum building depth to accommodate building features designed to reduce energy consumption in a Certified Passive House, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for duplex**





### 3.6 Duplex in combination with a Single Detached House and Duplex with Secondary Suite in combination with a Single Detached House

Duplex or duplex with secondary suite, in combination with a single detached house in the rear yard, are subject to the following regulations.

#### 3.6.1 Density and Floor Area

3.6.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 0.85, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and submission of any advisory group, property owner or tenant.

3.6.1.2 Despite section 3.6.1.1 above, no more than 0.20 floor space ratio may be allocated to the single detached house in the rear yard.

#### 3.6.2 Building Form and Placement

Regulations		RM-7 and RM-7N	RM-7AN
3.6.2.1	Minimum site area	303 m <sup>2</sup>	
3.6.2.2	Maximum building height for:		
	(a) a building other than a rear building	10.7 m and 3 storeys	
	(b) a rear building	7.7 m and 2 storeys	
3.6.2.3	Minimum front yard depth on sites with a depth of:		
	(a) 27.4 m or more	6.1 m	
	(b) less than 27.4 m	4.9 m	
3.6.2.4	Minimum side yard width	1.2 m	
3.6.2.5	Minimum rear yard depth	no minimum	1.8 m
3.6.2.6	Maximum site coverage for all buildings	45% of the site area	
3.6.2.7	Maximum area of impermeable materials	70% of the site area	
3.6.2.8	Minimum separation between principal buildings, measured across the width of the site	4.9 m	

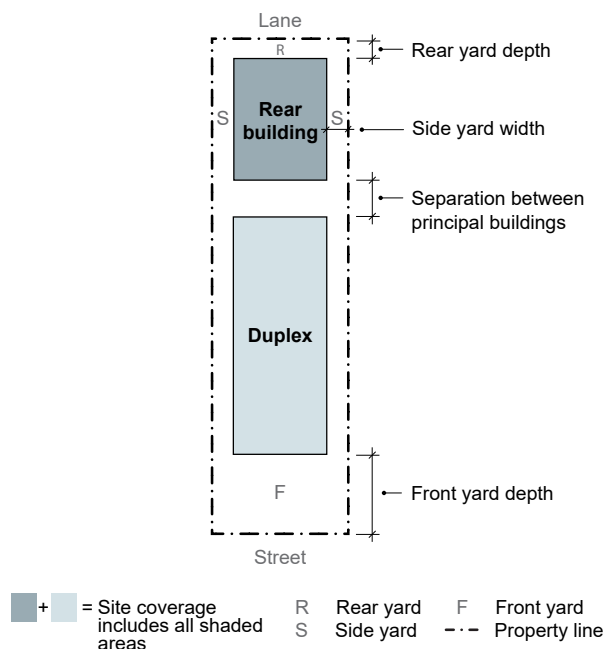
## Building Height

- 3.6.2.9 Despite the maximum building height in section 3.6.2.2(a) above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.
- 3.6.2.10 Despite the maximum building height in section 3.6.2.2(b) above, the second storey of a rear building must be a partial storey not exceeding 50% of the storey immediately below.
- 3.6.2.11 The Director of Planning may vary the maximum building height for a rear building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Building Separation

- 3.6.2.12 The Director of Planning may vary the minimum separation between principal buildings if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for 2 principal buildings on site**



### 3.7 Single Detached House in combination with a Single Detached House and Single Detached House with Secondary Suite in combination with a Single Detached House

Single detached house or single detached house with secondary suite, in combination with a single detached house in the rear yard, are subject to the following regulations.

#### 3.7.1 Density and Floor Area

3.7.1.1 The maximum floor space ratio is 0.60, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 0.85, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and submission of any advisory group, property owner or tenant.

3.7.1.2 Despite section 3.7.1.1 above, no more than 0.20 floor space ratio may be allocated to the single detached house in the rear yard.

#### 3.7.2 Building Form and Placement

Regulations		RM-7 and RM-7N	RM-7AN
3.7.2.1	Minimum site area	303 m <sup>2</sup>	
3.7.2.2	Maximum building height for:		
	(a) a building other than a rear building	9.5 m and 2 storeys	
	(b) a rear building	7.7 m and 2 storeys	
3.7.2.3	Minimum front yard depth on sites with a depth of:		
	(a) 27.4 m or more	6.1 m	
	(b) less than 27.4 m	4.9 m	
3.7.2.4	Minimum side yard width	1.2 m	
3.7.2.5	Minimum rear yard depth	no minimum	1.8 m
3.7.2.6	Maximum site coverage for all buildings	45% of the site area	
3.7.2.7	Maximum area of impermeable materials	70% of the site area	
3.7.2.8	Minimum separation between principal buildings, measured across the width of the site	4.9 m	

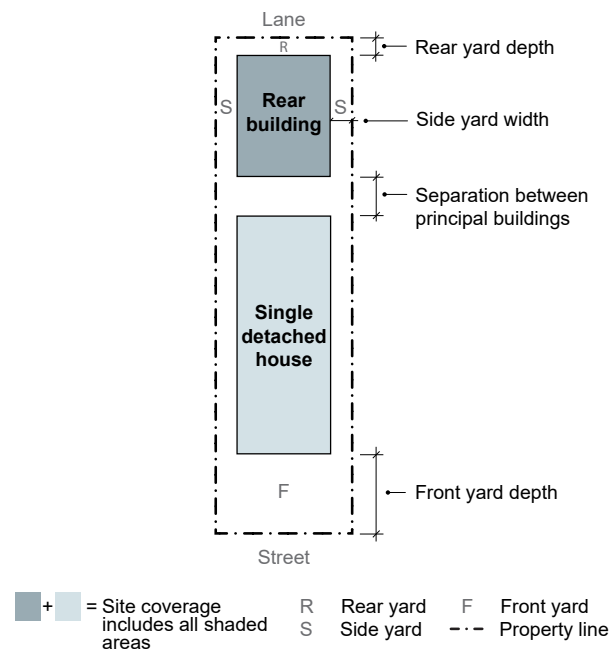
**Building Height**

- 3.7.2.9 Despite the maximum building height in section 3.7.2.2(b) above, the second storey of a rear building must be a partial storey not exceeding 50% of the storey immediately below.
- 3.7.2.10 The Director of Planning may vary the maximum building height for a rear building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Building Separation**

- 3.7.2.11 The Director of Planning may vary the minimum separation between principal buildings if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for 2 principal buildings on a site**



### 3.8 Infill Single Detached House

Infill single detached house is subject to the following regulations.

#### 3.8.1 Density and Floor Area

3.8.1.1 The maximum floor space ratio is 0.60 for the overall site, except that on a site where a residential building:

- (a) existing prior to January 1, 1940 is retained, the maximum floor space ratio for the overall site must not exceed 0.90, except that no more than 0.20 floor space ratio may be allocated to an infill single detached house at the rear of the site; or
- (b) not existing prior to January 1, 1940 is retained, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and submission of any advisory group, property owner or tenant, the Director of Planning may increase the permitted floor space ratio to a maximum of 0.85, except that no more than 0.20 floor space ratio may be allocated to an infill single detached house at the rear of the site.

#### 3.8.2 Building Form and Placement

Regulations		RM-7 and RM-7N	RM-7AN
3.8.2.1	Minimum site area	303 m <sup>2</sup>	
3.8.2.2	Maximum building height	7.7 m or 2 storeys	
3.8.2.3	Minimum side yard width	1.2 m	
3.8.2.4	Minimum rear yard depth	no minimum	1.8 m
3.8.2.5	Maximum site coverage for all buildings	45% of the site area	
3.8.2.6	Maximum area of impermeable materials	70% of the site area	
3.8.2.7	Minimum separation between infill and existing building, measured across the width of the site	4.9 m	

#### Site Area

3.8.2.8 The Director of Planning may reduce the minimum site area if:

- (a) the lot was on record in the Land Title Office for Vancouver prior to May 15, 2013; and
- (b) the infill single detached house is in combination with the retention of a residential building existing on the site prior to January 1, 1940,

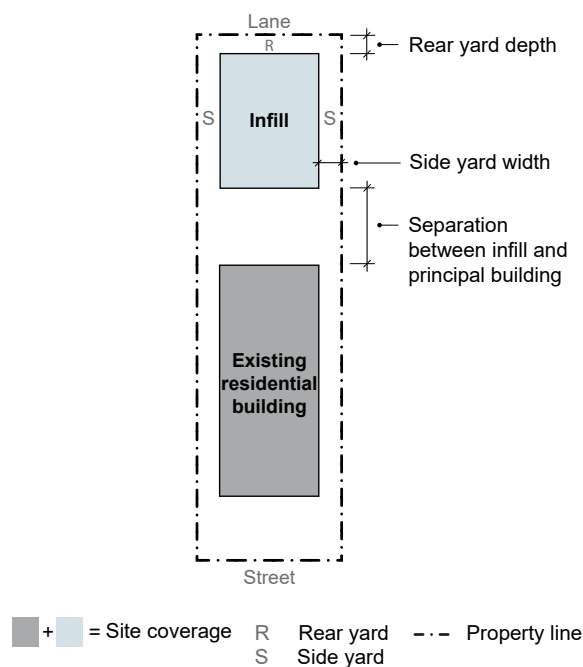
if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, quality and liveability of the resulting units and the impact on neighbouring properties.

## Building Height

3.8.2.9 Despite the maximum building height in section 3.8.2.2 above, the second storey of an infill building must be a partial storey not exceeding 50% of the storey immediately below.

3.8.2.10 The Director of Planning may vary the maximum building height for an infill single detached house if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for infill**



## Discretion to Vary Other Regulations

3.8.2.11 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the maximum building depth of the existing residential building to permit an infill single detached house; and
- (b) the minimum separation between an existing residential building and an infill single detached house.

### 3.9 Multiple Conversion Dwelling

Multiple conversion dwelling is subject to the following regulations.

#### 3.9.1 Density and Floor Area

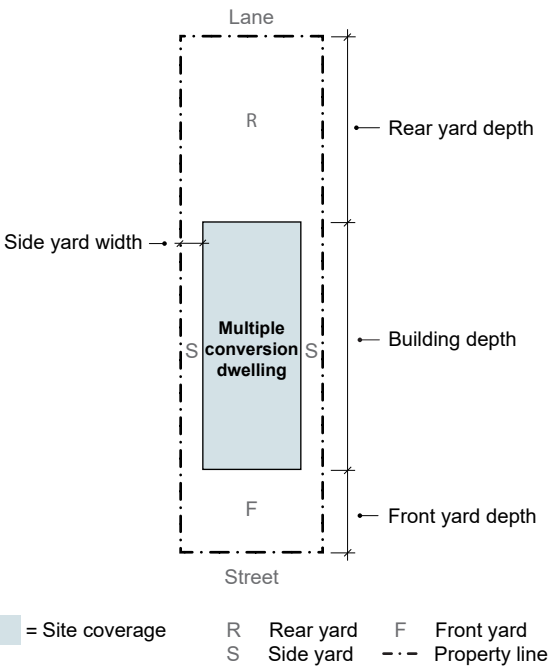
3.9.1.1 The maximum floor space is 0.60, except that on a site where a building:

- (a) existing prior to January 1, 1940 is retained, the maximum floor space ratio must not exceed 0.90; or
- (b) not existing prior to January 1, 1940 is retained, the maximum floor space ratio must not exceed 0.85, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and submission of any advisory group, property owner or tenant.

#### 3.9.2 Building Form and Placement

Regulations		RM-7 and RM-7N	RM-7AN
3.9.2.1	Minimum site area for multiple conversion dwelling containing more than 2 dwelling units	303 m <sup>2</sup>	
3.9.2.2	Maximum building height	9.5 m or 2 storeys	
3.9.2.3	Minimum front yard depth on sites with a depth of:		
	(a) 27.4 m or more	6.1 m	
	(b) less than 27.4 m	4.9 m	
3.9.2.4	Minimum side yard width	1.2 m	
3.9.2.5	Minimum rear yard depth	no minimum	1.8 m
3.9.2.6	Maximum site coverage for all buildings	45% of the site area	
3.9.2.7	Maximum area of impermeable materials	70% of the site area	
3.9.2.8	Maximum building depth	40% of the site depth	

**Diagram: Building placement for multiple conversion dwelling**





### 3.10 Seniors Supportive or Assisted Housing

Seniors supportive or assisted housing is subject to the following regulations.

#### 3.10.1 Density and Floor Area

3.10.1.1 The maximum floor space is 0.60, except that the Director of Planning may increase the permitted floor space ratio to a maximum of:

(a) 1.20 on sites with a minimum frontage of 12.8 m; or

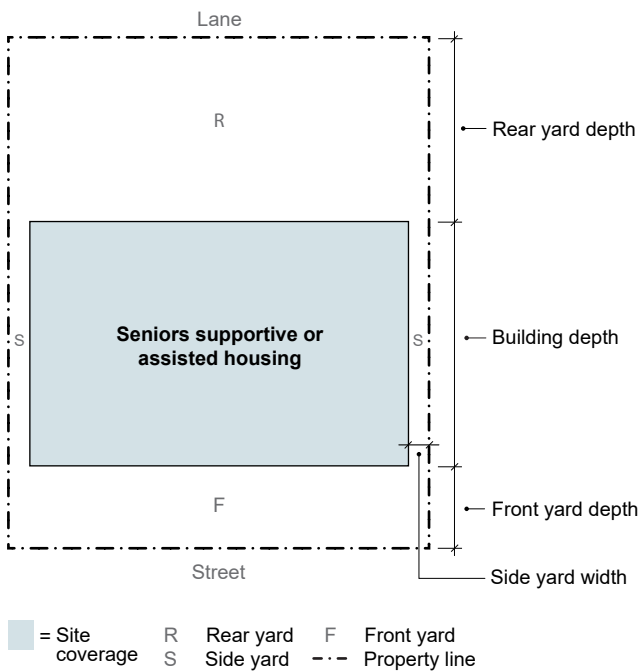
(b) 0.90 on sites with a minimum frontage less than 12.8 m,

if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, and submission of any advisory group, property owner or tenant.

#### 3.10.2 Building Form and Placement

Regulations	RM-7 and RM-7N	RM-7AN
3.10.2.1 Minimum site area	445 m <sup>2</sup>	
3.10.2.2 Maximum building height	9.5 m and 2 storeys	
3.10.2.3 Minimum front yard depth on sites with a depth of:		
(a) 27.4 m or more	6.1 m	
(b) less than 27.4 m	4.9 m	
3.10.2.4 Minimum side yard width	1.2 m	
3.10.2.5 Minimum rear yard depth	no minimum	1.8 m
3.10.2.6 Maximum site coverage for all buildings	45% of the site area	
3.10.2.7 Maximum area of impermeable materials	70% of the site area	
3.10.2.8 Maximum building depth	40% of the site depth	

**Diagram: Building placement for seniors supportive or assisted housing**



### 3.11 Other Uses

Uses not regulated by sections 3.1 to 3.10 of this schedule are subject to the following regulations, except:

- (a) single detached house and single detached house with secondary suite, as the only principal building on a site, which are regulated by the [RS-1 District Schedule](#); and
- (b) laneway house, which is only permitted in combination with those uses described in section [3.11\(a\)](#) above.

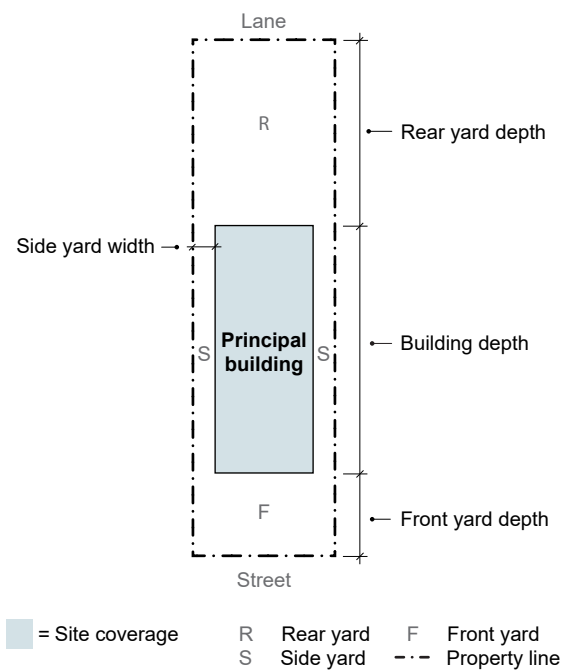
#### 3.11.1 Density and Floor Area

3.11.1.1 The maximum floor space ratio is 0.60.

#### 3.11.2 Building Form and Placement

Regulations	RM-7 and RM-7N	RM-7AN
3.11.2.1 Maximum building height	9.5 m and 2 storeys	
3.11.2.2 Minimum front yard depth on sites with a depth of:		
(a) 27.4 m or more	6.1 m	
(b) less than 27.4 m	4.9 m	
3.11.2.3 Minimum side yard width	1.2 m	
3.11.2.4 Minimum rear yard depth	no minimum	1.8 m
3.11.2.5 Maximum site coverage for all buildings	45% of the site area	
3.11.2.6 Maximum area of impermeable materials	70% of the site area	
3.11.2.7 Maximum building depth	40% of the site depth	

Diagram: Building placement for other uses



## 4 GENERAL REGULATIONS

All uses in these districts, except single detached house or single detached house with secondary suite, as the only principal building on the site and laneway house, are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

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

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area for townhouse, triplex and freehold rowhouse and 8% of the permitted floor area for all other uses;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) for townhouse, triplex 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 does not exceed 7.3 m in length,
  - (ii) bicycle storage located below base surface, or, if located at or above base surface, contained in an accessory building customarily ancillary to townhouse, triplex and freehold rowhouse, and which complies with section [2.2.15](#) of this schedule, and
  - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, any of which are located below the base surface;

- (d) for dwelling uses other than townhouse, triplex and freehold rowhouse, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings containing 3 dwelling units, or uses that the Director of Planning considers 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 2.2.14 of this schedule, or in an infill single detached house 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 manoeuvring aisle, which are located either in a principal building, an accessory building, or an infill single detached house up to a maximum area that the Director of Planning may determine, if the Director of Planning considers the intent of this schedule and 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, 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 that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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 side facing the street, side property line or rear property line, courtyard, 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 section 4.1.2(a) above, does not exceed 16% of the permitted floor area for townhouses and triplexes and 13% of the permitted floor area 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 duplex and duplex with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m;
- (i) for townhouse, triplex 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 that in the opinion of the Director of Planning,

reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% of permitted floor area;

- (k) for duplex and duplex 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 if:

- (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% of the permitted total floor area,

and despite the definition of “partial storey” in [Section 2](#) of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section [4.1.2\(k\)](#); 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 section [4.1.2\(h\)](#) above, to which there is no access from the interior of the building.

## 4.2 Dwelling Unit Density: Calculation

- 4.2.1 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded down.

## 4.3 Yards: Projections

- 4.3.1 For townhouses and triplexes, portions of basement floor area directly below entries, porches and verandahs may project up to 1.8 m into the required front yard and this projection will not be included in the calculation of building depth.

## 4.4 Site Coverage and Impermeability: Measurement

- 4.4.1 The maximum area of impermeable materials includes site coverage for all buildings.

## 4.5 Building Depth: Measurement

- 4.5.1 Maximum building depth means the maximum distance between the required minimum front yard and the rear of a principal building, measured prior to any required lane dedication.

## 4.6 Horizontal Angle of Daylight

- 4.6.1 Each habitable room must have at least 1 window on an exterior wall of a building.

- 4.6.2 For the purposes of section 4.6.1 above, habitable room means any room except a bathroom or kitchen.
- 4.6.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.6.4 The plane or planes referred to in section 4.6.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.6.5 An obstruction referred to in section 4.6.3 above means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.6.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 2.4 m.
- 4.7 External Design
- 4.7.1 For the purpose of this section 4.7, 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.
- 4.7.2 In a duplex or a duplex with secondary suite, on a site with 1 principal building:
- (a) there must be 1 main entrance to each principal dwelling unit;
  - (b) on a corner site, 1 main entrance must face the front street and 1 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 must have a minimum slope of 7:12 and a maximum slope of 12:12 and must be either hip or gable or a combination of both, and must 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 partial storey or attic above the second storey;
  - (e) dormer roofs must be gable, hip or shed in form and must have a minimum slope of 4:12;
  - (f) the maximum total width of dormers provided on a partial storey above the second storey must not exceed 50% of the width of the elevation of the storey below;



- (g) all exterior dormer walls must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
- (h) despite section 4.7.2(g) above, 1 dormer may have its face wall flush or continuous with the second storey exterior wall face below if it:
  - (i) faces an interior side yard, and
  - (ii) provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the partial storey above.

4.7.3 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.

4.7.4 The Director of Planning may vary the requirements of this section 4.7 for a duplex or a duplex 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.

## 4.8 Dedication of Land

### 4.8.1 Dedication for lane purposes

- 4.8.1.1 Where a site does not abut a lane, or abuts a lane that 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.
- 4.8.1.2 Where dedication is made, it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.

## SCHEDULE NNN

# RM-8, RM-8N, RM-8A and RM-8AN

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage the development of 3-storey townhouses and the retention of character buildings, while permitting lower intensity residential development. Building placement and massing of new developments are intended to be compatible with pre-existing residential development.

In the RM-8A and RM-8AN districts, a certain percentage of units must be within a specific size range to improve housing choices and affordability. In the RM-8N and RM-8AN districts, acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [RM-8 and RM-8N Guidelines](#) and [RM-8A and RM-8AN Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-8, RM-8A, RM-8N and RM-8AN districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in [section 3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
445 m <sup>2</sup>	Townhouse	<a href="#">3.1</a>
	Mixed-Use Residential Building	<a href="#">3.1</a>
	Freehold Rowhouse	<a href="#">3.2</a>
	Seniors Supportive or Assisted Housing	<a href="#">3.9</a>

Minimum Site Area	Use	Density, Form and Placement Regulations
303 m <sup>2</sup>	Triplex	<a href="#">3.3</a>
	Duplex or Duplex with Secondary Suite	<a href="#">3.4</a>
	Duplex or Duplex with Secondary Suite, in combination with another principal building	<a href="#">3.5</a>
	Single Detached House or Single Detached House with Secondary Suite, in combination with another principal building	<a href="#">3.6</a>
	Infill Duplex or Infill Single Detached House	<a href="#">3.7</a>
	Multiple Conversion Dwelling, as a conditional approval use	<a href="#">3.8</a>
--	Multiple Conversion Dwelling, as an outright approval use	<a href="#">3.8</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.10</a>
Regulated by the <a href="#">RS-1 District Schedule</a>	Single Detached House or Single Detached House with Secondary Suite	Regulated by the <a href="#">RS-1 District Schedule</a>
--	Laneway House	Regulated by the <a href="#">RS-1 District Schedule</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
Plaza	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Duplex with Secondary Suite	Conditional	<a href="#">2.2.1</a>
Duplex, in combination with another principal building	Conditional	<a href="#">2.2.2</a>
Duplex with Secondary Suite, in combination with another principal building	Conditional	<a href="#">2.2.2</a>
Freehold Rowhouse	Conditional	<a href="#">2.2.3</a>
Infill Duplex, in combination with the retention of a building existing on the site prior to January 1, 1940	Conditional	<a href="#">2.2.4</a>
Infill Single Detached House, in combination with the retention of a building existing on the site prior to January 1, 1940	Conditional	<a href="#">2.2.4</a>
Laneway House	Conditional	<a href="#">2.2.5</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.3</a> , <a href="#">2.2.7</a> , <a href="#">2.2.8</a> , <a href="#">2.2.13</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.9</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing as of September 18, 2018	Conditional	<a href="#">2.2.10</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.11</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	<a href="#">2.2.12</a>
Single Detached House with Secondary Suite	Conditional	<a href="#">2.2.12</a>
Single Detached House, in combination with another principal building	Conditional	<a href="#">2.2.2</a>
Single Detached House with Secondary Suite, in combination with another principal building	Conditional	<a href="#">2.2.2</a>
Townhouse	Conditional	<a href="#">2.2.3</a> , <a href="#">2.2.13</a>
Triplex	Conditional	

Use	Approval	Use-Specific Regulations
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.14</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.15</a>
Grocery or Drug Store	Conditional	<a href="#">2.2.6</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
Retail Store	Conditional	<a href="#">2.2.6</a>
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> , other than Townhouse, Mixed-Use Residential Building, Triplex or Freehold Rowhouse	Outright	<a href="#">2.2.16</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> other than Townhouse, Mixed-Use Residential Building, Triplex or Freehold Rowhouse, and not permitted as an outright approval use	Conditional	
Accessory Buildings, customarily ancillary to Townhouse, Mixed-Use Residential Building, Triplex or Freehold Rowhouse	Conditional	<a href="#">2.2.17</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.18</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	

Use	Approval	Use-Specific Regulations
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 Duplex with secondary suite must have no more than 1 secondary suite for each dwelling unit.

2.2.2 The Director of Planning may permit another principal building on a site in combination with a single detached house, single detached house with secondary suite, duplex or duplex with secondary suite if:

- (a) the site meets at least 1 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 must be a single detached house, a single detached house with secondary suite or a duplex;
- (c) the total number of principal dwelling units on the site does not exceed 4, not including secondary suites; and
- (d) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.3 The Director of Planning may permit more than 1 townhouse, mixed-use residential building or freehold rowhouse building on a site if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.4 Infill single detached house or infill duplex, in combination with the retention of a building existing on the site prior to January 1, 1940, may be permitted if the site meets at least 1 of the following criteria:

- (a) the rear or side property line of the site abuts a park or school site, with or without the intervention of a lane;
- (b) the site is a corner site; or
- (c) the lot depth is more than 45.7 m.

2.2.5 Laneway house is subject to the [RS-1 District Schedule](#) and must be in combination with a single detached house or single detached house with secondary suite, which is the only principal building on the site.

2.2.6 The following uses may be permitted only in a mixed-use residential building:

- (a) grocery or drug store; and
- (b) retail store.

2.2.7 The only non-dwelling uses permitted in a mixed-use residential building are:

- (a) grocery or drug store;
- (b) neighbourhood grocery store; and
- (c) retail store.

2.2.8 Mixed-use residential building with:

- (a) grocery or drug store, or retail store is only permitted on sites identified in **Map 1: Sites where mixed-use residential building with grocery or drug store or retail store is permitted** and **Map 2: Sites where mixed-use residential building with grocery or drug store or retail store is permitted** at the end of this schedule; and
- (b) neighbourhood grocery store is permitted on all sites.

2.2.9 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:

- (a) there are no additions to the building;
- (b) no housekeeping or sleeping units are created;
- (c) the development complies with sections **3.8.2.6**, **3.8.2.7** and **4.5** of this schedule; and
- (d) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.10 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing as of September 18, 2018, may be permitted as a conditional approval use if:

- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size and the impact of the conversion on adjacent properties;
- (b) there are no additions to 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 3 dwelling units.

2.2.11 Principal dwelling unit with lock-off unit may be permitted only in a townhouse, mixed-use residential building, triplex or freehold rowhouse and there may be:

- (a) no more than 1 lock-off unit for every 3 principal dwelling units in a townhouse, mixed-use residential building or triplex, except that the Director of Planning may permit a higher ratio after considering the intent of this schedule and all applicable Council policies and guidelines; and
- (b) no more than 1 lock-off unit for every freehold rowhouse.

2.2.12 Where a single detached house or single detached house with secondary suite is the only principal building on site, it must comply with the **RS-1 District Schedule**.

2.2.13 For townhouse or mixed-use residential building in the RM-8A and RM-8AN districts, a minimum of 25% of the total dwelling units must be 3-bedroom units, except that the Director of Planning may reduce the minimum percentage of 3-bedroom units if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.14 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.15 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.16 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, other than those ancillary to townhouse, mixed-use residential building, triplex or freehold rowhouse, are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:

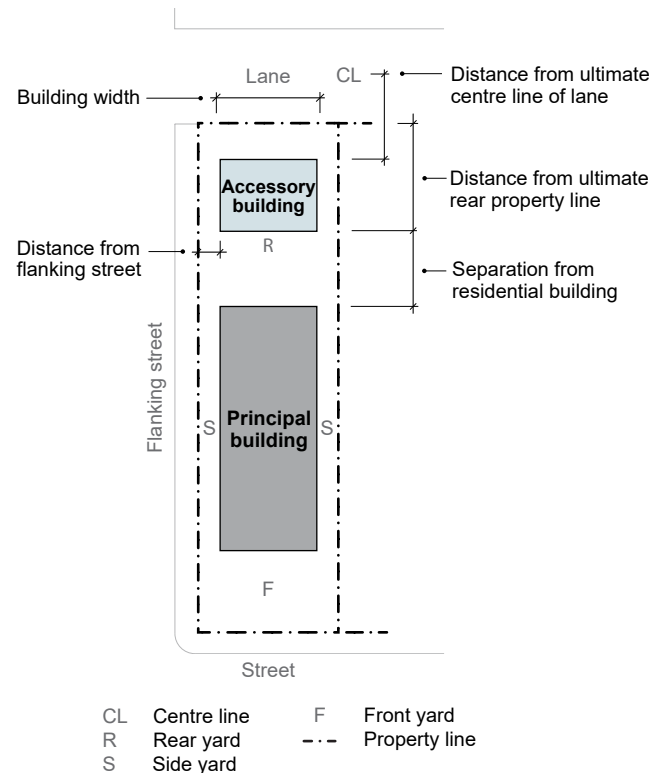
- (i) the highest point of a flat roof,
- (ii) the deck line of a mansard roof, or
- (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:

- (i) within 7.9 m of the ultimate rear property line,
- (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and

**Diagram: Building placement for accessory building**





- (iii) at least 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, does not exceed 48 m<sup>2</sup>;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line;
- (e) the separation from any residential building is at least 3.7 m; and
- (f) roof decks and decks are not located on an accessory building.

2.2.17 Accessory buildings customarily ancillary to townhouse, mixed-use residential building, triplex or freehold rowhouse may be permitted as a conditional approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of the roof if a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
  - (i) within 7.9 m of the ultimate rear property line,
  - (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 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, does not exceed 48 m<sup>2</sup>, except that the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m<sup>2</sup> for each dwelling unit, not including lock-off units, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (d) the combined building width for all accessory buildings does not exceed 30% of the width of the site at the rear property line, except that the Director of Planning may increase the maximum building width up to 80%, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (e) the separation from any residential building is at least 3.7 m; and
- (f) roof decks and decks are not located on an accessory building.

2.2.18 Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 of this schedule must comply with the provisions of section 2.2.16(b) above.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Townhouse and Mixed-Use Residential Building

Townhouse and mixed-use residential building are subject to the following regulations.

##### 3.1.1 Density and Floor Area

##### 3.1.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 1.20 where 100% of residential floor area is developed as secured market rental housing or social housing, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant; or
- (b) the permitted floor area by 1 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, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, the submissions of any advisory groups, property owners or tenants, and the overall design of the development and the impact of the development on neighbouring sites, provided that in the RM-8A and RM-8AN districts, a minimum of 45% of dwelling units must have floor areas between 83 m<sup>2</sup> and 112 m<sup>2</sup>.

##### 3.1.1.2 Despite section 3.1.1.1(b) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

##### 3.1.1.3 The Director of Planning may vary the regulation in section 3.1.1.1(b) above regarding the minimum percentage of dwelling units with floor areas between 83 m<sup>2</sup> and 112 m<sup>2</sup> in the RM-8A and RM-8AN districts, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

##### 3.1.1.4 The total number of dwelling units on a site, excluding lock-off units, must not exceed:

- (a) 100 units per hectare of site area where the floor space ratio does not exceed 0.90; or
- (b) 145 units per hectare of site area where the floor space ratio exceeds 0.90.

##### 3.1.2 Building Form and Placement

Regulations		RM-8 and RM-8N	RM-8A and RM-8AN
3.1.2.1	Minimum site area	445 m <sup>2</sup>	
3.1.2.2	Minimum site frontage	12.8 m	

Regulations		RM-8 and RM-8N	RM-8A and RM-8AN
3.1.2.3	Maximum building height for:		
	(a) a building other than a rear building	11.5 m and 3 storeys	
	(b) a rear building	7.7 m and 2 storeys	
3.1.2.4	Minimum front yard depth	4.9 m	
3.1.2.5	Minimum side yard width	1.2 m	
3.1.2.6	Minimum rear yard depth	1.0 m	1.8 m
3.1.2.7	Maximum site coverage for all buildings	55% of the site area	
3.1.2.8	Maximum area of impermeable materials	70% of the site area	
3.1.2.9	Maximum building depth	40% of the site depth	
3.1.2.10	Maximum building width for sites having a width of at least 24.0 m	22.0 m	
3.1.2.11	Minimum separation between:		
	(a) buildings located on a site frontage	3.1 m	
	(b) rear buildings	3.1 m	
	(c) buildings located on a site frontage and rear buildings	7.3 m	

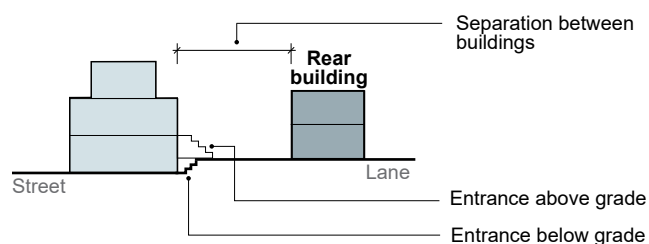
## Building Height

3.1.2.12 Despite the maximum building height in section [3.1.2.3\(a\)](#) above, the third storey of a building in the RM-8 and RM-8N districts must be a partial storey not exceeding 60% of the storey immediately below.

3.1.2.13 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the maximum building height in section [3.1.2.3\(b\)](#) above for a rear building in the RM-8 and RM-8N districts, to a height not exceeding 10.7 m and 3 storeys, if the third storey is a partial storey not exceeding 50% of the storey immediately below; and

**Diagram: Townhouse – courtyard configuration**



- (b) the maximum building height in section 3.1.2.3(b) for a rear building in the RM-8A and RM-8AN districts, to a height not exceeding 10.1 m and 3 storeys, if a minimum rear yard depth of 3.0 m is provided and the third storey is a partial storey not exceeding 60% of the storey immediately below.

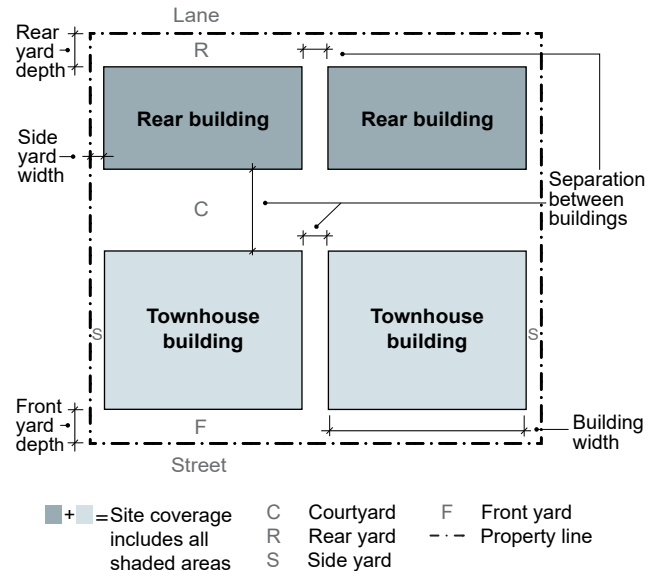
## Building Separation

- 3.1.2.14 Minimum separation between buildings must be measured from the closest portion of the exterior side wall of any other building on the site.
- 3.1.2.15 Despite the minimum building separation in section 3.1.2.11(c) above, where an entrance located at or above 1.5 m of grade, or more than 0.6 m below grade, is connected to grade by stairs that project into a courtyard, the separation between buildings must be at least 9.1 m.
- 3.1.2.16 The Director of Planning may vary the minimum building separation if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

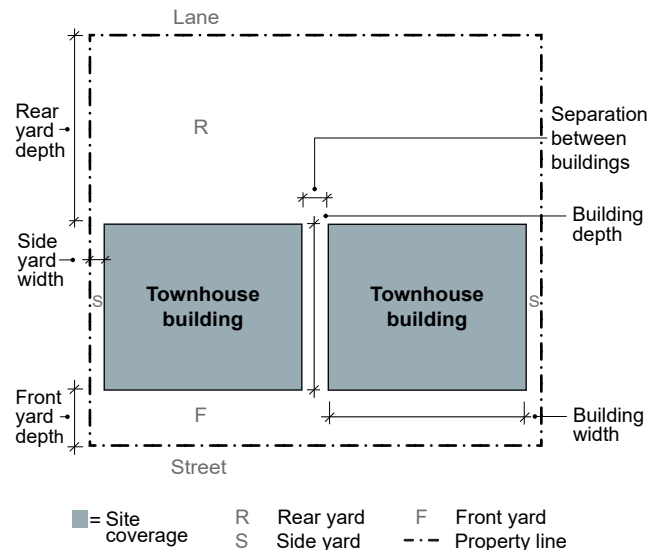
## Discretion to Vary Other Regulations

- 3.1.2.17 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- the minimum site area where there is only 1 building on a site;
  - the minimum front yard depth;
  - the maximum area of impermeable materials;
  - the maximum building depth; and
  - the maximum building width.

**Diagram: Building placement for townhouse in a courtyard configuration**



**Diagram: Building placement for townhouse in a non-courtyard configuration**



## 3.2 Freehold Rowhouse

Freehold rowhouse is subject to the following regulations.

### 3.2.1 Density and Floor Area

- 3.2.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase the permitted floor area by 1 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, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, the submission of any advisory group, property owner or tenant, and the overall design of the development and the impact of the development on neighbouring sites, provided that, in the RM-8A and RM 8AN districts, a minimum of 45% of dwelling units must have floor areas between 83 m<sup>2</sup> and 112 m<sup>2</sup>.
- 3.2.1.2 Despite section 3.2.1.1 above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.
- 3.2.1.3 The Director of Planning may vary the regulation in section 3.2.1.1 above regarding the minimum percentage of dwelling units with floor areas between 83 m<sup>2</sup> and 112 m<sup>2</sup> in the RM-8A and RM-8AN districts, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.2.1.4 The total number of dwelling units on a site, excluding lock-off units, must not exceed:
- (a) 100 units per hectare of site area where the floor space ratio does not exceed 0.90; or
  - (b) 145 units per hectare of site area where the floor space ratio exceeds 0.90.

### 3.2.2 Building Form and Placement

Regulations		RM-8 and RM-8N	RM-8A and RM-8AN
3.2.2.1	Minimum site area	445 m <sup>2</sup>	
3.2.2.2	Minimum site frontage	12.8 m	
3.2.2.3	Maximum building height	10.7 m and 3 storeys	
3.2.2.4	Minimum front yard depth	4.9 m	
3.2.2.5	Minimum side yard width	1.2 m	
3.2.2.6	Minimum rear yard depth	1.0 m	1.8 m
3.2.2.7	Maximum site coverage for all buildings	55% of the site area	

Regulations	RM-8 and RM-8N	RM-8A and RM-8AN
3.2.2.8 Maximum area of impermeable materials	70% of the site area	
3.2.2.9 Maximum building depth	40% of the site depth	
3.2.2.10 Minimum separation between principal buildings	3.1 m	

### Site Area

- 3.2.2.11 The Director of Planning may reduce the minimum site area if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

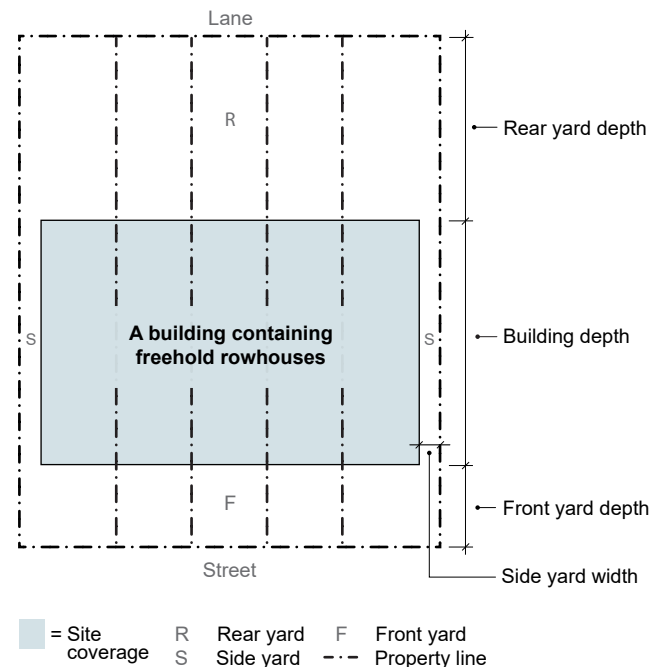
### Building Height

- 3.2.2.12 Despite the maximum building height in section 3.2.2.3 above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.

### Building Separation

- 3.2.2.13 Minimum separation between buildings must be measured from the closest portion of the exterior side wall of any other building on the site.

**Diagram: Building placement for freehold rowhouse**



### 3.3 Triplex

Triplex is subject to the following regulations.

#### 3.3.1 Density and Floor Area

3.3.1.1 The maximum floor space ratio is 0.75, except that on a site with a site area that is less than 445 m<sup>2</sup> or that has a frontage less than 12.8 m, the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 0.90 for triplex developed as secured market rental housing or social housing, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant; or
- (b) the permitted floor area by 1 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, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, the submission of any advisory group, property owner or tenant, and the overall design of the development and the impact of the development on neighbouring sites.

3.3.1.2 Despite section [3.3.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

3.3.1.3 The total number of dwelling units on a site, excluding lock-off units, must not exceed 100 units per hectare of site area.

#### 3.3.2 Building Form and Placement

Regulations		RM-8 and RM-8N	RM-8A and RM-8AN
3.3.2.1	Minimum site area	303 m <sup>2</sup>	
3.3.2.2	Maximum building height	10.7 m and 3 storeys	
3.3.2.3	Minimum front yard depth	4.9 m	
3.3.2.4	Minimum side yard width	1.2 m	
3.3.2.5	Minimum rear yard depth	1.0 m	1.8 m
3.3.2.6	Maximum site coverage for all buildings	55% of the site area	
3.3.2.7	Maximum area of impermeable materials	70% of the site area	
3.3.2.8	Maximum building depth	40% of the site depth	

## Site Area

- 3.3.2.9 The Director of Planning may reduce the minimum site area if the lot was on record in the Land Title Office prior to September 18, 2018 and if the Director of Planning considers the quality and liveability of the resulting units, the impact on neighbouring properties, and the intent of this schedule and all applicable Council policies and guidelines.

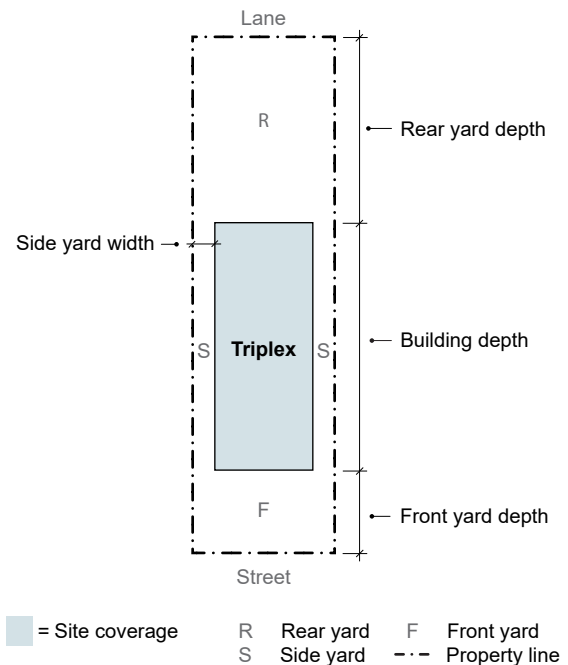
## Building Height

- 3.3.2.10 Despite the maximum building height in section 3.3.2.2 above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.

## Discretion to Vary Other Regulations

- 3.3.2.11 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the minimum front yard;
  - (b) the maximum area of impermeable materials; and
  - (c) the maximum building depth.

**Diagram: Building placement for triplex**





### 3.4 Duplex and Duplex with Secondary Suite

Duplex and duplex with secondary suite are subject to the following regulations.

#### 3.4.1 Density and Floor Area

3.4.1.1 The maximum floor space ratio is 0.75.

#### 3.4.2 Building Form and Placement

Regulations	RM-8, RM-8N, RM-8A and RM-8AN
3.4.2.1 Minimum site area	303 m <sup>2</sup>
3.4.2.2 Maximum building height	10.7 m and 3 storeys
3.4.2.3 Minimum front yard depth	4.9 m
3.4.2.4 Minimum side yard width	1.2 m
3.4.2.5 Minimum rear yard depth	1.0 m
3.4.2.6 Maximum site coverage for all buildings	45% of the site area
3.4.2.7 Maximum area of impermeable materials	70% of the site area
3.4.2.8 Maximum building depth	40% of the site depth

#### Site Area

3.4.2.9 The Director of Planning may reduce the minimum site area if the lot was on record in the Land Title Office prior to September 18, 2018 and if the Director of Planning considers the quality and liveability of the resulting units, the impact on neighbouring properties, and the intent of this schedule and all applicable Council policies and guidelines.

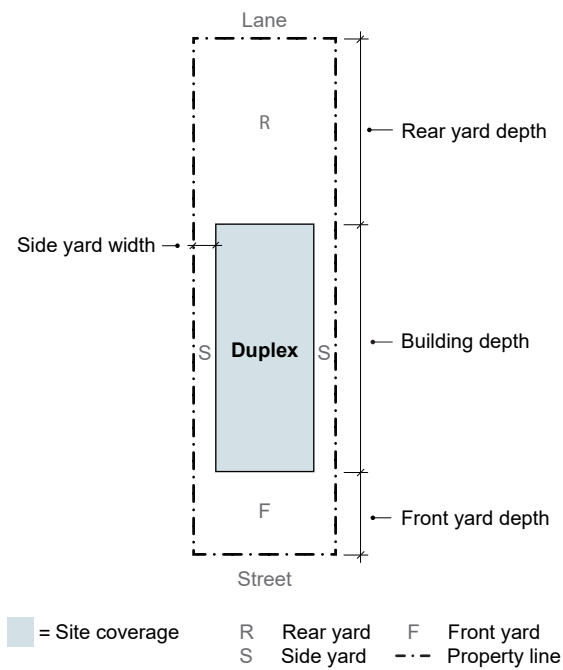
#### Building Height

3.4.2.10 Despite the maximum building height in section 3.4.2.2 above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.

#### Building Depth

3.4.2.11 The Director of Planning may increase the maximum building depth to accommodate building features designed to reduce energy consumption in a Certified Passive House, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for duplex with secondary suite**



### 3.5 Duplex in Combination with Another Principal Building and Duplex with Secondary Suite in Combination with Another Principal Building

Duplex or duplex with secondary suite, in combination with:

- (a) a single detached house;
- (b) a single detached house with secondary suite; or
- (c) a duplex,

situated in the rear yard of the site, are subject to the following regulations.

#### 3.5.1 Density and Floor Area

3.5.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase the permitted floor area by 1 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 0.85 where no more than 0.25 floor space ratio may be allocated to a second principal building at the rear of the site, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the submission of any advisory group, property owner or tenant, and the overall design of the development and the impact of the development on neighbouring sites.

3.5.1.2 Despite section [3.5.1.1](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

#### 3.5.2 Building Form and Placement

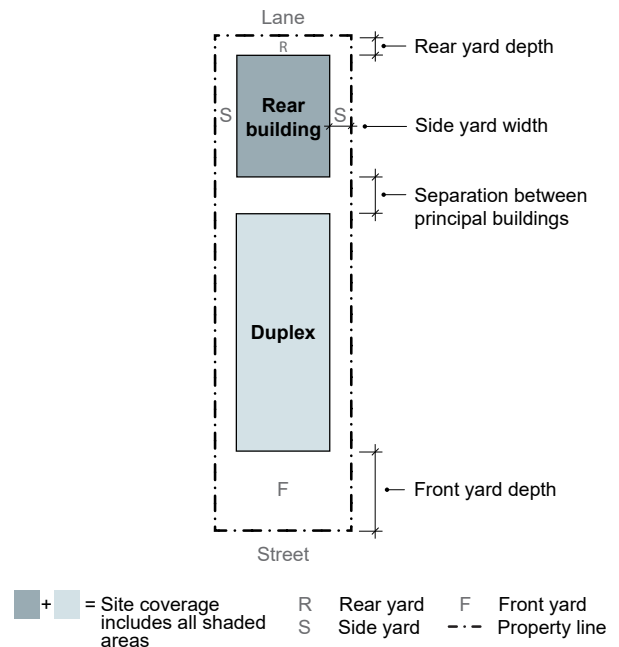
Regulations	RM-8, RM-8N, RM-8A and RM-8AN
3.5.2.1 Minimum site area	303 m <sup>2</sup>
3.5.2.2 Maximum building height for:	
(a) a building other than a rear building	10.7 m and 3 storeys
(b) a rear building	7.7 m and 2 storeys
3.5.2.3 Minimum front yard depth	4.9 m
3.5.2.4 Minimum side yard width	1.2 m
3.5.2.5 Minimum rear yard depth	1.0 m
3.5.2.6 Maximum site coverage for all buildings	45% of the site area

Regulations		RM-8, RM-8N, RM-8A and RM-8AN
3.5.2.7	Maximum area of impermeable materials	70% of the site area
3.5.2.8	Minimum separation between principal buildings, measured across the width of the site	4.9 m

### Building Height

- 3.5.2.9 Despite the maximum building height in section 3.5.2.2(a) above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.
- 3.5.2.10 Despite the maximum building height in section 3.5.2.2(b) above, the second storey of a rear building must be a partial storey not exceeding 50% of the storey immediately below.
- 3.5.2.11 The Director of Planning may vary the maximum building height for a rear building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for 2 principal buildings on site**



### Building Separation

- 3.5.2.12 The Director of Planning may vary the minimum separation between principal buildings if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### 3.6 Single Detached House in Combination with Another Principal Building and Single Detached House with Secondary Suite in Combination with Another Principal Building

Single detached house or single detached house with secondary suite, in combination with:

- (a) a single detached house;
- (b) a single detached house with secondary suite; or
- (c) a duplex,

situated in the rear yard of the site, are subject to the following regulations.

#### 3.6.1 Density and Floor Area

3.6.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase the permitted floor area by 1 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 0.85 where no more than 0.25 floor space ratio may be allocated to a second principal building at the rear of the site, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the submission of any advisory group, property owner or tenant, and the overall design of the development and the impact of the development on neighbouring sites.

3.6.1.2 Despite section [3.6.1.1](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

#### 3.6.2 Building Form and Placement

Regulations	RM-8, RM-8N, RM-8A and RM-8AN
3.6.2.1 Minimum site area	303 m <sup>2</sup>
3.6.2.2 Maximum building height for:	
(a) a building other than a rear building	9.5 m and 2 storeys
(b) a rear building	7.7 m and 2 storeys
3.6.2.3 Minimum front yard depth	4.9 m
3.6.2.4 Minimum side yard width	1.2 m
3.6.2.5 Minimum rear yard depth	1.0 m
3.6.2.6 Maximum site coverage for all buildings	45% of the site area

Regulations		RM-8, RM-8N, RM-8A and RM-8AN
3.6.2.7	Maximum area of impermeable materials	70% of the site area
3.6.2.8	Minimum separation between principal buildings, measured across the width of the site	4.9 m

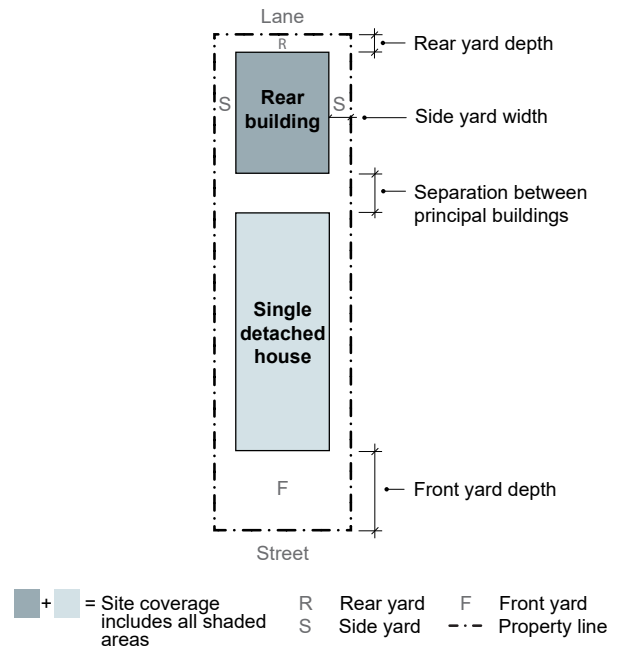
### Building Height

- 3.6.2.9 Despite the maximum building height in section 3.6.2.2(b) above, the second storey of a rear building must be a partial storey not exceeding 50% of the storey immediately below.
- 3.6.2.10 The Director of Planning may vary the maximum building height for a rear building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Building Separation

- 3.6.2.11 The Director of Planning may vary the minimum separation between principal buildings if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for 2 principal buildings on a site**



### 3.7 Infill Single Detached House and Infill Duplex

Infill single detached house and infill duplex are subject to the following regulations.

#### 3.7.1 Density and Floor Area

- 3.7.1.1 The maximum floor space is 0.75 for the overall site, except that on a site where a residential building:
- (a) existing prior to January 1, 1940 is retained, the floor space ratio for the overall site must not exceed 0.90, except that no more than 0.25 floor space ratio may be allocated to an infill single detached house or infill duplex in the rear of the site; and
  - (b) not existing prior to January 1, 1940 is retained, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, the submission of any advisory group, property owner or tenant, the overall design of the development and the impact of the development on neighbouring sites, the Director of Planning may increase the permitted floor area of the overall site by 1 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 0.85, except that no more than 0.25 floor space ratio may be allocated to an infill single detached house or infill duplex in the rear of the site.
- 3.7.1.2 Despite section [3.7.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

#### 3.7.2 Building Form and Placement

Regulations	RM-8, RM-8N, RM-8A and RM-8AN
3.7.2.1 Minimum site area	303 m <sup>2</sup>
3.7.2.2 Maximum building height	7.7 m and 2 storeys
3.7.2.3 Minimum side yard width	1.2 m
3.7.2.4 Minimum rear yard depth	1.0 m
3.7.2.5 Maximum site coverage for all buildings	45% of the site area
3.7.2.6 Maximum area of impermeable materials	70% of the site area
3.7.2.7 Minimum separation between infill and existing building, measured across the width of the site	4.9 m

#### Site Area

- 3.7.2.8 The Director of Planning may reduce the minimum site area if the lot was on record in the Land Title Office prior to September 18, 2018, for an infill single detached house or infill duplex in combination with the

retention of a residential building existing on the site prior to January 1, 1940, if the Director of Planning considers the quality and liveability of the resulting units, the impact on neighbouring properties, and the intent of this schedule and all applicable Council policies and guidelines.

## Building Height

3.7.2.9 Despite the maximum building height in section 3.7.2.2 above, the second storey of an infill building must be a partial storey not exceeding 50% of the storey immediately below.

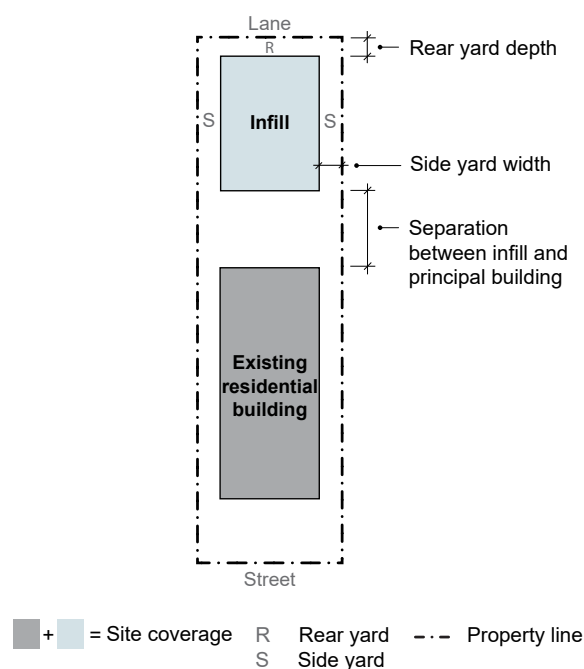
3.7.2.10 The Director of Planning may vary the maximum building height for an infill if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Discretion to Vary Other Regulations

3.7.2.11 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the maximum building depth of an existing residential building to permit an infill single detached house or infill duplex;
- (b) the minimum separation between an existing residential building and an infill single detached house or infill duplex;
- (c) the maximum site coverage; and
- (d) the maximum area of impermeable materials.

**Diagram: Building placement for infill**





### 3.8 Multiple Conversion Dwelling

Multiple conversion dwelling is subject to the following regulations.

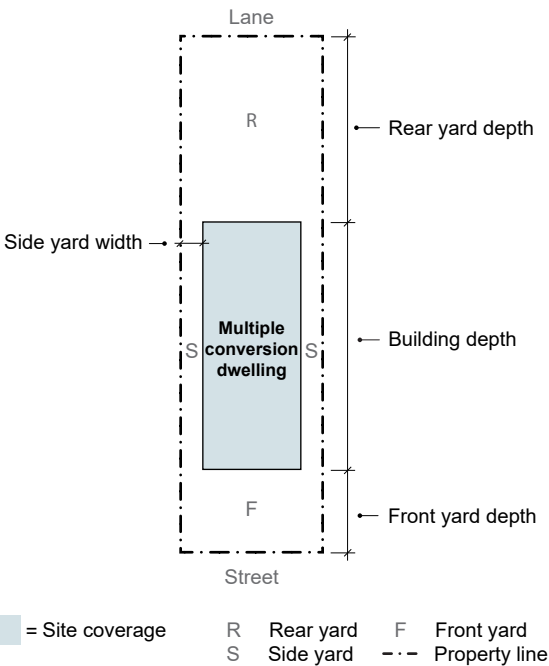
#### 3.8.1 Density and Floor Area

- 3.8.1.1 The maximum floor space ratio is 0.75, except that where a building existing prior to January 1, 1940 is retained, the maximum floor space ratio is 0.90.

#### 3.8.2 Building Form and Placement

Regulations		RM-8 and RM-8N	RM-8A and RM-8AN
3.8.2.1	Minimum site area for multiple conversion dwelling containing 3 dwelling units	303 m <sup>2</sup>	
3.8.2.2	Maximum building height	9.5 m and 2 storeys	
3.8.2.3	Minimum front yard depth	4.9 m	
3.8.2.4	Minimum side yard width	1.2 m	
3.8.2.5	Minimum rear yard depth	1.0 m	1.8 m
3.8.2.6	Maximum site coverage for all buildings	45% of the site area	
3.8.2.7	Maximum area of impermeable materials	70% of the site area	
3.8.2.8	Maximum building depth	40% of the site depth	

**Diagram: Building placement for multiple conversion dwelling**



### 3.9 Seniors Supportive or Assisted Housing

Seniors supportive or assisted housing is subject to the following regulations.

#### 3.9.1 Density and Floor Area

3.9.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase:

(a) the permitted floor space ratio for seniors supportive or assisted housing developed as secured market rental housing or social housing to a maximum of:

(i) 1.20 on sites with a minimum frontage of 12.8 m, or

(ii) 0.90 on sites with a frontage less than 12.8 m,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant; or

(b) the permitted floor area by 1 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:

(i) 1.20 on sites with a minimum frontage of 12.8 m, or

(ii) 0.90 on sites with a frontage less than 12.8 m,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, the submission of any advisory group, property owner or tenant, and the overall design of the development and the impact of the development on neighbouring sites.

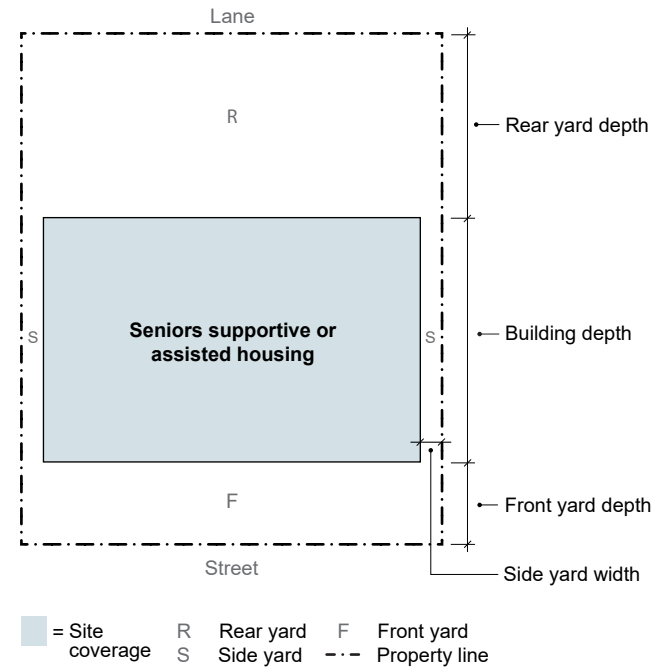
3.9.1.2 Despite **3.9.1.1(b)** above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

#### 3.9.2 Building Form and Placement

Regulations		RM-8 and RM-8N	RM-8A and RM-8AN
3.9.2.1	Minimum site area	445 m <sup>2</sup>	
3.9.2.2	Maximum building height	9.5 m and 2 storeys	
3.9.2.3	Minimum front yard depth	4.9 m	
3.9.2.4	Minimum side yard width	1.2 m	
3.9.2.5	Minimum rear yard depth	1.0 m	1.8 m
3.9.2.6	Maximum site coverage for all buildings	45% of the site area	

Regulations		RM-8 and RM-8N	RM-8A and RM-8AN
3.9.2.7	Maximum area of impermeable materials	70% of the site area	
3.9.2.8	Maximum building depth	40% of the site depth	

**Diagram: Building placement for seniors supportive or assisted housing**



### 3.10 Other Uses

Uses not regulated by sections 3.1 to 3.9 of this schedule are subject to the following regulations, except:

- (a) single detached house or single detached house 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 those uses described in section [3.10\(a\)](#) above.

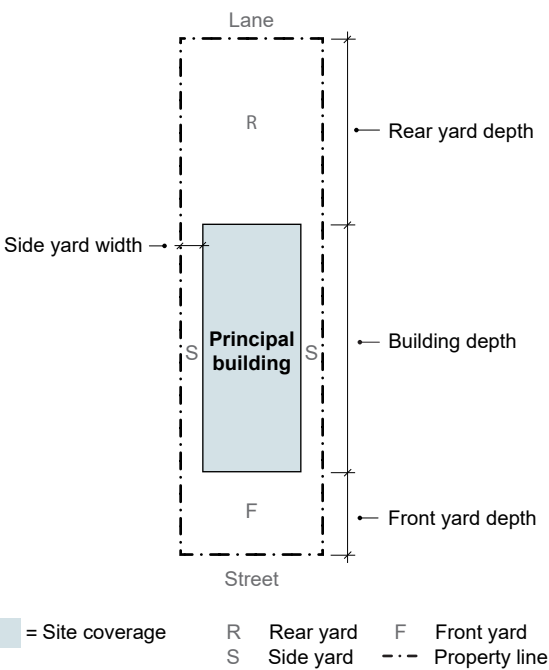
#### 3.10.1 Density and Floor Area

3.10.1.1 The maximum floor space ratio is 0.75.

#### 3.10.2 Building Form and Placement

Regulations	RM-8, RM-8N, RM-8A and RM-8AN
3.10.2.1 Maximum building height	9.5 m and 2 storeys
3.10.2.2 Minimum front yard depth	4.9 m
3.10.2.3 Minimum side yard width	1.2 m
3.10.2.4 Maximum site coverage for all buildings	45% of the site area
3.10.2.5 Maximum area of impermeable materials	70% of the site area
3.10.2.6 Maximum building depth for dwelling uses	40% of the site depth

**Diagram: Building placement for principal building**



## 4 GENERAL REGULATIONS

All uses in these districts, except single detached house or single detached house with secondary suite, as the only principal building on the site, and laneway house, are subject to the following regulations.

### 4.1 Amenity Shares and Affordable Housing Shares

4.1.1 For the purposes of this schedule, amenity means 1 or more of the following:

- (a) child day care facility;
- (b) community centre or neighbourhood house;
- (c) library;
- (d) museum or archives;
- (e) park or playground;
- (f) plaza;
- (g) public authority use;
- (h) rink;
- (i) social service centre; and
- (j) swimming pool.

4.1.2 For the purposes of this schedule, the cost of an amenity share or affordable housing share is the amount specified per m<sup>2</sup> in [Schedule F: Affordable Housing and Amenity Share Cost Schedule](#) of this by-law for the RM-8, RM-8A, RM-8N and RM-8AN zoning districts.

### 4.2 Computation of Floor Area

4.2.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the foregoing, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
- (c) where the distance from a floor located no more than 2.0 m above finished grade to the floor above, or where there is no floor above, to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude an area designed with venting skylights, opening clerestory windows or other similar features if:

- (i) in the opinion of the Director of Planning, the area is designed to reduce energy consumption or improve natural light and ventilation, and
- (ii) the area excluded does not exceed 1% of the permitted floor area; and
- (d) the floor area of bay windows, regardless of seat height, location in building or relationship to yard setbacks, which exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area for townhouse, mixed-use residential building, triplex and freehold rowhouse and 8% of the permitted floor area for all other uses;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) for townhouse, mixed-use residential building, triplex and freehold rowhouse, where floors are used for:
  - (i) off-street parking and loading, those floors or portions thereof that are located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
  - (ii) bicycle storage located at or below base surface or, if located above base surface, contained in an accessory building customarily ancillary to townhouse, mixed-use residential building, triplex and freehold rowhouse, and that complies with section 2.2.17 of this schedule, and
  - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, any of which are located below the base surface;
- (d) for dwelling uses other than townhouse, mixed-use residential building, triplex and freehold rowhouse, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings containing 3 dwelling units, or uses that the Director of Planning considers similar to the foregoing:
  - (i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building that complies with section 2.2.16 of this schedule, or in an infill single detached house 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 manoeuvring aisle, which are located either in a principal building, an accessory building, or an infill single detached house up to a maximum area that the Director of Planning may determine, if the Director of Planning 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 that the Director of Planning considers similar to the foregoing, those



floors or portions thereof not exceeding 7.3 m in length, 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 that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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 side facing the street, rear property line, courtyard, 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 section 4.2.2(a) above, does not exceed 16% of the permitted floor area for townhouse, mixed-use residential building, triplex or freehold rowhouse and 13% of the permitted floor area 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 duplex and duplex with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m;
- (i) for townhouse, mixed-use residential building, triplex 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 that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% of permitted floor area;
- (k) for duplex and duplex 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, if:
  - (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% of the permitted total floor area,

and despite the definition of “partial storey” in Section 2 of this by-law, for the purposes of this schedule the maximum permitted floor area contained in a partial storey must not include floor area excluded in this section 4.2.2(k); 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 section 4.2.2(h) above, to which there is no access from the interior of the building.

### 4.3 Dwelling Unit Density: Calculation

- 4.3.1 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded down.

### 4.4 Yards: Projections and Measurement

- 4.4.1 For townhouses, mixed-use residential buildings, triplexes and freehold rowhouses, portions of basement floor area directly below entries, porches and verandahs may project up to 1.8 m into the required front yard and this projection will not be included in the calculation of building depth.

### 4.5 Site Coverage and Impermeability: Measurement

- 4.5.1 The maximum area of impermeable materials includes site coverage for all buildings.

### 4.6 Building Depth: Measurement

- 4.6.1 Maximum building depth means the maximum distance between the required minimum front yard and the rear of a building, measured prior to any required lane dedication.

### 4.7 Horizontal Angle of Daylight

- 4.7.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.7.2 For the purposes of section 4.7.1 above, habitable room means any room except a bathroom or kitchen.
- 4.7.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.7.4 The plane or planes referred to in section 4.7.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.7.5 An obstruction referred to in section 4.7.3 above means:
  - (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.7.6 The Director of Planning may vary the horizontal angle of daylight requirement if:

- (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
- (b) the minimum distance of unobstructed view is at least 2.4 m.

## 4.8 External Design

4.8.1 For the purpose of this section 4.8, 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.

4.8.2 In a duplex or a duplex with secondary suite, on a site with 1 principal building:

- (a) there must be 1 main entrance to each principal dwelling unit;
- (b) on a corner site, 1 main entrance must face the front street and 1 main entrance must face the flanking street;
- (c) there must be a covered entry at each main entrance, with a minimum width and depth of 1.8 m;
- (d) all roofs except for dormer roofs must have a minimum slope of 7:12 and a maximum slope of 12:12 and must be either hip or gable or a combination of both, and must 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 partial storey or attic above the second storey;
- (e) dormer roofs must be gable, hip or shed in form and must have a minimum slope of 4:12;
- (f) the maximum total width of dormers provided on a partial storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
- (g) all exterior dormer walls must be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
- (h) despite section 4.8.2(g) above, 1 dormer may have its face wall flush or continuous with the second storey exterior wall face below if:
  - (i) it faces an interior side yard, and
  - (ii) it provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the partial storey above.

4.8.3 The Director of Planning may vary the requirements of this section 4.8 for a duplex or a duplex 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.

4.8.4 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.

## 4.9 Dedication of Land

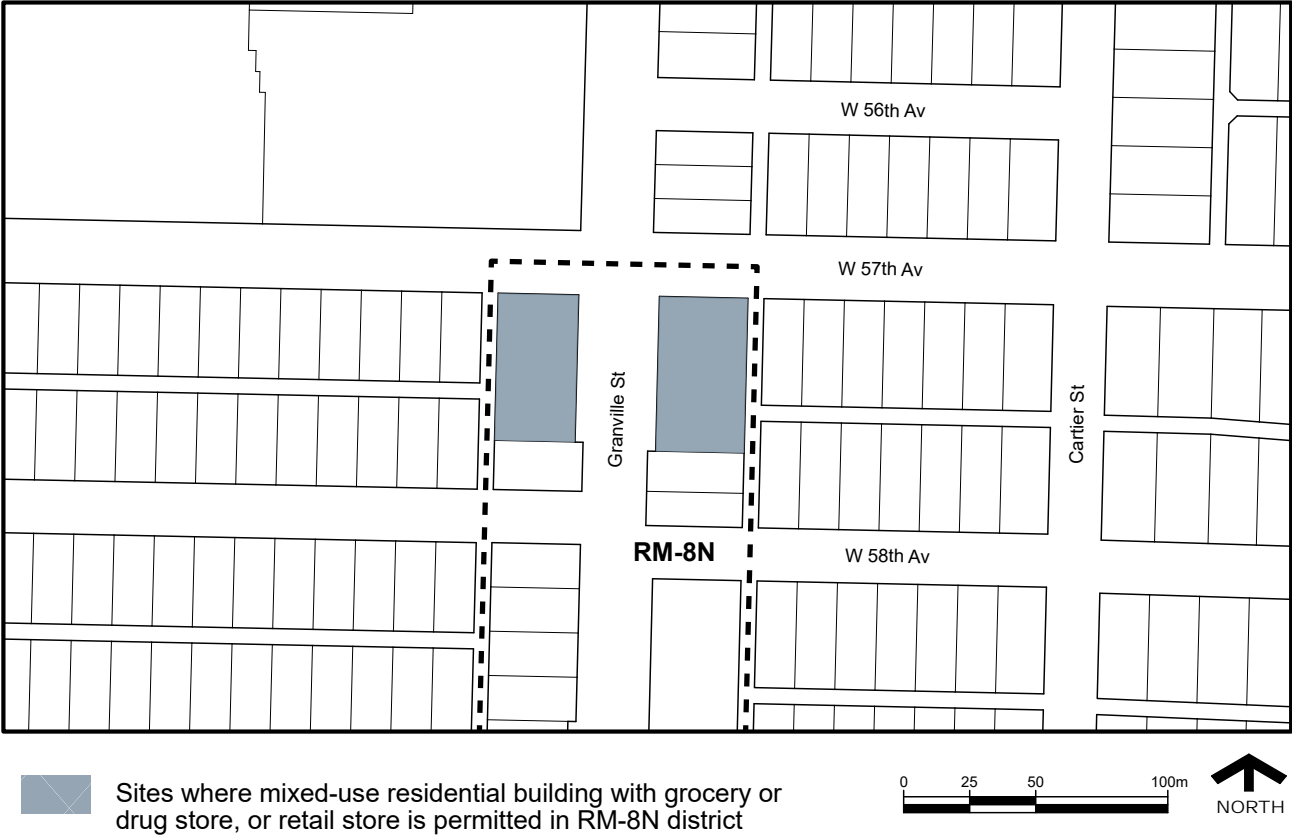
### 4.9.1 Dedication for lane purposes

- 4.9.1.1 Where a site does not abut a lane, or abuts a lane that 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.
- 4.9.1.2 Where dedication is made, it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.

### 4.9.2 Dedication for sidewalk and boulevard purposes


- 4.9.2.1 For development sites that 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 centre line of the street to the property line of the development site of 14.6 m measured at right angles.
- 4.9.2.2 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 centre line of the street to the property line of the development site, measured at right angles:
  - (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, from Columbia Street to Ontario Street, 15.2 m.
- 4.9.2.3 Where dedication is made, it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.

Map 1: Sites where mixed-use residential building with grocery or drug store, or retail store is permitted



Map 2: Sites where mixed-use residential building with grocery or drug store, or retail store is permitted



 Sites where mixed-use residential building with grocery or drug store, or retail store is permitted in RM-8/RM-8N districts



## SCHEDULE 000

# RM-9A and RM-9AN

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit 4-storey apartments to provide a transition in residential neighbourhoods between higher building forms and ground-oriented building forms. The emphasis is on creating of a variety of dwelling unit sizes, including those appropriate for families with children. Townhouses are only permitted in combination with an apartment building and on exceptionally deep sites. In the RM-9AN district, acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets or a rapid transit guideway.

Without limitation, applicable Council policies and guidelines for consideration include the [RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-9A and RM-9AN districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
445 m <sup>2</sup>	Apartment	<a href="#">3.1</a>
	Apartment, in combination with Townhouse	<a href="#">3.1</a>
	Seniors Supportive or Assisted Housing	<a href="#">3.7</a>
334 m <sup>2</sup>	Duplex or Duplex with Secondary Suite, in combination with another principal building	<a href="#">3.3</a>
	Single Detached House or Single Detached House with Secondary Suite, in combination with another principal building	<a href="#">3.4</a>
303 m <sup>2</sup>	Triplex	<a href="#">3.2</a>
	Infill Single Detached House	<a href="#">3.5</a>
	Multiple Conversion Dwelling	<a href="#">3.6</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.8</a>

Minimum Site Area	Use	Density, Form and Placement Regulations
Regulated by the <b>RS-1 District Schedule</b>	Single Detached House or Single Detached House with Secondary Suite	Regulated by the <b>RS-1 District Schedule</b>
--	Laneway House	Regulated by the <b>RS-1 District Schedule</b>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including **Section 2**, **Section 10** and **Section 11**, and compliance with the regulations of this schedule including section **2.2**.

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section **2.2** of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	



Use	Approval	Use-Specific Regulations
<b>Dwelling Uses</b>		
Apartment	Conditional	<a href="#">2.2.1</a>
Apartment, in combination with Townhouse	Conditional	<a href="#">2.2.2</a>
Duplex, in combination with another principal building	Conditional	
Duplex with Secondary Suite, in combination with another principal building	Conditional	<a href="#">2.2.3</a>
Infill Single Detached House, in combination with the retention of a building existing on the site prior to January 1, 1940	Conditional	
Laneway House	Conditional	<a href="#">2.2.4</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.5</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.6</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing as of May 27, 2014	Conditional	<a href="#">2.2.7</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.8</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	<a href="#">2.2.9</a>
Single Detached House with Secondary Suite	Conditional	<a href="#">2.2.9</a>
Single Detached House, in combination with another principal building	Conditional	
Single Detached House with Secondary Suite, in combination with another principal building	Conditional	<a href="#">2.2.10</a>
Triplex	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.11</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.12</a>

Use	Approval	Use-Specific Regulations
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> , other than Multiple Dwelling	Outright	<a href="#">2.2.13</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> , other than Multiple Dwelling, and not permitted as an outright approval use	Conditional	
Accessory Buildings, customarily ancillary to Multiple Dwelling	Conditional	<a href="#">2.2.14</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.15</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 The Director of Planning may permit more than 1 apartment building on a site if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 2.2.2 Apartment in combination with townhouse may be permitted on sites with a depth of 45.7 m or more, if the townhouse is located at the rear of the site and if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 2.2.3 Duplex with secondary suite, in combination with another principal building, must have no more than 1 secondary suite for each dwelling unit.
- 2.2.4 Laneway house is subject to the [RS-1 District Schedule](#) and must be in combination with a single detached house or single detached house with secondary suite, which is the only principal building on the site.
- 2.2.5 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.

- 2.2.6 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building;
  - (b) no housekeeping or sleeping units are created;
  - (c) the development complies with sections [3.6.2.6](#), [3.6.2.7](#) and [4.5](#) of this schedule; and
  - (d) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.
- 2.2.7 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing as of May 27, 2014, may be permitted as a conditional approval use if:
- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties;
  - (b) there are no additions to buildings constructed on or after January 1, 1940, except additions up to 5 m<sup>2</sup> used as exits;
  - (c) no housekeeping or sleeping units are created; and
  - (d) there are no more than 3 dwelling units.
- 2.2.8 Principal dwelling unit with lock-off unit may be permitted only in a multiple dwelling and there may be no more than 1 lock-off unit for every 3 principal dwelling units, except that the Director of Planning may permit a higher ratio after considering the intent of this schedule and all applicable Council policies and guidelines.
- 2.2.9 Where a single detached house or single detached house with secondary suite is the only principal building on the site:
- (a) it must comply with the [RS-1 District Schedule](#); and
  - (b) the lot must have been on record in the Land Title Office prior to January 16, 2018.
- 2.2.10 Single detached house with secondary suite, in combination with another principal building, must have no more than 1 secondary suite for each dwelling unit.
- 2.2.11 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.12 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.
- 2.2.13 Accessory buildings customarily ancillary to any use listed in section [2.1](#) of this schedule, other than those ancillary to multiple dwelling, are permitted as an outright approval use if:

(a) no accessory building exceeds 3.7 m in height, measured to:

- (i) the highest point of a flat roof,
- (ii) the deck line of a mansard roof, or
- (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

(b) all accessory buildings are located:

- (i) within 7.9 m of the ultimate rear property line,
- (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
- (iii) at least 1.5 m from a flanking street;

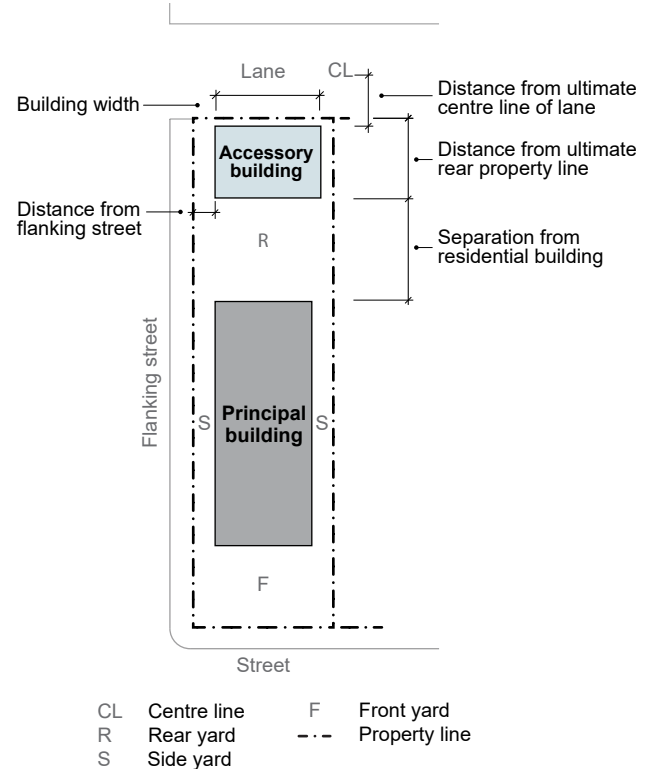
(c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>;

(d) the combined width for all accessory buildings does not exceed 80% of the width of the site at the rear property line;

(e) the separation from any residential building is at least 3.7 m; and

(f) roof decks and decks are not located on an accessory building.

**Diagram: Building placement for accessory buildings**



2.2.14 Accessory buildings customarily ancillary to multiple dwelling may be permitted as a conditional approval use if:

(a) no accessory building exceeds 3.7 m in height, measured to:

- (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
- except that no portion of an accessory building exceeds 4.6 m in building height;

(b) all accessory buildings are located:

- (i) within 7.9 m of the ultimate rear property line,
  - (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 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, does not exceed 48 m<sup>2</sup>, except that the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m<sup>2</sup> for each dwelling unit, not including lock-off units, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (d) the building width for all accessory buildings does not exceed 30% of the width of the site at the rear property line, except that the Director of Planning may increase the maximum building width up to 80%, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (e) the separation from any residential building is at least 3.7 m; and
- (f) roof decks and decks are not located on an accessory building.

2.2.15 Accessory parking spaces customarily ancillary to any outright approval use listed in section [2.1](#) above must comply with the provisions of section [2.2.13\(b\)](#) above.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Apartment and Apartment in Combination with Townhouse

Apartment and apartment in combination with townhouse are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 0.70, except that, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant, the Director of Planning may increase:

- (a) the permitted floor space ratio for apartment or townhouse developed as secured market rental housing or social housing to a maximum of:
  - (i) 1.20 on sites with a site frontage less than 15.2 m and where the development site consists of locked in lots,
  - (ii) 1.50 on sites with a minimum site frontage of 15.2 m,
  - (iii) 1.75 on sites with a minimum site frontage of 15.2 m and located on a corner site, or
  - (iv) 2.00 on sites with a minimum site frontage of 27.4 m; or
- (b) the permitted floor area by 1 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:
  - (i) 1.20 on sites with a site frontage less than 15.2 m and where the development site consists of locked in lots,
  - (ii) 1.50 on sites with a minimum site frontage of 15.2 m,
  - (iii) 1.75 on sites with a minimum site frontage of 15.2 m and located on a corner site, or
  - (iv) 2.00 on sites with a minimum site frontage of 27.4 m.

3.1.1.2 Despite section [3.1.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

3.1.1.3 The total number of dwelling units, excluding lock-off units, must not exceed:

- (a) 100 units per hectare of site area where the floor space ratio does not exceed 0.90;
- (b) 132 units per hectare of site area where the floor space ratio exceeds 0.90 and does not exceed 1.20;  
or
- (c) 140 units per hectare of site area where the floor space ratio exceeds 1.20.

- 3.1.1.4 Despite section **3.1.1.3(c)** above, the Director of Planning may permit an increase to the dwelling unit density provided that the total number of dwelling units on a site, excluding lock-off units, does not exceed:
- (a) 180 units per hectare of site area where the floor space ratio exceeds 1.20 and does not exceed 1.75; or
  - (b) 240 units per hectare of site area where the floor space ratio exceeds 1.75.

### 3.1.2 Building Form and Placement

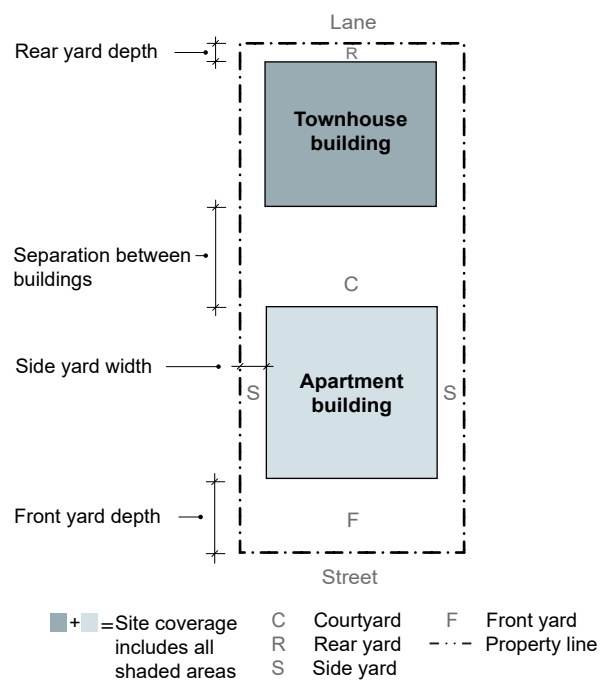
Regulations	RM-9A and RM-9AN
3.1.2.1 Minimum site area	445 m <sup>2</sup>
3.1.2.2 Minimum site frontage	15.2 m
3.1.2.3 Maximum site frontage	50.0 m
3.1.2.4 Maximum building height for:	
(a) apartment	13.7 m and 4 storeys
(b) townhouse	10.7 m and 3 storeys
3.1.2.5 Minimum front yard depth	3.7 m
3.1.2.6 Minimum side yard width	2.1 m
3.1.2.7 Minimum rear yard depth for:	
(a) apartment	3.7 m
(b) apartment in combination with townhouse	1.2 m
3.1.2.8 Maximum site coverage for all buildings	55% of the site area
3.1.2.9 Maximum area of impermeable materials	75% of the site area
3.1.2.10 Minimum separation between buildings located on a site frontage and rear buildings	7.3 m

### Discretion to Vary Other Regulations

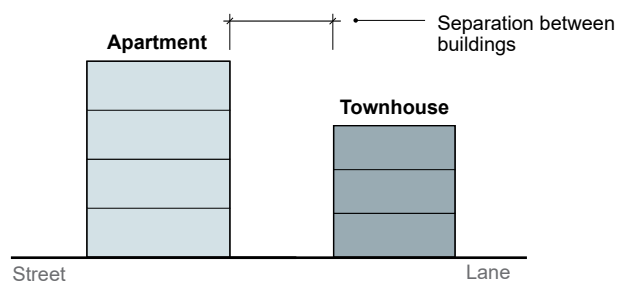
- 3.1.2.11 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the minimum site area;

- (b) the minimum site frontage for a locked in lot;
- (c) the maximum site frontage;
- (d) the maximum building height for a rear building to a height not exceeding 12.2 m and 4 storeys;
- (e) the minimum front yard depth;
- (f) the minimum side yard width;
- (g) the minimum rear yard depth to a minimum of 1.2 m for apartment;
- (h) the maximum site coverage;
- (i) the maximum area of impermeable materials for developments providing underground parking; and
- (j) the minimum separation between a building located on a site frontage and a rear building.

**Diagram: Building placement for apartment in combination with townhouse**



**Diagram: Apartment in combination with townhouse**





## 3.2 Triplex

Triplex is subject to the following regulations.

### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.70, except that on sites with a site frontage less than 12.8 m, the Director of Planning may increase:

- (a) the permitted floor space ratio for triplex developed as secured market rental housing or social housing, to a maximum of 0.90; or
- (b) the permitted floor area by 1 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,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.2.1.2 Despite section [3.2.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

3.2.1.3 The total number of dwelling units on a site, excluding lock-off units, must not exceed 100 units per hectare of site area.

### 3.2.2 Building Form and Placement

Regulations		RM-9A and RM-9AN
3.2.2.1	Minimum site area	303 m <sup>2</sup>
3.2.2.2	Maximum building height	10.7 m
3.2.2.3	Minimum front yard depth	3.7 m
3.2.2.4	Minimum side yard width	1.2 m
3.2.2.5	Minimum rear yard depth	7.6 m
3.2.2.6	Maximum site coverage for all buildings	55% of the site area
3.2.2.7	Maximum area of impermeable materials	75% of the site area

## Site Area

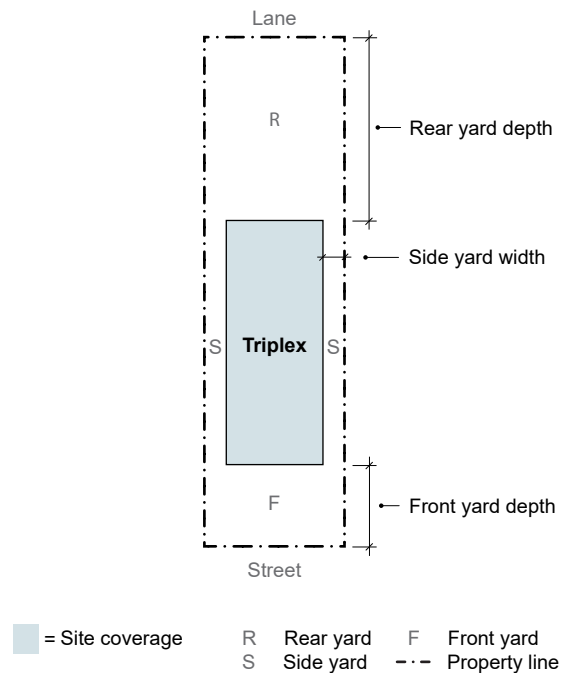
3.2.2.8 The Director of Planning may reduce the minimum site area if the lot was on record in the Land Title Office prior to May 27, 2014, and if the Director of Planning considers the quality and liveability of the resulting units, the impact on neighbouring properties, and the intent of this schedule and all applicable Council policies and guidelines.

## Discretion to Vary Other Regulations

3.2.2.9 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the minimum front yard depth;
- (b) the minimum rear yard depth to a minimum of 1.2 m; and
- (c) the maximum site coverage.

**Diagram: Building placement for triplex**



### 3.3 Duplex in Combination with Another Principal Building and Duplex with Secondary Suite in Combination with Another Principal Building

Duplex or duplex with secondary suite, in combination with another principal building, are subject to the following regulations.

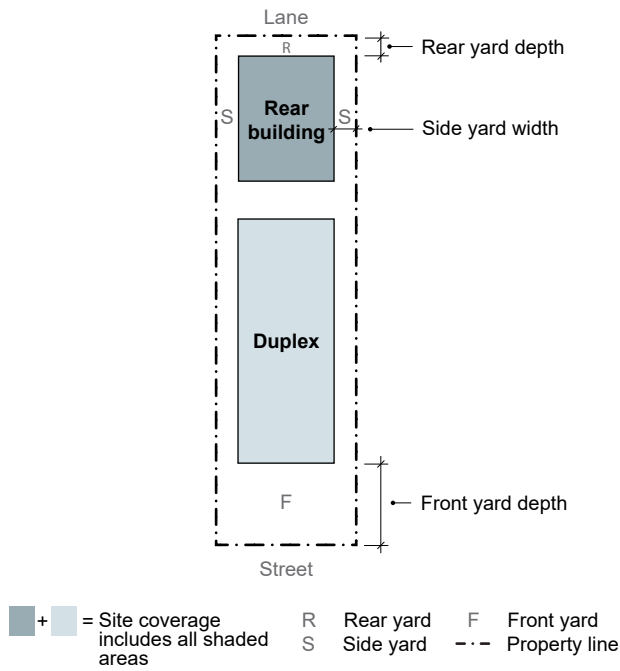
#### 3.3.1 Density and Floor Area

3.3.1.1 The maximum floor space ratio is 0.70.

#### 3.3.2 Building Form and Placement

Regulations		RM-9A and RM-9AN
3.3.2.1	Minimum site area	334 m <sup>2</sup>
3.3.2.2	Maximum building height	10.7 m
3.3.2.3	Minimum front yard depth	3.7 m
3.3.2.4	Minimum side yard width	2.1 m
3.3.2.5	Minimum rear yard depth	1.2 m
3.3.2.6	Maximum site coverage for all buildings	55% of the site area
3.3.2.7	Maximum area of impermeable materials	75% of the site area

**Diagram: Building placement for 2 principal buildings on a site**



### 3.4 Single Detached House in Combination with Another Principal Building and Single Detached House with Secondary Suite in Combination with Another Principal Building

Single detached house or single detached house with secondary suite, in combination with another principal building, are subject to the following regulations.

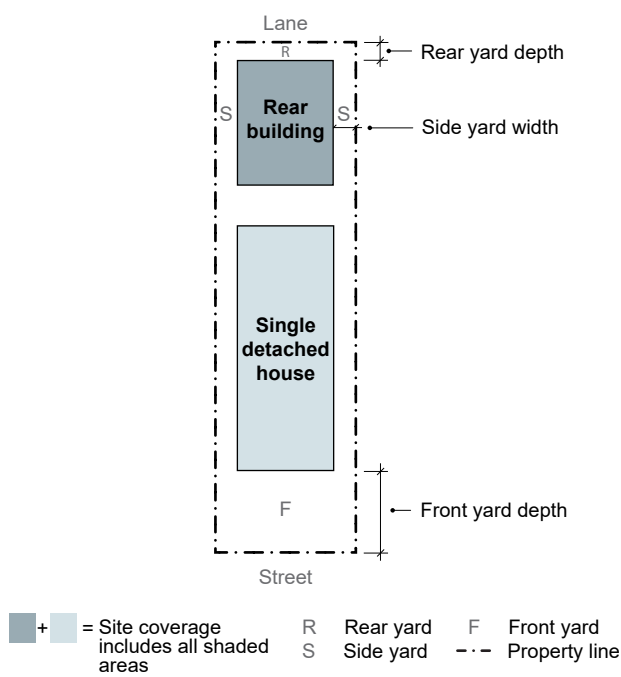
#### 3.4.1 Density and Floor Area

3.4.1.1 The maximum floor space ratio is 0.70.

#### 3.4.2 Building Form and Placement

Regulations		RM-9A and RM-9AN
3.4.2.1	Minimum site area	334 m <sup>2</sup>
3.4.2.2	Maximum building height	10.7 m
3.4.2.3	Minimum front yard depth	3.7 m
3.4.2.4	Minimum side yard width	2.1 m
3.4.2.5	Minimum rear yard depth	1.2 m
3.4.2.6	Maximum site coverage for all buildings	55% of the site area
3.4.2.7	Maximum area of impermeable materials	75% of the site area

**Diagram: Building placement for 2 principal buildings on a site**



### 3.5 Infill Single Detached House

Infill single detached house is subject to the following regulations.

#### 3.5.1 Density and Floor Area

- 3.5.1.1 The maximum floor space ratio is 0.70 for the overall site, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 0.90, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

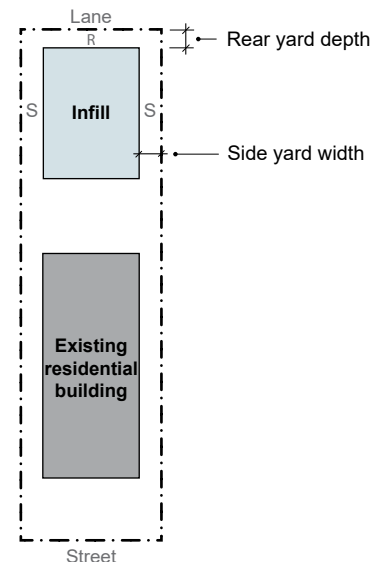
#### 3.5.2 Building Form and Placement

Regulations	RM-9A and RM-9AN
3.5.2.1 Minimum site area	303 m <sup>2</sup>
3.5.2.2 Maximum building height	10.7 m
3.5.2.3 Minimum side yard width	1.2 m
3.5.2.4 Minimum rear yard depth	1.2 m
3.5.2.5 Maximum site coverage for all buildings	55% of the site area
3.5.2.6 Maximum area of impermeable materials	75% of the site area

**Diagram: Building placement for infill**

#### Site Area

- 3.5.2.7 The Director of Planning may reduce the minimum site area if the lot was on record in the Land Title Office prior to May 27, 2014 and if the Director of Planning considers the quality and liveability of the resulting units, the impact on neighbouring properties, and the intent of this schedule and all applicable Council policies and guidelines.



= Site coverage   
 R    Rear yard    - - -    Property line  
 S    Side yard

### 3.6 Multiple Conversion Dwelling

Multiple conversion dwelling is subject to the following regulations.

#### 3.6.1 Density and Floor Area

- 3.6.1.1 The maximum floor space ratio is 0.70, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 0.90, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

#### 3.6.2 Building Form and Placement

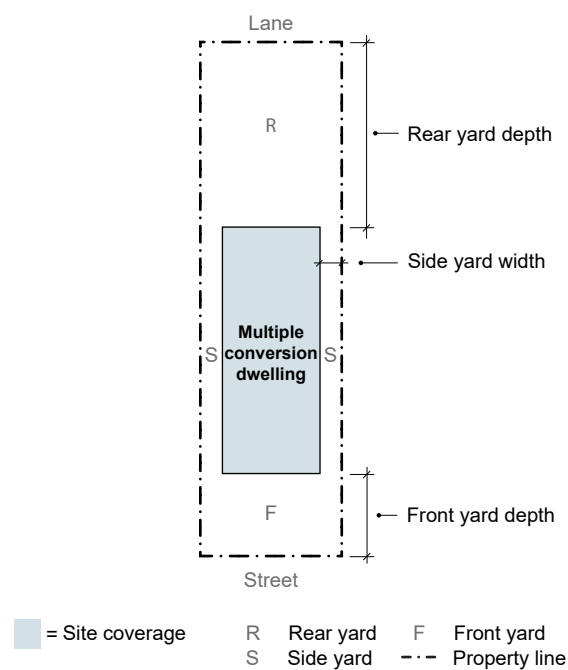
Regulations		RM-9A and RM-9AN
3.6.2.1	Minimum site area	303 m <sup>2</sup>
3.6.2.2	Maximum building height	10.7 m
3.6.2.3	Minimum front yard depth	3.7 m
3.6.2.4	Minimum side yard width for multiple conversion dwelling containing:	
	(a) 2 dwelling units	2.1 m
	(b) more than 2 dwelling units	1.2 m
3.6.2.5	Minimum rear yard depth	7.6 m
3.6.2.6	Maximum site coverage for all buildings	55% of the site area
3.6.2.7	Maximum area of impermeable materials	75% of the site area

#### Site Area

- 3.6.2.8 Despite the minimum site area in section [3.6.2.1](#) above, there is no minimum site area requirement for multiple conversion dwelling having 2 dwelling units that is the only building on the site.



**Diagram: Building placement for multiple conversion dwelling**



### 3.7 Seniors Supportive or Assisted Housing

Seniors supportive or assisted housing is subject to the following regulations.

#### 3.7.1 Density and Floor Area

3.7.1.1 The maximum floor space ratio is 0.70, except that if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant, the Director of Planning may increase:

- (a) the permitted floor space ratio for seniors supportive or assisted housing developed as secured market rental housing or social housing to a maximum of:
  - (i) 1.20 on sites with a site frontage less than 15.2 m and where the development site consists of locked in lots,
  - (ii) 1.50 on sites with a minimum site frontage of 15.2 m,
  - (iii) 1.75 on sites with a minimum site frontage of 15.2 m and located on a corner site, or
  - (iv) 2.00 on sites with a minimum site frontage of 27.4 m; or
- (b) the permitted floor area by 1 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:
  - (i) 1.20 on sites with a site frontage less than 15.2 m and where the development site consists of locked in lots,
  - (ii) 1.50 on sites with a minimum site frontage of 15.2 m,
  - (iii) 1.75 on sites with a minimum site frontage of 15.2 m and located on a corner site, or
  - (iv) 2.00 on sites with a minimum site frontage of 27.4 m.

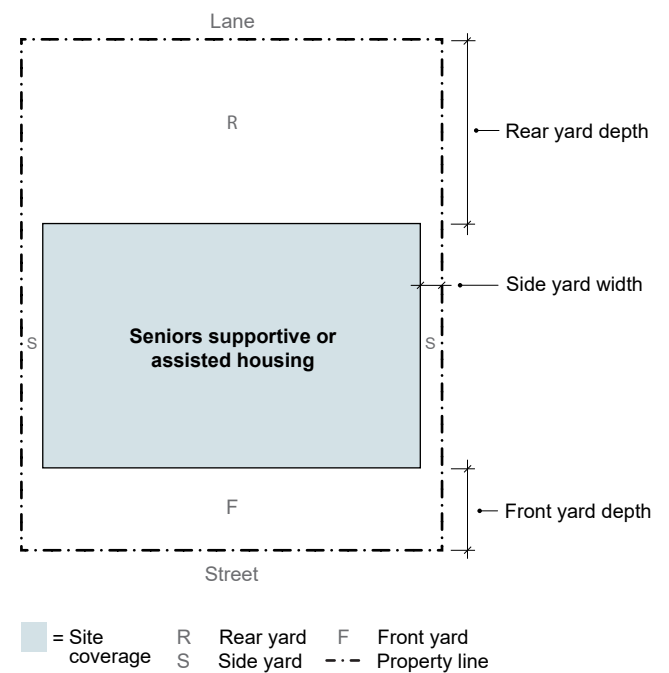
3.7.1.2 Despite section [3.7.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

#### 3.7.2 Building Form and Placement

Regulations		RM-9A and RM-9AN
3.7.2.1	Minimum site area	445 m <sup>2</sup>
3.7.2.2	Maximum building height	10.7 m
3.7.2.3	Minimum front yard depth	3.7 m

Regulations		RM-9A and RM-9AN
3.7.2.4	Minimum side yard width	2.1 m
3.7.2.5	Minimum rear yard depth	7.6 m
3.7.2.6	Maximum site coverage for all buildings	55% of the site area
3.7.2.7	Maximum area of impermeable materials	75% of the site area

**Diagram: Building placement for seniors supportive or assisted housing**



### 3.8 Other Uses

Uses not regulated by sections 3.1 to 3.7 of this schedule are subject to the following regulations, except:

- (a) single detached house or single detached house 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 those uses described in section [3.8\(a\)](#) above.

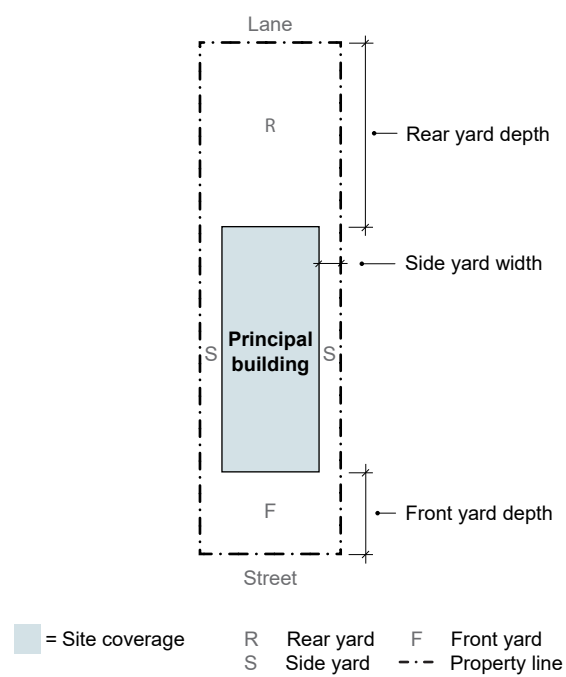
#### 3.8.1 Density and Floor Area

3.8.1.1 The maximum floor space ratio is 0.70.

#### 3.8.2 Building Form and Placement

Regulations		RM-9A and RM-9AN
3.8.2.1	Maximum building height	10.7 m
3.8.2.2	Minimum front yard depth	3.7 m
3.8.2.3	Minimum side yard width	2.1 m
3.8.2.4	Minimum rear yard depth	7.6 m
3.8.2.5	Maximum site coverage for all buildings	55% of the site area
3.8.2.6	Maximum area of impermeable materials	75% of the site area

Diagram: Building placement for other uses



## 4 GENERAL REGULATIONS

All uses in these districts, except single detached house or single detached house with secondary suite, as the only principal building on the site, and laneway house, are subject to the following regulations.

### 4.1 Amenity Shares and Affordable Housing Shares

4.1.1 For the purposes of this schedule, amenity means 1 or more of the following:

- (a) child day care facility;
- (b) community centre or neighbourhood house;
- (c) library;
- (d) museum or archives;
- (e) park or playground;
- (f) plaza;
- (g) public authority use;
- (h) rink;
- (i) social service centre; and
- (j) swimming pool.

4.1.2 For the purposes of this schedule, the cost of an amenity share or affordable housing share is the amount specified per m<sup>2</sup> in [Schedule F: Affordable Housing and Amenity Share Cost Schedule](#) of this by-law for the RM-9A and RM-9AN zoning districts.

### 4.2 Computation of Floor Area

4.2.1 Computation of floor area must include:

- (a) all floors, including earthen floor, to be measured to the extreme outer limits of the building, including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

4.2.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area for multiple dwelling and 8% of the permitted floor area for all other uses;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) for multiple dwelling, where floors are used for:
  - (i) off-street parking and loading, those floors or portions thereof that are located underground, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
  - (ii) bicycle storage located underground or, if located at or above base surface, contained in an accessory building that complies with section 2.2.14 of this schedule, and
  - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, any of which are located below the base surface;
- (d) for dwelling uses other than multiple dwelling, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings containing 3 or more dwelling units, or uses that the Director of Planning considers similar to the foregoing:
  - (i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building that complies with section 2.2.13 of this schedule, or in an infill single detached house 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 manoeuvring aisle, which are located either in a principal building, an accessory building, or an infill single detached house up to a maximum area that the Director of Planning may determine, if the Director of Planning considers the intent of this schedule and 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or underground;
- (f) amenity areas, including child day care facilities, recreation facilities and meeting rooms, to a maximum of 10% of the total permitted floor area;
- (g) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;
- (h) floors located at or below finished grade with a ceiling height of less than 1.2 m;

- (i) for multiple dwelling, all residential storage area above or below base surface, except that if 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) entries, porches and verandahs, and covered porches above the first storey if:
  - (i) the side facing the street, rear property line, courtyard, 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 section 4.2.2(a) above, does not exceed 16% of the permitted floor area for multiple dwelling, and 13% of the permitted floor area for all other uses, and
  - (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the 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 that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% 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 section 4.2.2(j) above, to which there is no access from the interior of the building.

### 4.3 Dwelling Unit Density: Calculation

- 4.3.1 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded down.

### 4.4 Yards: Projections and Measurement

- 4.4.1 For multiple dwelling, portions of basement floor area directly below entries, porches and verandahs may project up to 1.8 m into the required front yard.

### 4.5 Site Coverage and Impermeability: Measurement

- 4.5.1 The maximum area of impermeable materials includes site coverage for all buildings.

### 4.6 Horizontal Angle of Daylight

- 4.6.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.6.2 For the purposes of section 4.6.1 above, habitable room means any room except a bathroom or kitchen.



- 4.6.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.6.4 The plane or planes referred to in section 4.6.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.6.5 An obstruction referred to in section 4.6.3 above means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.6.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 4.2 m.

## SCHEDULE PPP

# RM-9, RM-9N and RM-9BN

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit a variety of multiple dwelling types including 4-storey apartments and townhouses, with emphasis on creating a variety of dwelling unit sizes, including those appropriate for families with children. In the RM-9N and RM-9BN districts, acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets or a rapid transit guideway.

Without limitation, applicable Council policies and guidelines for consideration include the [RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-9, RM-9N and RM-9BN districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
445 m <sup>2</sup>	Apartment	<a href="#">3.1</a>
	Townhouse	<a href="#">3.1</a>
	Freehold Rowhouse – only in the RM-9 and RM-9N districts	<a href="#">3.2</a>
	Seniors Supportive or Assisted Housing	<a href="#">3.8</a>
334 m <sup>2</sup>	Duplex or Duplex with Secondary Suite, in combination with another principal building	<a href="#">3.4</a>
	Single Detached House or Single Detached House with Secondary Suite, in combination with another principal building	<a href="#">3.5</a>
303 m <sup>2</sup>	Triplex	<a href="#">3.3</a>
	Infill Single Detached House	<a href="#">3.6</a>
	Multiple Conversion Dwelling	<a href="#">3.7</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.9</a>

Minimum Site Area	Use	Density, Form and Placement Regulations
Regulated by the <b>RS-1 District Schedule</b>	Single Detached House or Single Detached House with Secondary Suite	Regulated by the <b>RS-1 District Schedule</b>
--	Laneway House	Subject to the <b>RS-1 District Schedule</b>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including **Section 2**, **Section 10** and **Section 11**, and compliance with the regulations of this schedule including section **2.2**.

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section **2.2** of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	

Use	Approval	Use-Specific Regulations
<b>Dwelling Uses</b>		
Apartment	Conditional	<a href="#">2.2.1</a>
Duplex, in combination with another principal building	Conditional	
Duplex with Secondary Suite, in combination with another principal building	Conditional	<a href="#">2.2.2</a>
Freehold Rowhouse, only in the RM-9 and RM-9N districts	Conditional	<a href="#">2.2.1</a>
Infill Single Detached House, in combination with the retention of a building existing on the site prior to January 1, 1940	Conditional	
Laneway House	Conditional	<a href="#">2.2.3</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.4</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.5</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing as of May 27, 2014	Conditional	<a href="#">2.2.6</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.7</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	<a href="#">2.2.8</a>
Single Detached House with Secondary Suite	Conditional	<a href="#">2.2.8</a>
Single Detached House, in combination with another principal building	Conditional	
Single Detached House with Secondary Suite, in combination with another principal building	Conditional	<a href="#">2.2.9</a>
Townhouse	Conditional	<a href="#">2.2.1</a>
Triplex	Conditional	<a href="#">2.2.1</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.10</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	

Use	Approval	Use-Specific Regulations
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.11</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
Retail Store, existing as of October 4, 2016, and only in the RM-9BN district	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> , other than Multiple Dwelling or Freehold Rowhouse	Outright	<a href="#">2.2.12</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> , other than Multiple Dwelling or Freehold Rowhouse, and not permitted as an outright approval use	Conditional	
Accessory Building, customarily ancillary to Multiple Dwelling or Freehold Rowhouse	Conditional	<a href="#">2.2.13</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.14</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 The Director of Planning may permit more than 1 apartment, townhouse or freehold rowhouse building on a site if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 2.2.2 Duplex with secondary suite, in combination with another principal building, must have no more than 1 secondary suite for each dwelling unit.
- 2.2.3 Laneway house is subject to the [RS-1 District Schedule](#) and must be in combination with a single detached house or a single detached house with secondary suite, which is the only principal building on the site.

- 2.2.4 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.5 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building;
  - (b) no housekeeping or sleeping units are created;
  - (c) the development complies with sections [3.7.2.6](#), [3.7.2.7](#) and [4.5](#) of this schedule; and
  - (d) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.
- 2.2.6 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing as of May 27, 2014, may be permitted as a conditional approval use if:
- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties;
  - (b) there are no additions to buildings constructed on or after January 1, 1940, except additions up to 5 m<sup>2</sup> used as exits;
  - (c) no housekeeping or sleeping units are created; and
  - (d) there are no more than 3 dwelling units.
- 2.2.7 Principal dwelling unit with lock-off unit may be permitted only in a multiple dwelling or freehold rowhouse and there may be:
- (a) no more than 1 lock-off unit for every 3 principal dwelling units in a multiple dwelling, except that the Director of Planning may permit a higher ratio after considering the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) no more than 1 lock-off unit for every freehold rowhouse.
- 2.2.8 Where a single detached house or single detached house with secondary suite is the only principal building on the site:
- (a) it must comply with the [RS-1 District Schedule](#); and
  - (b) the lot must have been on record in the Land Title Office prior to January 16, 2018.
- 2.2.9 Single detached house with secondary suite, in combination with another principal building, must have no more than 1 secondary suite for each dwelling unit.
- 2.2.10 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.11 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.12 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, other than those ancillary to multiple dwelling and freehold rowhouse, are permitted as an outright approval use if:

(a) no accessory building exceeds 3.7 m in height, measured to:

- (i) the highest point of a flat roof,
- (ii) the deck line of a mansard roof, or
- (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

(b) all accessory buildings are located:

- (i) within 7.9 m of the ultimate rear property line,
- (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
- (iii) at least 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, does not exceed 48 m<sup>2</sup>;

(d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line;

(e) the separation from any residential building is at least 3.7 m; and

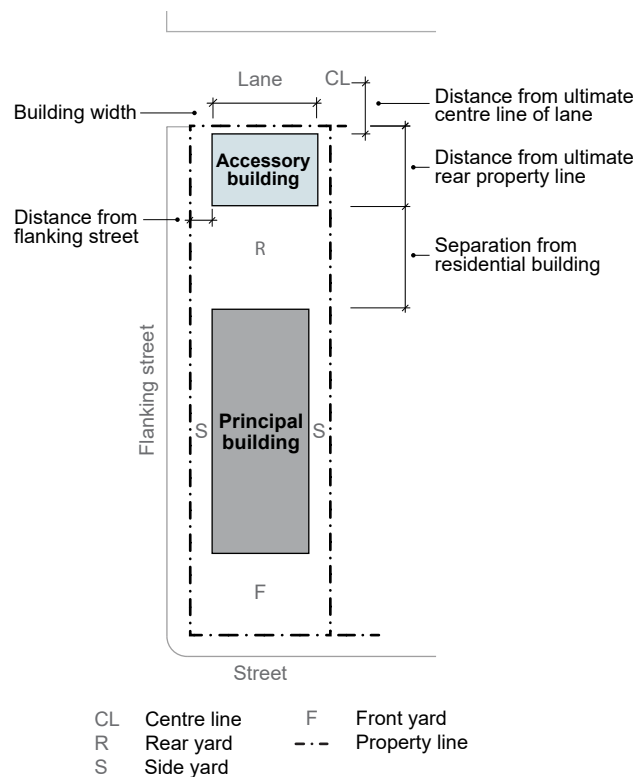
(f) roof decks and decks are not located on an accessory building.

2.2.13 Accessory buildings customarily ancillary to multiple dwelling and freehold rowhouse may be permitted as a conditional approval use if:

(a) no accessory building exceeds 3.7 m in height, measured to:

- (i) the highest point of a flat roof,

**Diagram: Building placement for accessory buildings**



- (ii) the deck line of a mansard roof, or
  - (iii) the mean height 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 building height;
- (b) all accessory buildings are located:
    - (i) within 7.9 m of the ultimate rear property line,
    - (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
    - (iii) at least 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, does not exceed 48 m<sup>2</sup>, except that the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m<sup>2</sup> for each dwelling unit, not including lock-off units, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
  - (d) the combined building width for all accessory buildings does not exceed 30% of the width of the site at the rear property line, except that the Director of Planning may increase the maximum building width up to 80%, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
  - (e) the separation from any residential building is at least 3.7 m; and
  - (f) roof decks and decks are not located on an accessory building.

2.2.14 Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 above must comply with the provisions of section 2.2.12(b) above.



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Apartment and Townhouse

Apartment and townhouse are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 0.75 in the RM-9 and RM-9N districts, and 0.70 in the RM-9BN district, except that, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant, the Director of Planning may increase:

- (a) the permitted floor space ratio for apartment or townhouse developed as secured market rental housing or social housing to a maximum of:
  - (i) 1.20 on sites with a minimum site frontage of 12.8 m,
  - (ii) 1.50 on sites with a minimum site frontage of 15.2 m, or
  - (iii) 2.00 on sites with a minimum site frontage of 27.4 m; or
- (b) the permitted floor area by 1 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:
  - (i) 1.20 on sites with a minimum site frontage of 12.8 m,
  - (ii) 1.50 on sites with a minimum site frontage of 15.2 m, or
  - (iii) 2.00 on sites with a minimum site frontage of 27.4 m.

3.1.1.2 Despite section [3.1.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

3.1.1.3 The total number of dwelling units on a site, excluding lock-off units, must not exceed:

- (a) 100 units per hectare of site area where the floor space ratio does not exceed 0.90;
- (b) 132 units per hectare of site area where the floor space ratio exceeds 0.90 and does not exceed 1.20;  
or
- (c) 140 units per hectare of site area where the floor space ratio exceeds 1.20.

3.1.1.4 Despite section [3.1.1.3\(c\)](#) above, the Director of Planning may permit an increase to the dwelling unit density provided that the total number of dwelling units, excluding lock-off units, does not exceed:

- (a) 180 units per hectare of site area where the floor space ratio exceeds 1.20 and does not exceed 1.75;  
or
- (b) 240 units per hectare of site area where the floor space ratio exceeds 1.75.

### 3.1.2 Building Form and Placement

Regulations	RM-9, RM-9N and RM-9BN
3.1.2.1 Minimum site area	445 m <sup>2</sup>
3.1.2.2 Minimum site frontage	12.8 m
3.1.2.3 Maximum site frontage	50.0 m
3.1.2.4 Maximum building height for:	
(a) an apartment or townhouse other than a rear building	12.2 m and 4 storeys
(b) a rear building	10.7 m and 3 storeys
3.1.2.5 Minimum front yard depth	4.9 m
3.1.2.6 Minimum side yard width	2.1 m
3.1.2.7 Minimum rear yard depth for:	
(a) apartment	3.7 m
(b) townhouse in a courtyard configuration	1.2 m
(c) townhouse not in a courtyard configuration	7.6 m
3.1.2.8 Maximum site coverage for all buildings	55% of the site area
3.1.2.9 Maximum area of impermeable materials	75% of the site area
3.1.2.10 Minimum separation between buildings located on a site frontage and rear buildings	7.3 m

### Building Height

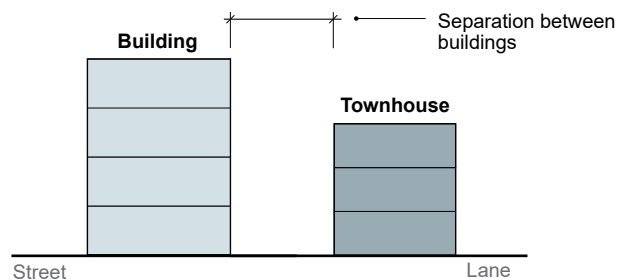
- 3.1.2.11 Despite the maximum building height in section [3.1.2.4\(a\)](#) above, the fourth storey of a townhouse building must be a partial storey.

- 3.1.2.12 The Director of Planning may vary the maximum building height for an apartment or townhouse, other than a rear building, to a height not exceeding 13.7 m and 4 storeys if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.1.2.13 The Director of Planning may vary the maximum building height for a rear building to a height not exceeding 12.2 m and 4 storeys if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Discretion to Vary Other Regulations

- 3.1.2.14 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- the minimum site area;
  - the maximum site frontage;
  - the minimum front yard depth;
  - the minimum side yard width for townhouse;
  - the minimum rear yard depth to a minimum of 1.2 m for apartment and townhouse not in a courtyard configuration;
  - the maximum site coverage;
  - the maximum area of impermeable materials for developments providing underground parking; and
  - the minimum separation between a building located on a site frontage and a rear building.

**Diagram: Apartment and townhouse in a courtyard configuration**



**Diagram: Building placement for apartment and townhouse in a courtyard configuration**

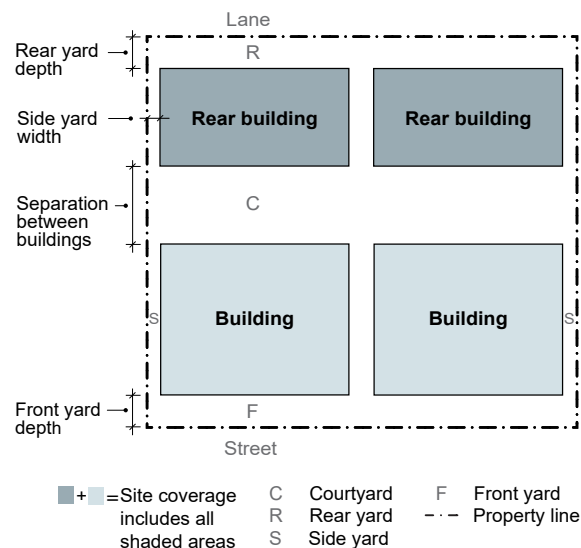
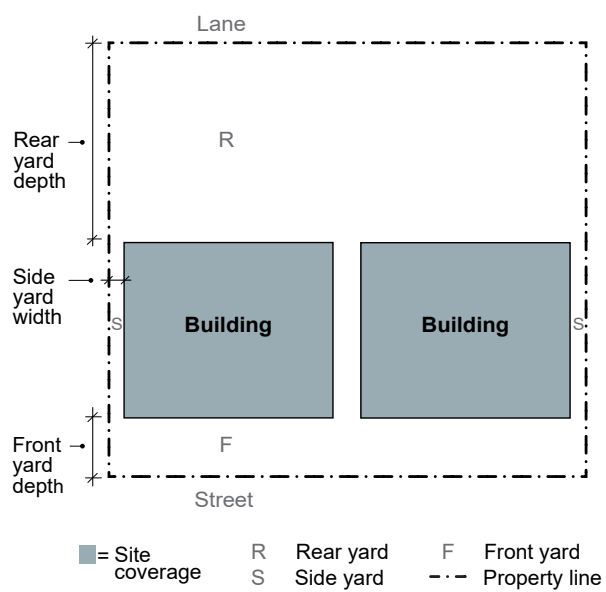


Diagram: Building placement for apartment and townhouse in a non-courtyard configuration



## 3.2 Freehold Rowhouse

Freehold rowhouse is subject to the following regulations.

### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.75, except that, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant, the Director of Planning may increase:

- (a) the permitted floor space ratio for freehold rowhouse developed as secured market rental housing or social housing, to a maximum of 1.20; or
- (b) the permitted floor area by 1 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.

3.2.1.2 Despite section 3.2.1.1(b) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

3.2.1.3 The total number of dwelling units on a site, excluding lock-off units, must not exceed:

- (a) 100 units per hectare of site area where the floor space ratio does not exceed 0.90; or
- (b) 132 units per hectare of site area where the floor space ratio exceeds 0.90.

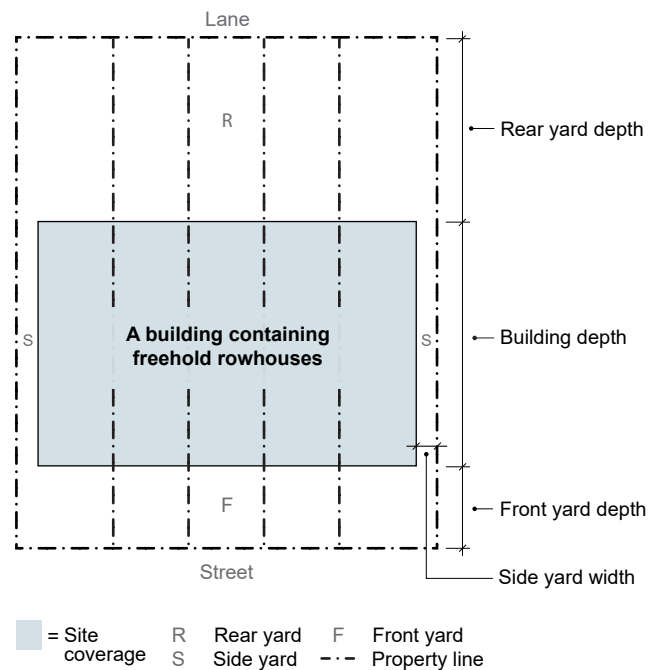
### 3.2.2 Building Form and Placement

Regulations		RM-9, RM-9N and RM-9BN
3.2.2.1	Minimum site area	445 m <sup>2</sup>
3.2.2.2	Maximum building height	10.7 m
3.2.2.3	Minimum front yard depth	4.9 m
3.2.2.4	Minimum side yard width	1.2 m
3.2.2.5	Minimum rear yard depth	7.6 m
3.2.2.6	Maximum site coverage for all buildings	55% of the site area
3.2.2.7	Maximum area of impermeable materials	75% of the site area

## Site Area

- 3.2.2.8 The Director of Planning may reduce the minimum site area if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for freehold rowhouses**



### 3.3 Triplex

Triplex is subject to the following regulations.

#### 3.3.1 Density and Floor Area

3.3.1.1 The maximum floor space ratio is 0.75 in the RM-9 and RM-9N districts, and 0.70 in the RM-9BN district, except that, on sites that are less than 445 m<sup>2</sup> in size or with a site frontage less than 12.8 m, the Director of Planning may increase:

- (a) the permitted floor space ratio for triplex developed as secured market rental housing or social housing, to a maximum of 0.90; or
- (b) the permitted floor area by 1 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,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.3.1.2 Despite section [3.3.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

3.3.1.3 The total number of dwelling units on a site, excluding lock-off units, must not exceed 100 units per hectare of site area.

#### 3.3.2 Building Form and Placement

Regulations		RM-9, RM-9N and RM-9BN
3.3.2.1	Minimum site area	303 m <sup>2</sup>
3.3.2.2	Maximum building height	10.7 m
3.3.2.3	Minimum front yard depth	4.9 m
3.3.2.4	Minimum side yard width	1.2 m
3.3.2.5	Minimum rear yard depth	7.6 m
3.3.2.6	Maximum site coverage for all buildings	55% of the site area
3.3.2.7	Maximum area of impermeable materials	75% of the site area

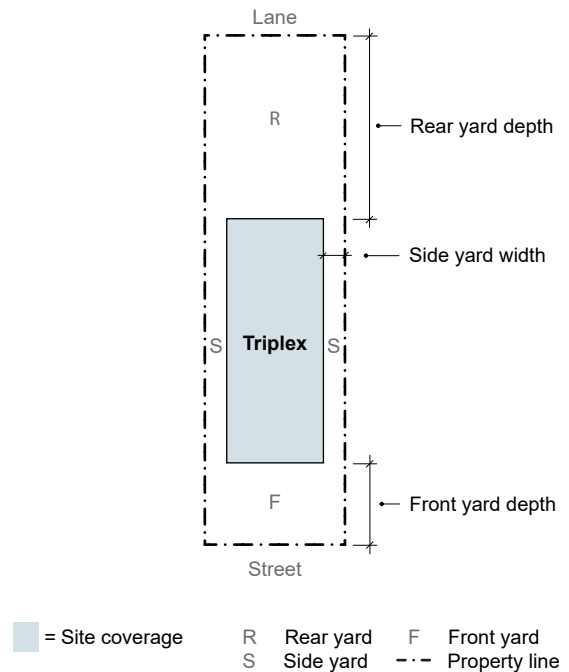
## Site Area

3.3.2.8 The Director of Planning may reduce the minimum site area if the lot was on record in the Land Title Office prior to May 27, 2014 and if the Director of Planning considers the quality and liveability of the resulting units, the impact on neighbouring properties, and the intent of this schedule and all applicable Council policies and guidelines.

## Discretion to Vary Other Regulations

- 3.3.2.9 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- (a) the minimum front yard depth;
  - (b) the minimum rear yard depth to a minimum of 1.2 m;
  - (c) the maximum site coverage; and
  - (d) the maximum area of impermeable materials.

Diagram: Triplex





### 3.4 Duplex in Combination with Another Principal Building and Duplex with Secondary Suite in Combination with Another Principal Building

Duplex or duplex with secondary suite, in combination with another principal building, are subject to the following regulations.

#### 3.4.1 Density and Floor Area

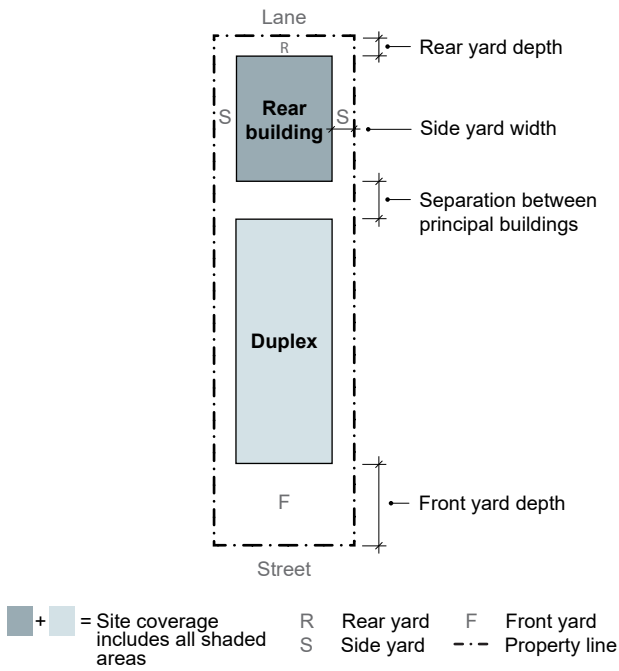
##### 3.4.1.1 The maximum floor space ratio is:

- (a) 0.75 in the RM-9 and RM-9N districts; and
- (b) 0.70 in the RM-9BN district.

#### 3.4.2 Building Form and Placement

Regulations		RM-9, RM-9N and RM-9BN
3.4.2.1	Minimum site area	334 m <sup>2</sup>
3.4.2.2	Maximum building height	10.7 m
3.4.2.3	Minimum front yard depth	4.9 m
3.4.2.4	Minimum side yard width	2.1 m
3.4.2.5	Minimum rear yard depth for:	1.2 m
3.4.2.6	Maximum site coverage for all buildings	55% of the site area
3.4.2.7	Maximum area of impermeable materials	75% of the site area

**Diagram: Building placement for 2 principal buildings on a site**



### 3.5 Single Detached House in Combination with Another Principal Building and Single Detached House with Secondary Suite in Combination with Another Principal Building

Single detached house or single detached house with secondary suite, in combination with another principal building, are subject to the following regulations.

#### 3.5.1 Density and Floor Area

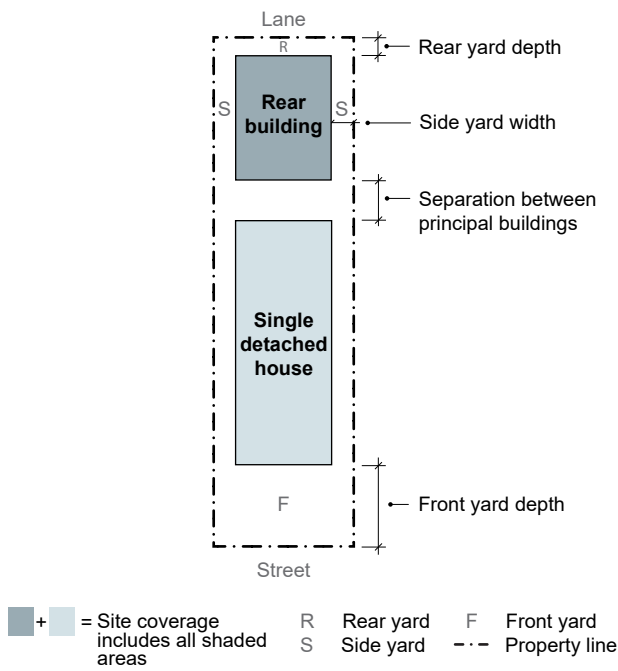
##### 3.5.1.1 The maximum floor space ratio is:

- (a) 0.75 in the RM-9 and RM-9N districts; and
- (b) 0.70 in the RM-9BN district.

#### 3.5.2 Building Form and Placement

Regulations		RM-9, RM-9N and RM-9BN
3.5.2.1	Minimum site area	334 m <sup>2</sup>
3.5.2.2	Maximum building height	10.7 m
3.5.2.3	Minimum front yard depth	4.9 m
3.5.2.4	Minimum side yard width	2.1 m
3.5.2.5	Minimum rear yard depth	1.2 m
3.5.2.6	Maximum site coverage for all buildings	55% of the site area
3.5.2.7	Maximum area of impermeable materials	75% of the site area

**Diagram: Building placement for 2 principal buildings on a site**



### 3.6 Infill Single Detached House

Infill single detached house is subject to the following regulations.

#### 3.6.1 Density and Floor Area

##### 3.6.1.1 The maximum floor space ratio for the overall site is:

- (a) 0.75 in the RM-9 and RM-9N districts; and
- (b) 0.70 in the RM-9BN district,

except that the Director of Planning may increase the permitted floor space ratio to a maximum of 0.90, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

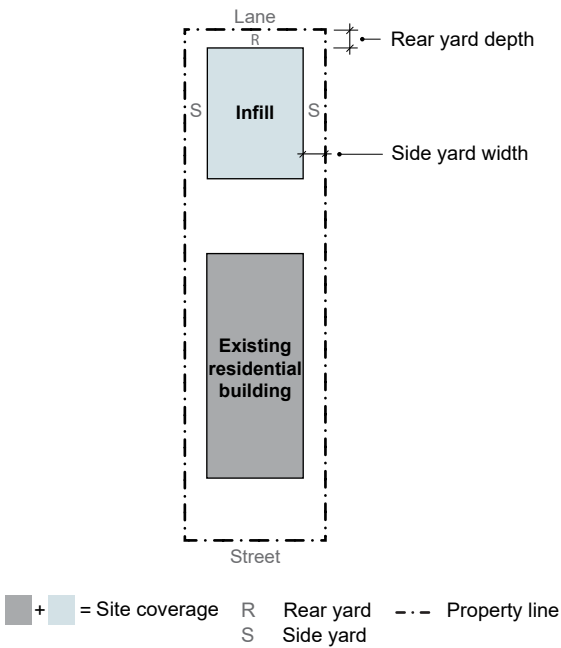
#### 3.6.2 Building Form and Placement

Regulations		RM-9, RM-9N and RM-9BN
3.6.2.1	Minimum site area	303 m <sup>2</sup>
3.6.2.2	Maximum building height	10.7 m
3.6.2.3	Minimum side yard width	1.2 m
3.6.2.4	Minimum rear yard depth	1.2 m
3.6.2.5	Maximum site coverage for all buildings	55% of the site area
3.6.2.6	Maximum area of impermeable materials	75% of the site area

#### Site Area

- 3.6.2.7 The Director of Planning may reduce the minimum site area if the lot was on record in the Land Title Office prior to May 27, 2014 and if the Director of Planning considers the quality and liveability of the resulting units, the impact on neighbouring properties, and the intent of this schedule and all applicable Council policies and guidelines.

Diagram: Building placement for infill



### 3.7 Multiple Conversion Dwelling

Multiple conversion dwelling is subject to the following regulations.

#### 3.7.1 Density and Floor Area

##### 3.7.1.1 The maximum floor space ratio is:

- (a) 0.75 in the RM-9 and RM-9N districts; and
- (b) 0.70 in the RM-9BN district,

except that the Director of Planning may increase the permitted floor space ratio to a maximum of 0.90 if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

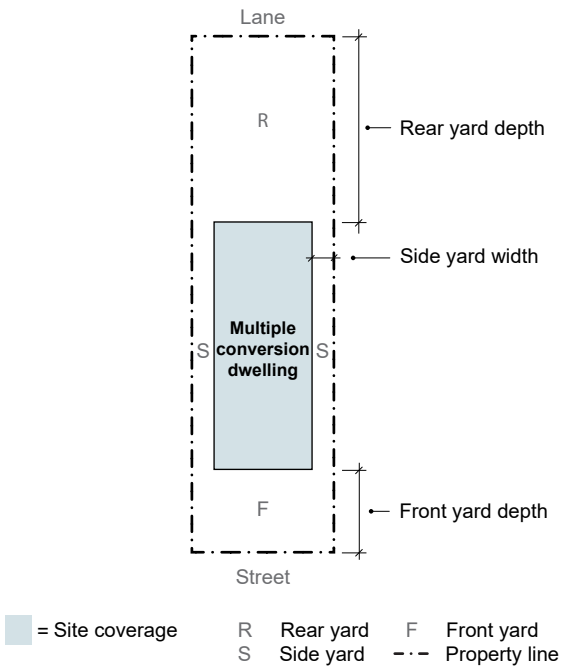
#### 3.7.2 Building Form and Placement

Regulations		RM-9, RM-9N and RM-9BN
3.7.2.1	Minimum site area	303 m <sup>2</sup>
3.7.2.2	Maximum building height	10.7 m
3.7.2.3	Minimum front yard depth	4.9 m
3.7.2.4	Minimum side yard width for multiple conversion dwelling containing:	
	(a) 2 dwelling units	2.1 m
	(b) more than 2 dwelling units	1.2 m
3.7.2.5	Minimum rear yard depth	7.6 m
3.7.2.6	Maximum site coverage for all buildings	55% of the site area
3.7.2.7	Maximum area of impermeable materials	75% of the site area

#### Site Area

- 3.7.2.8 Despite the minimum site area in section [3.7.2.1](#) above, there is no minimum site area for multiple conversion dwelling containing 2 dwelling units that is the only building on the site.

Diagram: Building placement for multiple conversion dwelling





### 3.8 Seniors Supportive or Assisted Housing

Seniors supportive or assisted housing is subject to the following regulations.

#### 3.8.1 Density and Floor Area

3.8.1.1 The maximum floor space ratio is 0.75 in the RM-9 and RM-9N districts, and 0.70 in the RM-9BN district, except that, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant, the Director of Planning may increase:

- (a) the permitted floor space ratio for seniors supportive or assisted housing developed as secured market rental housing or social housing to a maximum of:
  - (i) 1.20 on sites with a minimum site frontage of 12.8 m,
  - (ii) 1.50 on sites with a minimum site frontage of 15.2 m, or
  - (iii) 2.00 on sites with a minimum site frontage of 27.4 m; or
- (b) the permitted floor area by 1 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:
  - (i) 1.20 on sites with a minimum site frontage of 12.8 m,
  - (ii) 1.50 on sites with a minimum site frontage of 15.2 m, or
  - (iii) 2.00 on sites with a minimum site frontage of 27.4 m.

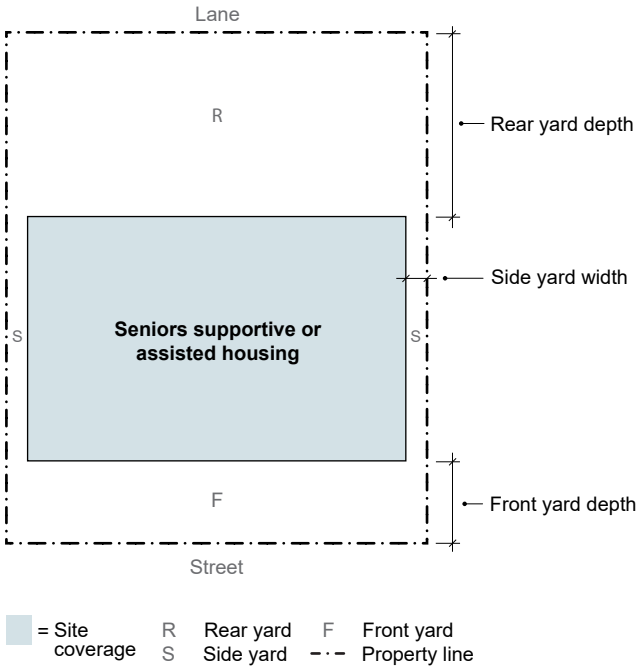
3.8.1.2 Despite section [3.8.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

#### 3.8.2 Building Form and Placement

Regulations		RM-9, RM-9N and RM-9BN
3.8.2.1	Minimum site area	445 m <sup>2</sup>
3.8.2.2	Maximum building height	10.7 m
3.8.2.3	Minimum front yard depth	4.9 m
3.8.2.4	Minimum side yard width	2.1 m
3.8.2.5	Minimum rear yard depth	7.6 m
3.8.2.6	Maximum site coverage for all buildings	55% of the site area

Regulations	RM-9, RM-9N and RM-9BN
3.8.2.7 Maximum area of impermeable materials	75% of the site area

**Diagram: Building placement for seniors supportive or assisted housing**



### 3.9 Other Uses

Uses not regulated by sections 3.1 to 3.8 of this schedule are subject to the following regulations, except:

- (a) single detached house or single detached house 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 those uses described in section [3.9\(a\)](#) above.

#### 3.9.1 Density and Floor Area

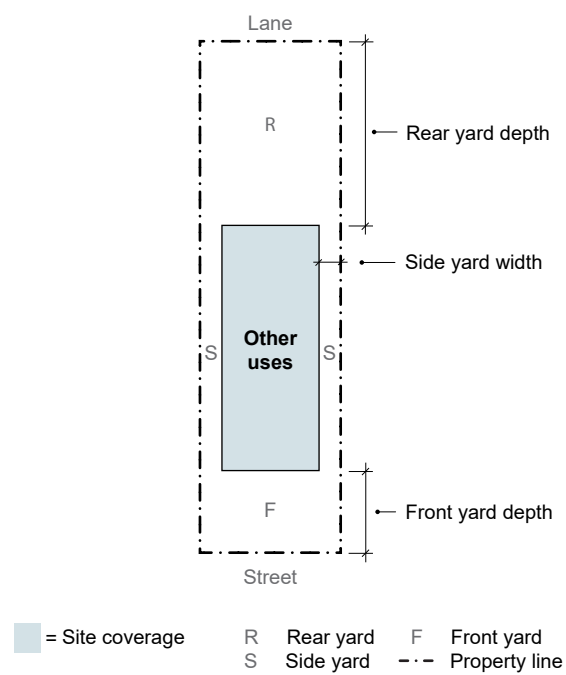
3.9.1.1 The maximum floor space ratio is:

- (a) 0.75 in the RM-9 and RM-9N districts; and
- (b) 0.70 in the RM-9BN district.

#### 3.9.2 Building Form and Placement

Regulations		RM-9, RM-9N and RM-9BN
3.9.2.1	Maximum building height	10.7 m
3.9.2.2	Minimum front yard depth	4.9 m
3.9.2.3	Minimum side yard width	2.1 m
3.9.2.4	Minimum rear yard depth	7.6 m
3.9.2.5	Maximum site coverage for all buildings	55% of the site area
3.9.2.6	Maximum area of impermeable materials	75% of the site area

Diagram: Building placement for other uses



## 4 GENERAL REGULATIONS

All uses in these districts, except single detached house or single detached house with secondary suite, as the only principal building on the site, and laneway house, are subject to the following regulations.

### 4.1 Amenity Shares and Affordable Housing Shares

4.1.1 For the purposes of this schedule, amenity means 1 or more of the following:

- (a) child day care facility;
- (b) community centre or neighbourhood house;
- (c) library;
- (d) museum or archives;
- (e) park or playground;
- (f) plaza;
- (g) public authority use;
- (h) rink;
- (i) social service centre; and
- (j) swimming pool.

4.1.2 For the purposes of this schedule, the cost of an amenity share or affordable housing share is the amount specified per m<sup>2</sup> in [Schedule F: Affordable Housing and Amenity Share Cost Schedule](#) of this by-law for the RM-9, RM-9N and RM-9BN zoning districts.

### 4.2 Computation of Floor Area

4.2.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

4.2.2 Computation of floor area must exclude:

- (a) balconies and decks and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area for multiple dwelling and freehold rowhouse and 8% of the permitted floor area for all other uses;
- (b) patios and roof decks, if the Director of Planning considers the impact 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 that are located underground, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
  - (ii) bicycle storage located underground or, if located at or above base surface, contained in an accessory building that complies with section 2.2.13 of this schedule, and
  - (iii) heating and mechanical equipment or uses that the Director of Planning considers similar to the foregoing, any of 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 that the Director of Planning considers similar to the foregoing:
  - (i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building that complies with section 2.2.12 of this schedule, or in an infill single detached house 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 manoeuvring aisle, which are located either in a principal building, an accessory building, or an infill single detached house up to a maximum area that the Director of Planning may determine, if the Director of Planning considers the intent of this schedule and 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or underground;
- (f) amenity areas, including child day care facilities, recreation facilities and meeting rooms, to a maximum of 10% of the total permitted floor area;
- (g) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;
- (h) floors located at or below finished grade with a ceiling height of less than 1.2 m;

- (i) for multiple dwelling and freehold rowhouse, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 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) entries, porches and verandahs, and covered porches above the first storey if:
  - (i) the side facing the street, rear property line, courtyard, 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 section 4.2.2(a) above, does not exceed 16% of the permitted floor area for multiple dwelling and freehold rowhouse, and 13% of the permitted floor area for all other uses, and
  - (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the 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 that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% 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 section 4.2.2(j) above, to which there is no access from the interior of the building.

### 4.3 Dwelling Unit Density: Calculation

- 4.3.1 Where the calculation of dwelling units per hectare results in a fractional number, the number must be rounded down.

### 4.4 Yards: Projections and Measurement

- 4.4.1 For multiple dwelling and freehold rowhouse, portions of basement floor area directly below entries, porches and verandahs may project up to 1.8 m into the required front yard.

### 4.5 Site Coverage and Impermeability: Measurement

- 4.5.1 The maximum area of impermeable materials includes site coverage for all buildings.

### 4.6 Horizontal Angle of Daylight

- 4.6.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.6.2 For the purposes of section 4.6.1 above, habitable room means any room except a bathroom or kitchen.

- 4.6.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.6.4 The plane or planes referred to in section 4.6.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.6.5 An obstruction referred to in section 4.6.3 above means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.6.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 2.4 m.



## SCHEDULE QQQ

# RM-10 and RM-10N

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage development of apartments up to 6 storeys. Townhouses are encouraged at the rear of sites where lot depth is sufficient. Triplexes may be developed on sites that are not large enough for an apartment. Emphasis is on dwelling units that are varied in size, composition and tenure, including those suitable for families with children. Common and private outdoor spaces are required for apartments and townhouses. These districts seek to foster compact, multiple dwelling neighbourhoods, with additional allowances to enable small-scale, neighbourhood-serving retail and services located on the ground floor of buildings. In the RM-10N district, acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [RM-10 and RM-10N Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-10 and RM-10N districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
855 m <sup>2</sup>	Apartment	<a href="#">3.1</a>
	Apartment, in combination with Townhouse	<a href="#">3.2</a>
	Mixed-Use Residential Building	<a href="#">3.1</a>
	Mixed-Use Residential Building, in combination with Townhouse	<a href="#">3.2</a>
	Seniors Supportive or Assisted Housing	<a href="#">3.4</a>
285 m <sup>2</sup>	Triplex	<a href="#">3.3</a>
--	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.5</a>

Minimum Site Area	Use	Density, Form and Placement Regulations
Regulated by the <b>RT-5 and RT-5N Districts Schedule</b>	Duplex, lawfully existing as of January 31, 2018	Regulated by the <b>RT-5 and RT-5N Districts Schedule</b>
Regulated by the <b>RS-1 District Schedule</b>	Single Detached House or Single Detached House with Secondary Suite, lawfully existing as of January 31, 2018	Regulated by the <b>RS-1 District Schedule</b>
--	Laneway House, lawfully existing as of January 31, 2018	Subject to the <b>RS-1 District Schedule</b>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including **Section 2**, **Section 10** and **Section 11**, and compliance with the regulations of this schedule including section **2.2**.

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section **2.2** of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Conditional	<b>2.2.1</b>
Club	Conditional	

Use	Approval	Use-Specific Regulations
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
Plaza	Conditional	
<b>Dwelling Uses</b>		
Apartment	Conditional	<a href="#">2.2.2</a>
Apartment, in combination with Townhouse	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.4</a>
Duplex, lawfully existing as of January 31, 2018	Outright	<a href="#">2.2.5</a>
Infill, in combination with the retention of a building existing on the site as of January 1, 1940	Conditional	
Laneway House, lawfully existing as of January 31, 2018	Conditional	
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.6</a>
Mixed-Use Residential Building, in combination with Townhouse	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.4</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.7</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing on the site as of January 31, 2018	Conditional	<a href="#">2.2.8</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.3</a>
Residential Unit associated with and forming an integral part of an Artist Studio before Seniors Supportive or Assisted Housing	Conditional	
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House, lawfully existing as of January 31, 2018	Outright	<a href="#">2.2.9</a>
Single Detached House with Secondary Suite, lawfully existing as of January 31, 2018	Conditional	<a href="#">2.2.9</a>
Triplex	Outright	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.10</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	
School – Elementary or Secondary	Conditional	

Use	Approval	Use-Specific Regulations
Social Service Centre	Conditional	
<b>Office Uses</b>		
Health Care Office	Conditional	
Temporary Sales Office	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.11</a>
Neighbourhood Grocery Store	Conditional	<a href="#">2.2.1</a>
Public Bike Share	Conditional	
Retail Store	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Barber Shop or Beauty Salon	Conditional	
Beauty and Wellness Centre	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.12</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.13</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Live-Work Use	Conditional	<a href="#">2.2.1</a>
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 The following uses may be permitted only in a mixed-use residential building:

- (a) artist studio – class A;
- (b) live-work use;
- (c) neighbourhood grocery store; and

(d) retail store.

2.2.2 In an apartment, townhouse or mixed-use residential building:

- (a) a minimum of 25% of the total dwelling units must be 2-bedroom units;
- (b) a minimum of 10% of the total dwelling units must be 3-bedroom units;
- (c) a minimum of 50% of the 2- and 3-bedroom units must be within the first 3 floors of the building;
- (d) private open space must be directly accessible from the unit; and
- (e) a common outdoor area must be provided in an appropriate location so that it could be developed as a children's play area,

except that the Director of Planning may vary the distribution and location of units, provided that no less than 35% of the total dwelling units are 2- or 3-bedroom units, and the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.3 Principal dwelling unit with lock-off unit may be permitted only in a multiple dwelling or mixed-use residential building and there may be no more than 1 lock-off unit for every 3 principal dwelling units, except that the Director of Planning may permit a higher ratio after considering the intent of this schedule and all applicable Council policies and guidelines.

2.2.4 On sites with a depth of 39.6 m or more, apartment in combination with townhouse or mixed-use residential building in combination with townhouse may be permitted if the townhouse is located at the rear of the site and if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.5 Duplex lawfully existing as of January 31, 2018 must comply with the [RT-5 and RT-5N Districts Schedule](#).

2.2.6 The only non-dwelling uses permitted in a mixed-use residential building are:

- (a) artist studio – class A;
- (b) live-work use;
- (c) neighbourhood grocery store; and
- (d) retail store.

2.2.7 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:

- (a) there are no additions to the building;
- (b) no housekeeping or sleeping units are created;
- (c) the development complies with sections [3.5.2.5](#), [3.5.2.6](#) and [4.3](#) of this schedule; and



- (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
- (iii) at least 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, does not exceed 48 m<sup>2</sup>;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line;
- (e) the separation from any residential dwelling is at least 3.7 m; and
- (f) roof decks and decks are not located on an accessory building.

2.2.13 Accessory parking spaces must comply with the provisions of section [2.2.12\(b\)](#) above.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Apartment and Mixed-Use Residential Building

Apartment and mixed-use residential building are subject to the following regulations.

##### 3.1.1 Density and Floor Area

##### 3.1.1.1 The maximum floor space ratio is 0.90, except that the Director of Planning may increase:

(a) the permitted floor space ratio to a maximum of:

- (i) 2.40 on sites with a minimum frontage of 30.0 m and a minimum site area of 855 m<sup>2</sup>, or
- (ii) 2.60 on sites with a minimum frontage of 40.0 m and a minimum site area of 1,115 m<sup>2</sup>,

where 100% of the residential floor area is either developed as “for-profit affordable rental housing” and is subject to a waiver of development cost levies in accordance with the Vancouver Development Cost Levy By-law, or as social housing, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;

(b) the permitted floor area by 1 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:

- (i) 2.40 on sites with a minimum frontage of 30.0 m, and a minimum site area of 855 m<sup>2</sup>, or
- (ii) 2.60 on sites with a minimum frontage of 40.0 m, and a minimum site area of 1,115 m<sup>2</sup>,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;

(c) the permitted floor space ratio to a maximum of 2.00 on sites with a frontage greater than 15.0 m and less than 30.0 m and a minimum site area of 557 m<sup>2</sup>, where the Director of Planning considers the development site to consist of locked in lots and 100% of the residential floor area is either developed as “for-profit affordable rental housing” and is subject to a waiver of development cost levies in accordance with the Vancouver Development Cost Levy By-law, or as social housing, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant; and

(d) the permitted floor area by 1 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 2.00 on sites with a frontage greater than 15.0 m and less than 30.0 m and a minimum site area of 557 m<sup>2</sup>, where the Director of Planning considers the development site to consist of locked in lots, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.



3.1.1.2 Despite sections **3.1.1.1(b)** and **3.1.1.1(d)** above, 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.

### 3.1.2 Building Form and Placement

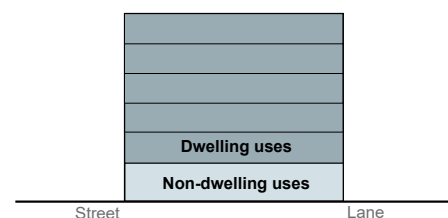
Regulations		RM-10 and RM-10N
3.1.2.1	Minimum site area	855 m <sup>2</sup>
3.1.2.2	Minimum site frontage	30.0 m
3.1.2.3	Maximum site frontage	50.0 m
3.1.2.4	Maximum building height	20.0 m
3.1.2.5	Minimum front yard depth	3.7 m
3.1.2.6	Minimum side yard width	3.0 m
3.1.2.7	Minimum rear yard depth where the site depth:	
	(a) does not exceed 36.2 m	3.7 m
	(b) exceeds 36.2 m	6.1 m
3.1.2.8	Minimum rear setback for sites with a depth that does not exceed 36.2 m	6.1 m above the fourth storey
3.1.2.9	Maximum site coverage for all buildings	50% of the site area
3.1.2.10	Maximum area of impermeable materials	75% of the site area
3.1.2.11	Maximum building depth	21.3 m

### Side Yard and Side Setback

3.1.2.12 Despite the minimum side yard width in section **3.1.2.6** above, if the side of the site adjoins the side yard of a site located in an RS or RT district, without intervention of a lane, a setback of 10.7 m is also required for portions of a building at or above the fourth storey.

3.1.2.13 The Director of Planning may decrease the minimum side yard width and minimum side

**Diagram: Apartment and mixed-use residential building**



setback for those sites regulated by section 3.1.2.12 above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

- 3.1.2.14 The Director of Planning may decrease the minimum side yard width to a minimum of 2.1 m for 50% of the building depth for those sites not regulated by section 3.1.2.12 above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Rear Yard and Rear Setback

- 3.1.2.15 Despite the minimum rear yard depth in section 3.1.2.7 above and minimum rear setback in 3.1.2.8 above, if the rear of the site adjoins the side yard of a site located in an RS or RT district, without intervention of a lane:

(a) the minimum rear yard depth is 3.0 m for portions of a building below the fourth storey; and

(b) the minimum rear setback is 10.7 m for portions of a building at or above the fourth storey,

except that the Director of Planning may decrease the minimum rear yard or rear setback in this section 3.1.2.15 if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

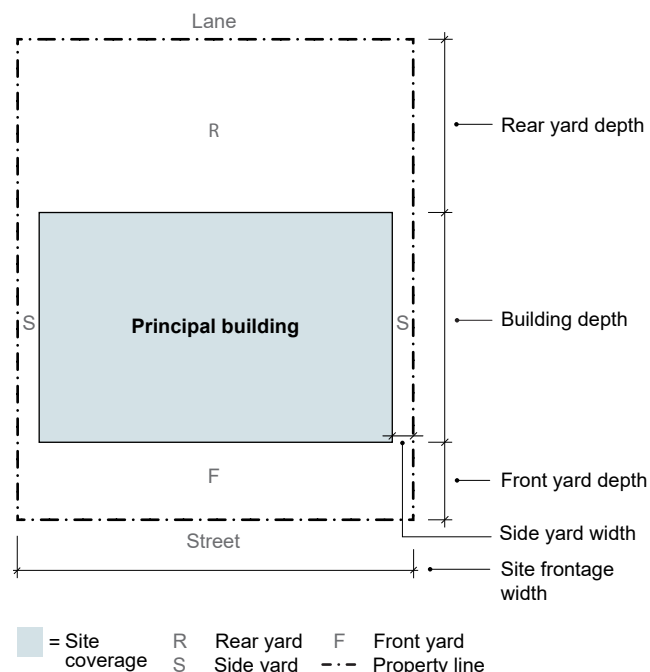
- 3.1.2.16 The Director of Planning may decrease the minimum rear yard to a minimum of 1.8 m for those sites not regulated by section 3.1.2.15 above, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Discretion to Vary Other Regulations

- 3.1.2.17 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:

- (a) the maximum site frontage;
- (b) the maximum building height to a height not exceeding 21.3 m;
- (c) the minimum front yard depth;
- (d) the maximum site coverage;

**Diagram: Building placement for apartment and mixed-use residential building**



- (e) the maximum area of impermeable materials; and
- (f) the maximum building depth.

### 3.2 Apartment or Mixed-Use Residential Building in Combination with Townhouse

Apartment or mixed-use residential building in combination with townhouse are subject to the following regulations.

#### 3.2.1 Density and Floor Area

##### 3.2.1.1 The maximum floor space ratio is 0.9, except that the Director of Planning may increase:

(a) the permitted floor space ratio to a maximum of:

- (i) 2.40 on sites with a minimum frontage of 30.0 m and a minimum site area of 855 m<sup>2</sup>, or
- (ii) 2.60 on sites with a minimum frontage of 40.0 m and a minimum site area of 1115 m<sup>2</sup>,

where 100% of the residential floor area is either developed as “for-profit affordable rental housing” and is subject to a waiver of development cost levies in accordance with the Vancouver Development Cost Levy By-law, or as social housing, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;

(b) the permitted floor area by 1 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:

- (i) 2.40 on sites with a minimum frontage of 30.0 m, and a minimum site area of 855 m<sup>2</sup>; or
- (ii) 2.60 on sites with a minimum frontage of 40.0 m, and a minimum site area of 1115 m<sup>2</sup>,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;

(c) the permitted floor space ratio to a maximum of 2.00 on sites with a frontage greater than 15.0 m and less than 30.0 m and a minimum site area of 557 m<sup>2</sup>, where the Director of Planning considers the development site to consist of locked in lots and 100% of the residential floor area is either developed as “for-profit affordable rental housing” and is subject to a waiver of development cost levies in accordance with the Vancouver Development Cost Levy By-law, or as social housing, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant; and

(d) the permitted floor area by 1 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 2.00 on sites with a frontage greater than 15.0 m and less than 30.0 m and a minimum site area of 557 m<sup>2</sup>, where the Director of Planning considers the development site to consist of locked in lots, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.2.1.2 Despite sections [3.2.1.1\(b\)](#) and [3.2.1.1\(d\)](#) above, 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.

### 3.2.2 Building Form and Placement

Regulations	RM-10 and RM-10N
3.2.2.1 Minimum site area	855 m <sup>2</sup>
3.2.2.2 Minimum site depth	39.6 m
3.2.2.3 Minimum site frontage	30.0 m
3.2.2.4 Maximum site frontage	50.0 m
3.2.2.5 Maximum building height for:	
(a) apartment or mixed-use residential building	20.0 m
(b) rear townhouse building	10.7 m
3.2.2.6 Minimum front yard depth	3.7 m
3.2.2.7 Minimum side yard width	3.0 m
3.2.2.8 Minimum rear yard depth	1.8 m
3.2.2.9 Maximum site coverage for all buildings	50% of the site area
3.2.2.10 Maximum area of impermeable materials	75% of the site area
3.2.2.11 Minimum separation between a building located on a site frontage and a rear building	7.3 m

#### Side Yard and Side Setback

- 3.2.2.12 Despite the minimum side yard width in section [3.2.2.7](#) above, if the side of the site adjoins the side yard of a site located in an RS or RT district, without intervention of a lane, a setback of 10.7 m is also required for portions of a building at or above the fourth storey.
- 3.2.2.13 The Director of Planning may decrease the minimum side yard width and minimum side setback for those sites regulated by section [3.2.2.12](#) above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

- 3.2.2.14 The Director of Planning may decrease the minimum side yard width to a minimum of 2.1 m for 50% of the building depth for those sites not regulated by section 3.2.2.12 above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

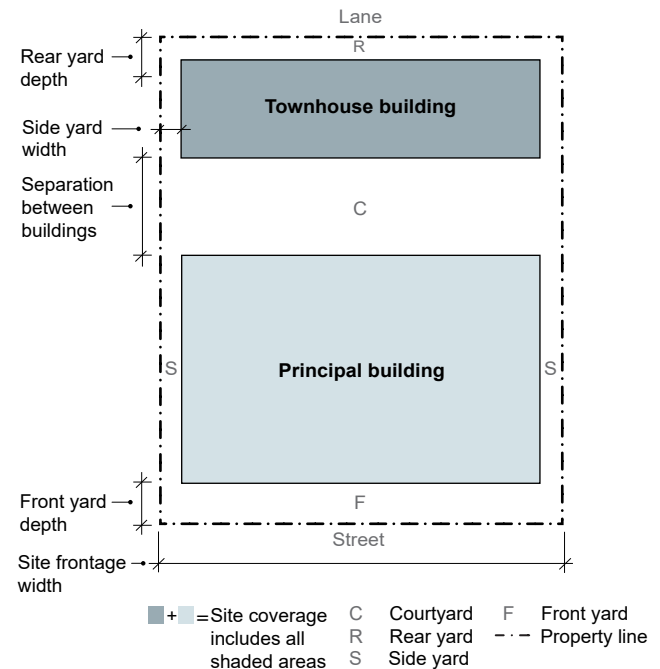
### Building Separation

- 3.2.2.15 Despite the minimum building separation in section 3.2.2.11 above, where an entrance located at or above 1.5 m of grade, or more than 0.6 m below grade, is connected to grade by stairs that project into a courtyard, the separation between buildings must be at least 9.1 m.

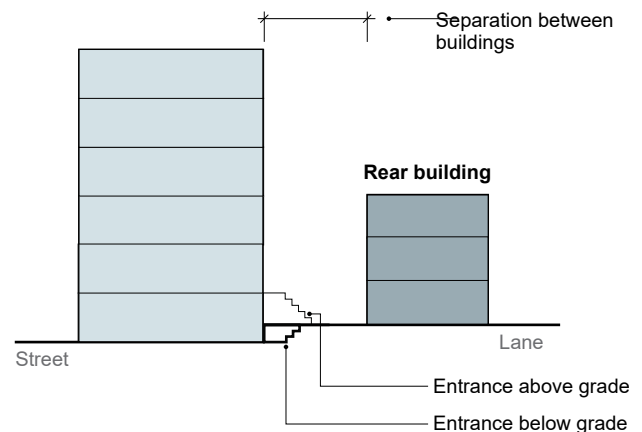
### Discretion to Vary Other Regulations

- 3.2.2.16 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 maximum building height for an apartment or mixed-use residential building to a height not exceeding 21.3 m;
  - the maximum building height for a townhouse at the rear of the site to a height not exceeding 12.2 m;
  - the maximum site frontage;
  - the minimum front yard;
  - the maximum site coverage;
  - the maximum area of impermeable materials; and
  - the minimum separation between a building located on a site frontage and a rear building.

**Diagram: Building separation for apartment or mixed-use residential building in combination with townhouse**



**Diagram: Apartment or mixed-use residential building in combination with townhouse**



### 3.3 Triplex

Triplex is subject to the following regulations.

#### 3.3.1 Density and Floor Area

3.3.1.1 The maximum floor space ratio is 0.90.

#### 3.3.2 Building Form and Placement

Regulations	RM-10 and RM-10N
3.3.2.1 Minimum site area	285 m <sup>2</sup>
3.3.2.2 Minimum site frontage	10.0 m
3.3.2.3 Maximum site frontage	15.0 m
3.3.2.4 Maximum building height	12.2 m
3.3.2.5 Minimum front yard depth	3.7 m
3.3.2.6 Minimum side yard width	3.0 m
3.3.2.7 Minimum rear yard depth for sites with a depth that does not exceed 36.2 m	3.7 m
3.3.2.8 Minimum rear yard depth for sites with a depth that exceeds 36.2 m	6.1 m
3.3.2.9 Maximum site coverage for all buildings	50% of the site area
3.3.2.10 Maximum area of impermeable materials	75% of the site area

#### Side Yard and Side Setback

3.3.2.11 Despite the minimum side yard width in section 3.3.2.6 above, if the side of the site adjoins the side yard of a site located in an RS or RT district, without intervention of a lane, a setback of 10.7 m is also required for portions of a building at or above the fourth storey.

3.3.2.12 The Director of Planning may decrease the minimum side yard width and minimum side setback for those sites regulated by section 3.3.2.11 above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.3.2.13 The Director of Planning may decrease the minimum side yard width to a minimum of 2.1 m for 50% of the building depth for those sites not regulated by section 3.3.2.11 above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

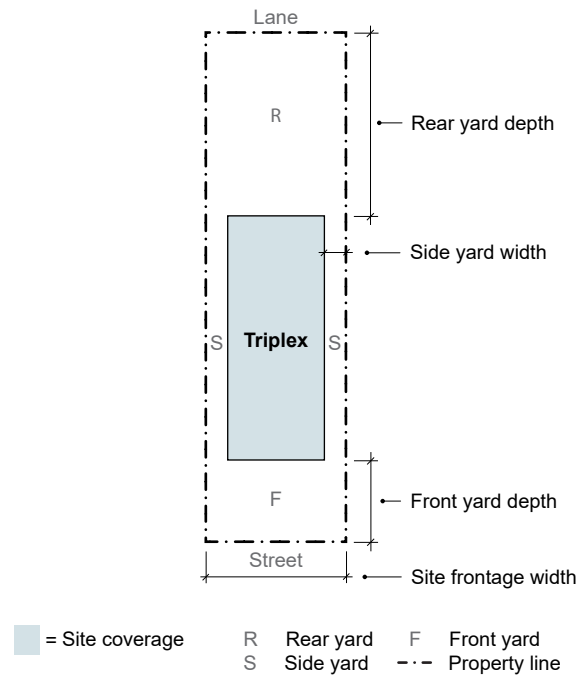
## Rear Yard and Rear Setback

3.3.2.14 Despite the minimum rear yard depth in sections 3.3.2.7 and 3.3.2.8 above if the rear of the site adjoins the side yard of a site located in an RS or RT district, without intervention of a lane:

- (a) the minimum rear yard depth is 3.0 m for portions of a building below the fourth storey; and
- (b) the minimum rear setback is 10.7 m for portions of a building at or above the fourth storey,

except that the Director of Planning may decrease the minimum rear yard or rear setback under this section if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for triplex**



3.3.2.15 The Director of Planning may decrease the minimum rear yard depth to a minimum of 1.8 m for those sites not regulated by section 3.3.2.14 above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Discretion to Vary Other Regulations

3.3.2.16 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the minimum front yard depth;
- (b) the maximum site coverage; and
- (c) the maximum area of impermeable materials.



### 3.4 Seniors Supportive or Assisted Housing

Seniors supportive or assisted housing is subject to the following regulations.

#### 3.4.1 Density and Floor Area

##### 3.4.1.1 The maximum floor space ratio is 0.90, except the Director of Planning may increase:

(a) the floor space ratio to a maximum of:

- (i) 2.40 on sites with a minimum frontage of 30.0 m and a minimum site area of 855 m<sup>2</sup>, or
- (ii) 2.60 on sites with a minimum frontage of 40.0 m and a minimum site area of 1,115 m<sup>2</sup>,

where 100% of the residential floor area is developed as secured market rental housing subject to an agreed upon rental increase limit, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;

(b) the permitted floor area by 1 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:

- (i) 2.40 on sites with a minimum frontage of 30.0 m and a minimum site area of 855 m<sup>2</sup>, or
- (ii) 2.60 on sites with a minimum frontage of 40.0 m and a minimum site area of 1,115 m<sup>2</sup>,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;

(c) the permitted floor space ratio to a maximum of 2.00 on sites with a frontage greater than 15.0 m and less than 30.0 m and a minimum site area of 557 m<sup>2</sup>, where the Director of Planning considers the development site to consist of locked in lots and 100% of the residential floor area is developed as secured market rental housing subject to an agreed upon rental increase limit, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant; and

(d) the permitted floor area by 1 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 2.00 on sites with a frontage greater than 15.0 m and less than 30.0 m and a minimum site area of 557 m<sup>2</sup>, where the Director of Planning considers the development site to consist of locked in lots, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

##### 3.4.1.2 Despite sections 3.4.1.1(b) and 3.4.1.1(d) above, 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.

### 3.4.2 Building Form and Placement

Regulations		RM-10 and RM-10N
3.4.2.1	Minimum site area	855 m <sup>2</sup>
3.4.2.2	Minimum front yard depth	3.7 m
3.4.2.3	Minimum side yard width	3.0 m
3.4.2.4	Minimum rear yard depth where the site depth:	
	(a) does not exceed 36.2 m	3.7 m
	(b) exceeds 36.2 m	6.1 m
3.4.2.5	Minimum rear setback for sites with a depth that does not exceed 36.2 m	6.1 m above the fourth storey
3.4.2.6	Maximum site coverage for all buildings	50% of the site area
3.4.2.7	Maximum area of impermeable materials	75% of the site area

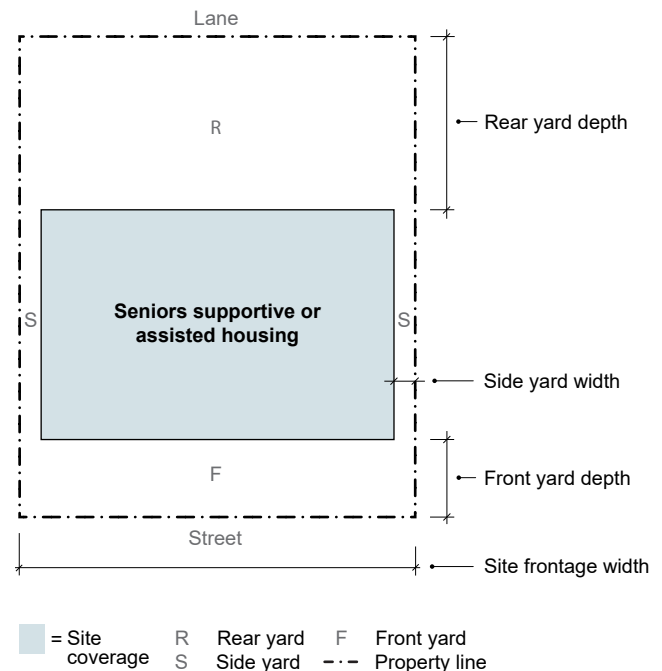
#### Side Yard and Side Setback

- 3.4.2.8 Despite the minimum side yard width in section 3.4.2.3 above, if the side of the site adjoins the side yard of a site located in an RS or RT district, without intervention of a lane, a setback of 10.7 m is also required for portions of a building at or above the fourth storey.

#### Rear Yard and Rear Setback

- 3.4.2.9 Despite the minimum rear yard depth in section 3.4.2.4 above and the minimum rear setback in section 3.4.2.5 above, if the rear of the site adjoins the side yard of a site located in an RS or RT district, without intervention of a lane:
- the minimum rear yard depth is 3.0 m for portions of a building below the fourth storey; and
  - the minimum rear setback is 10.7 m for portions of a building at or above the fourth storey.

**Diagram: Building placement for seniors supportive or assisted housing**



### 3.5 Other Uses

Uses not regulated by sections 3.1 to 3.4 of this schedule are subject to the following regulations, except:

- (a) single detached dwelling and single detached dwelling with a secondary suite, which are regulated by the [RS-1 District Schedule](#);
- (b) duplex, which is regulated by the [RT-5 and RT-5N Districts Schedule](#); and
- (c) laneway house.

#### 3.5.1 Density and Floor Area

3.5.1.1 The maximum floor space ratio is 0.90.

#### 3.5.2 Building Form and Placement

Regulations	RM-10 and RM-10N
3.5.2.1 Minimum front yard depth	3.7 m
3.5.2.2 Minimum side yard width	3.0 m
3.5.2.3 Minimum rear yard depth where the site depth:	
(a) does not exceed 36.2 m	3.7 m
(b) exceeds 36.2 m	6.1 m
3.5.2.4 Minimum rear setback for sites with a depth that does not exceed 36.2 m	6.1 m above the fourth storey
3.5.2.5 Maximum site coverage for all buildings	50% of the site area
3.5.2.6 Maximum area of impermeable materials	75% of the site area

#### Side Yard and Side Setback

- 3.5.2.7 Despite the minimum side yard width in section [3.5.2.2](#) above, if the side of the site adjoins the side yard of a site located in an RS or RT district, without intervention of a lane a setback of 10.7 m is also required for portions of a building at or above the fourth storey.
- 3.5.2.8 The Director of Planning may decrease the minimum side yard width and minimum side setback for those sites regulated by section [3.5.2.7](#) above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

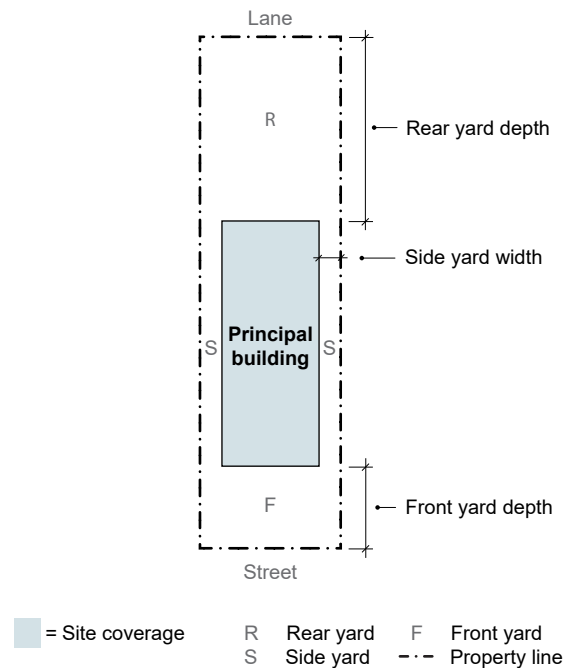
## Rear Yard and Rear Setback

3.5.2.9 Despite the minimum rear yard depth in section 3.5.2.3 above and the minimum rear setback in section 3.5.2.4 above, if the rear of the site adjoins the side yard of a site located in an RS or RT district, without intervention of a lane, the minimum:

- (a) rear yard depth is 3.0 m for portions of a building below the fourth storey; and
- (b) rear setback is 10.7 m for portions of a building at or above the fourth storey,

except that the Director of Planning may decrease the minimum rear yard or rear setback in this section 3.5.2.9 if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for principal building**



3.5.2.10 The Director of Planning may decrease the minimum rear yard depth to a minimum of 1.8 m for those sites not regulated by section 3.5.2.9 above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## Building Separation

3.5.2.11 The minimum distance between an infill and any other dwelling use on the site, measured across the width of the site, is 4.9 m.

3.5.2.12 The Director of Planning may decrease the minimum distance between infill single detached house and any other dwelling use on the site if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## 4 GENERAL REGULATIONS

All uses in these districts, except for single detached house, single detached house with secondary suite, duplex, and laneway house are subject to the following regulations.

### 4.1 Amenity Shares and Affordable Housing Shares

4.1.1 For the purposes of this schedule, amenity means 1 or more of the following:

- (a) child day care facility;
- (b) community centre or neighbourhood house;
- (c) library;
- (d) museum or archives;
- (e) park or playground;
- (f) plaza;
- (g) public authority use;
- (h) rink;
- (i) social service centre; and
- (j) swimming pool.

4.1.2 For the purposes of this schedule, the cost of an amenity share or affordable housing share is the amount specified per m<sup>2</sup> in [Schedule F: Affordable Housing Share and Amenity Share Cost Schedule](#) of this by-law for the RM-10 and RM-10N zoning districts.

### 4.2 Computation of Floor Area

4.2.1 Computation of floor area must include:

- (a) all floors, including earthen floor, to be measured to the extreme outer limits of the building, including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

4.2.2 Computation of floor area must exclude:

- (a) balconies and decks and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area for apartments, townhouses and mixed-use residential building and 8% of the permitted floor area for all other uses;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) for any multiple dwelling or mixed-use residential building, where floors are used for:
  - (i) off-street parking and loading, those floors or portions thereof that are located at or below base surface, provided that the maximum exclusion for a parking space does 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 that complies with section 2.2.12 of this schedule, and
  - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, which are located below base surface;
- (d) for triplex and for dwelling uses other than apartment, townhouse or mixed-use residential building, 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 that the Director of Planning considers similar to the foregoing:
  - (i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building that complies with section 2.2.12 of this schedule, or in an infill single detached house 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 manoeuvring 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, if the Director of Planning 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, 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 child day care facilities, recreation facilities, and meeting rooms, to a maximum of 10% of the total permitted floor area;
- (g) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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 any multiple dwelling or mixed-use residential building, 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 area above base surface for that unit;
- (j) entries, porches and verandahs, and covered porches above the first storey if:
  - (i) the side 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 section 4.2.2(a) above, does not exceed 16% of the permitted floor area for multiple dwellings and mixed-use residential building and 13% of the permitted floor area for all other uses, and
  - (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the 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 that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation, to a maximum exclusion of 1% 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 section 4.2.2(j) above, to which there is no access from the interior of the building.

### 4.3 Site Coverage and Impermeability: Measurement

4.3.1 The maximum area of impermeable materials includes site coverage for all buildings.

### 4.4 Building Depth: Measurement

4.4.1 Maximum building depth means the maximum distance between the required minimum front yard and the rear of a building.

### 4.5 Horizontal Angle of Daylight

4.5.1 Each habitable room must have at least 1 window on an exterior wall of a building.

4.5.2 For the purposes of section 4.5.1 above, habitable room means any room except a bathroom or kitchen.

4.5.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

- 4.5.4 The plane or planes referred to in section 4.5.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.5.5 An obstruction referred to in section 4.5.3 above means:
- (a) any part of the same building excluding permitted projections; or
  - (b) the largest building permitted on any adjoining site.
- 4.5.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least:
    - (i) 3.7 m in a triplex, or
    - (ii) 6.1 m in a townhouse, apartment or mixed-use residential building.
- 4.6 Dedication of Land
- 4.6.1 Dedication for Lane Purposes
- 4.6.1.1 Where a site does not abut a lane, or abuts a lane that 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.
- 4.6.1.2 Where dedication is made, it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.
- 4.6.2 Dedication for Sidewalk and Boulevard Purposes
- 4.6.2.1 For development sites that adjoin streets set forth below, a portion of the site must be dedicated to the City for sidewalk and boulevard improvements to achieve the following distance from the centre line of the street to the property line of the development site, measured at right angles:
- (a) Joyce Street, 12.1 m;
  - (b) Payne Street, 7.6 m; and
  - (c) Vanness Street, 7.6 m.
- 4.6.2.2 Where dedication is made, it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.



## 5 RELAXATIONS

- 5.1 For triplex, if the existing lot was on record in the Land Title Office prior to January 31, 2018, the Director of Planning may reduce the minimum site area requirements in section [3.3.2.1](#) of this schedule or the site frontage requirements in section [3.3.2.2](#) of this schedule, in situations where meeting the exact provisions creates unnecessary hardship, if the Director of Planning considers the quality and liveability of the resulting units.

## SCHEDULE RRR

# RM-11 and RM-11N

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage the development of 4-storey “T”-shaped apartments with dwelling units that are varied in size, composition and tenure, including those suitable for families with children. Common and private outdoor spaces are required. Lower density residential development, in the form of townhouses and triplexes, is only permitted on locked in lots. In the RM-11N district, acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets or a rapid transit guideway.

Without limitation, applicable Council policies and guidelines for consideration include the [RM-11 and RM-11N Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-11 and RM-11N districts, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
1000 m <sup>2</sup>	Apartment	<a href="#">3.1</a>
	Mixed-Use Residential Building	<a href="#">3.1</a>
566 m <sup>2</sup>	Townhouse	<a href="#">3.2</a>
303 m <sup>2</sup>	Triplex	<a href="#">3.3</a>
--	Seniors Supportive or Assisted Housing	<a href="#">3.4</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.5</a>
Regulated by the <a href="#">RT-5 and RT-5N Districts Schedule</a>	Duplex, Duplex with Secondary Suite, Single Detached House, Single Detached House with Secondary Suite, Infill in combination with retention of a character house, Multiple Conversion Dwelling and Secondary Suite	Regulated by the <a href="#">RT-5 and RT-5N Districts Schedule</a>

## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in these districts and will be issued a permit.

- (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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Conditional	<a href="#">2.2.1</a>
Club	Conditional	
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
Plaza	Conditional	
<b>Dwelling Uses</b>		
Apartment	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.3</a> , <a href="#">2.2.4</a>
Duplex	Conditional	<a href="#">2.2.5</a> , <a href="#">2.2.6</a>
Duplex with Secondary Suite	Conditional	<a href="#">2.2.5</a> , <a href="#">2.2.6</a>
Infill, in combination with retention of a character house existing as of September 18, 2018	Conditional	<a href="#">2.2.5</a> , <a href="#">2.2.6</a>
Laneway House, lawfully existing as of September 18, 2018	Outright	<a href="#">2.2.7</a>
Mixed-Use Residential Building		<a href="#">2.2.2</a> , <a href="#">2.2.3</a> , <a href="#">2.2.4</a> , <a href="#">2.2.10</a>
Multiple Conversion Dwelling, resulting from the conversion of a character house existing on the site as of September 18, 2018	Conditional	<a href="#">2.2.5</a> , <a href="#">2.2.6</a> , <a href="#">2.2.8</a>
Principal Dwelling Unit with Lock-Off Unit	Conditional	<a href="#">2.2.9</a>

Use	Approval	Use-Specific Regulations
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	
Secondary Suite	Conditional	<a href="#">2.2.6</a> , <a href="#">2.2.11</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House, lawfully existing as of September 18, 2018	Outright	<a href="#">2.2.6</a>
Single Detached House with Secondary Suite, lawfully existing as of September 18, 2018	Outright	<a href="#">2.2.6</a>
Townhouse	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.3</a> , <a href="#">2.2.4</a> , <a href="#">2.2.5</a>
Triplex	Conditional	<a href="#">2.2.5</a>
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.12</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in these districts	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.13</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> , other than Multiple Dwelling or Mixed-Use Residential Building	Outright	<a href="#">2.2.14</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> , other than Multiple Dwelling or Mixed-Use Residential Building, and not permitted as an outright approval use	Conditional	

Use	Approval	Use-Specific Regulations
Accessory Buildings, customarily ancillary to Multiple Dwelling or Mixed-Use Residential Building	Conditional	<a href="#">2.2.15</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.16</a>
Accessory Uses customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

2.2.1 Artist studio – class A may be permitted only:

- (a) where there is a residential unit associated with and forming an integral part of that artist studio; or
- (b) in a mixed-use residential building.

2.2.2 In an apartment, townhouse or mixed-use residential building with a floor space ratio less than or equal to 1.20, a minimum of 25% of the total dwelling units must be 3-bedroom units.

2.2.3 In an apartment, townhouse or mixed-used residential building with a floor space ratio greater than 1.20, a minimum of:

- (a) 25% of the total dwelling units must be 2-bedroom units; and
- (b) 10% of the total dwelling units must be 3-bedroom units,

except that the Director of Planning may vary the distribution of units if no less than 35% of the total dwelling units are 2- or 3-bedroom units, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.4 The Director of Planning may permit more than 1 apartment, townhouse or mixed-use residential building on a site if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.5 The following uses may be permitted only if the Director of Planning considers the development site to consist of locked in lots:

- (a) townhouse;
- (b) triplex;
- (c) duplex;
- (d) duplex with secondary suite;

- (e) infill in combination with retention of a character house existing as of September 18, 2018; and
- (f) multiple conversion dwelling resulting from the conversion of a character house existing on the site as of September 18, 2018.

2.2.6 The following uses must comply with the **RT-5 and RT-5N Districts Schedule**:

- (a) duplex;
- (b) duplex with secondary suite;
- (c) single detached house;
- (d) single detached house with secondary suite;
- (e) infill in combination with retention of a character house existing as of September 18, 2018;
- (f) multiple conversion dwelling resulting from the conversion of a character house existing on the site as of September 18, 2018; and
- (g) secondary suite.

2.2.7 Laneway house is regulated by **Section 11** of this by-law and section **3** and **4** of this schedule do not apply.

2.2.8 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a character house existing as of September 18, 2018, may be permitted as a conditional approval use if it contains no housekeeping or sleeping units.

2.2.9 Principal dwelling unit with lock-off unit may be permitted only in a multiple dwelling or mixed-use residential building and there may be no more than 1 lock-off unit for every 3 principal dwelling units, except that the Director of Planning may permit a higher ratio, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.10 The only non-dwelling uses permitted in a mixed-use residential building are:

- (a) artist studio – class A; and
- (b) neighbourhood grocery store.

2.2.11 Secondary suite may be permitted if it is in a single detached house or duplex lawfully existing as of September 18, 2018.

2.2.12 Community care facility – class A is subject to the regulations, variations and relaxations that apply to a single detached house.

2.2.13 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.14 Accessory buildings customarily ancillary to any of the uses listed in section 2.1 of this schedule, other than those ancillary to multiple dwelling or mixed-use residential building, are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:

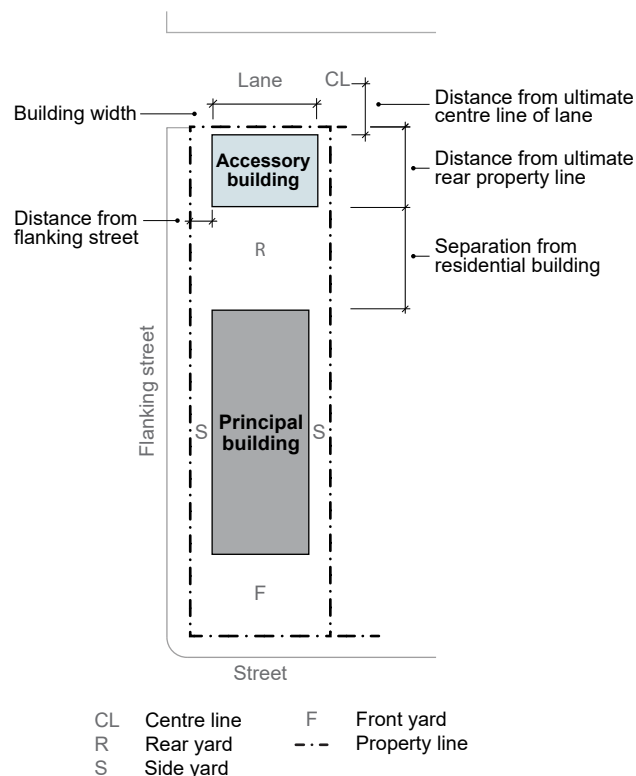
- (i) within 7.9 m of the ultimate rear property line,
- (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane; and
- (iii) at least 1.5 m from a flanking street;

- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m<sup>2</sup>;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line;
- (e) the separation from any residential building is at least 3.7 m; and
- (f) roof decks and decks are not located on an accessory building.

2.2.15 Accessory buildings customarily ancillary to multiple dwelling or mixed-use residential building may be permitted as a conditional approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or

**Diagram: Building placement for accessory buildings**



- (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
  - (i) within 7.9 m of the ultimate rear property line,
  - (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 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, does not exceed 48 m<sup>2</sup>, except that the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m<sup>2</sup> for each dwelling unit, not including lock-off units, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (d) the building width for all accessory buildings does not exceed 30% of the width of the site at the rear property line, except that the Director of Planning may increase the maximum building width up to 80% if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (e) the separation from any residential building is at least 3.7 m; and
- (f) roof decks and decks are not located on an accessory building.

2.2.16 Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 above must comply with the provisions of section 2.2.14(b) above.



### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Apartment and Mixed-Use Residential Building

Apartment and mixed-use residential building are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 0.75, except that on sites with a minimum site frontage of 36.6 m the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 1.70 where 100% of the residential floor area is either developed as social housing or secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased; or
- (b) the permitted floor area by 1 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 1.70,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.1.1.2 Despite section [3.1.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

##### 3.1.2 Building Form and Placement

Regulations		RM-11 and RM-11N
3.1.2.1	Minimum site area	1,000 m <sup>2</sup>
3.1.2.2	Minimum site frontage for sites along East 1st Avenue, East 12th Avenue and Garden Drive	36.6 m
3.1.2.3	Maximum site frontage	50 m
3.1.2.4	Maximum building height	13.7 m
3.1.2.5	Minimum front yard depth	3.7 m
3.1.2.6	Minimum side yard width	2.1 m
3.1.2.7	Minimum rear yard depth	6.1 m
3.1.2.8	Maximum site coverage for all buildings	55% of the site area

Regulations	RM-11 and RM-11N
3.1.2.9 Maximum area of impermeable materials	75% of the site area

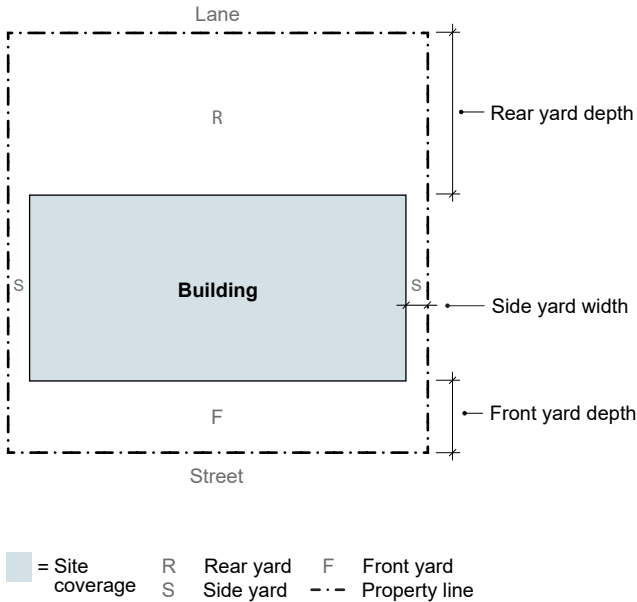
### Site Frontage

- 3.1.2.10 Despite the minimum site frontage in section 3.1.2.2 above, 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, the Director of Planning may permit a minimum site frontage of 36.6 m along either street frontage for sites along East 1st Avenue or East 12th Avenue, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.1.2.11 The Director of Planning may decrease the minimum site frontage if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

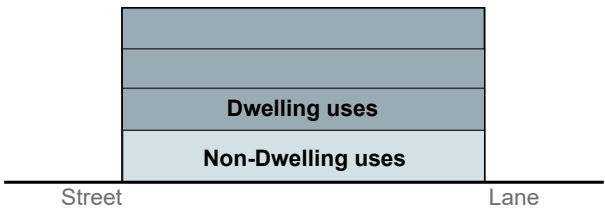
### Side Yard and Side Setback

- 3.1.2.12 Despite the minimum side yard width in section 3.1.2.6 above, if the side of the site adjoins the side yard of a site located in an RS or RT district, without the intervention of a lane, a setback of 4.6 m is required for portions of a building at or above the fourth storey.
- 3.1.2.13 The Director of Planning may decrease the minimum side yard and minimum side setback for a site with a side that adjoins the side yard of a site located in an RS or RT district, without the intervention of a lane, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for apartment and mixed-use residential building**



**Diagram: Mixed-use residential building**



### **Discretion to Vary Other Regulations**

3.1.2.14 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the maximum building height to a height not exceeding 14.7 m;
- (b) the minimum front yard depth;
- (c) the maximum site coverage; and
- (d) the maximum area of impermeable materials.

## 3.2 Townhouse

Townhouse is subject to the following regulations.

### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.75, except that, where the Director of Planning considers the development site to consist of locked in lots, the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 1.20 where 100% of the residential floor area is either developed as social housing or secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased; or
- (b) the permitted floor area by 1 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,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.2.1.2 Despite section [3.2.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

### 3.2.2 Building Form and Placement

Regulations		RM-11 and RM-11N
3.2.2.1	Minimum site area	566 m <sup>2</sup>
3.2.2.2	Minimum site frontage	12.8 m
3.2.2.3	Maximum site frontage	36.6 m
3.2.2.4	Maximum building height for:	
	(a) a building other than a rear building	11.5 m
	(b) a rear building	10.1 m
3.2.2.5	Minimum front yard depth	3.7 m
3.2.2.6	Minimum side yard width	2.1 m
3.2.2.7	Minimum rear yard depth	1.8 m
3.2.2.8	Maximum site coverage for all buildings	55% of the site area

Regulations	RM-11 and RM-11N
3.2.2.9 Maximum area of impermeable materials	75% of the site area
3.2.2.10 Minimum separation between:	
(a) buildings located on a site frontage	3.1 m
(b) rear buildings	3.1 m
(c) buildings located on a site frontage and rear buildings	7.3 m

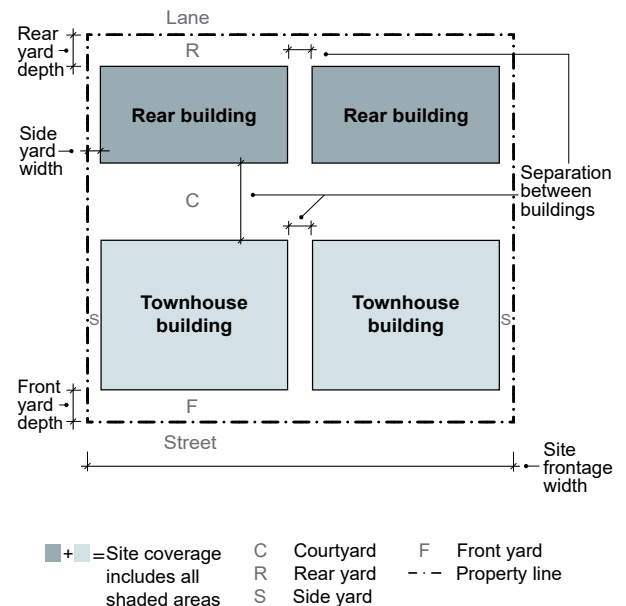
### Side Yard and Side Setback

- 3.2.2.11 Despite the minimum side yard width in section 3.2.2.6 above, if the side of the site adjoins the side yard of a site located in an RS or RT district, without the intervention of a lane, a setback of 4.6 m is required for portions of a building at or above the fourth storey.
- 3.2.2.12 The Director of Planning may decrease the minimum side yard and minimum side setback for a site with a side that adjoins the side yard of a site located in an RS or RT district, without the intervention of a lane, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

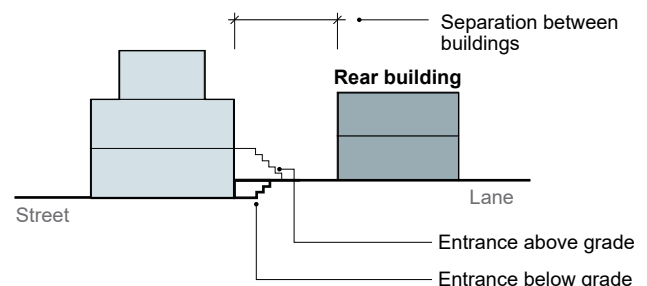
### Building Separation

- 3.2.2.13 Minimum separation between townhouse buildings must be measured from the closest portion of the exterior side wall of any other townhouse building on the site.
- 3.2.2.14 Despite the minimum building separation in section 3.2.2.10(c) above, where an entrance located at or above 1.5 m of grade, or more than 0.6 m below grade, is connected to grade by stairs that project into a courtyard, the separation between buildings must be at least 9.1 m.

**Diagram: Building placement for townhouse in a courtyard configuration**



**Diagram: Townhouse in a courtyard configuration**



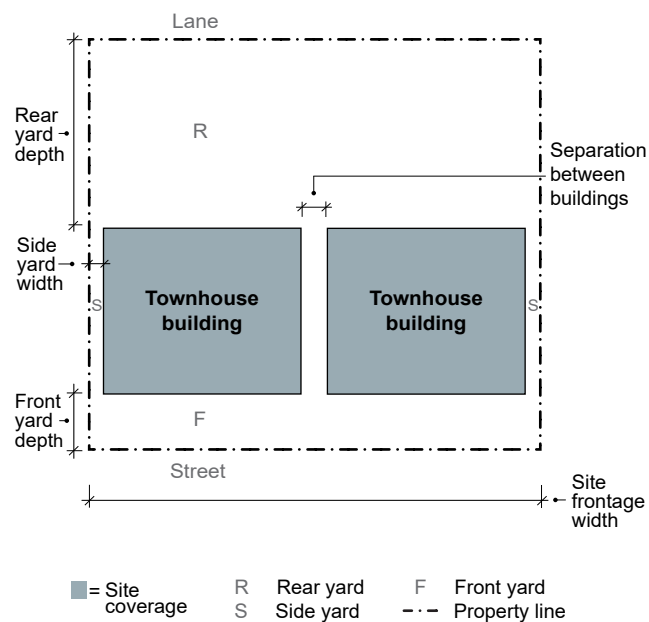
3.2.2.15 The Director of Planning may decrease the minimum building separation if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Discretion to Vary Other Regulations

3.2.2.16 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the minimum front yard depth;
- (b) the maximum site coverage; and
- (c) the maximum area of impermeable materials.

**Diagram: Building placement for townhouse in a non-courtyard configuration**



### 3.3 Triplex

Triplex is subject to the following regulations.

#### 3.3.1 Density and Floor Area

3.3.1.1 The maximum floor space ratio is 0.75, except that, where the Director of Planning considers the development site to consist of locked in lots, the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 0.90 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; or
- (b) the permitted floor area by 1 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,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.3.1.2 Despite section [3.3.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

#### 3.3.2 Building Form and Placement

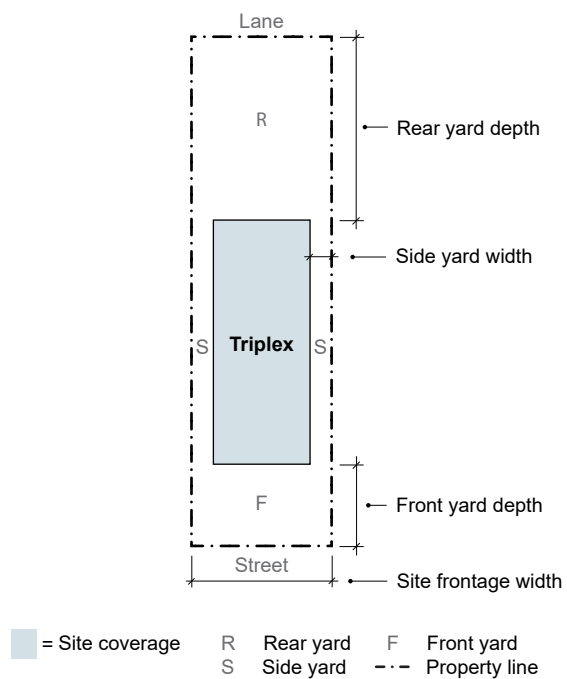
Regulations		RM-11 and RM-11N
3.3.2.1	Minimum site area	303 m <sup>2</sup>
3.3.2.2	Maximum site frontage	12.8 m
3.3.2.3	Maximum building height	10.7 m
3.3.2.4	Minimum front yard depth	3.7 m
3.3.2.5	Minimum side yard width	1.2 m
3.3.2.6	Minimum rear yard depth	10.7 m
3.3.2.7	Maximum site coverage for all buildings	55% of the site area
3.3.2.8	Maximum area of impermeable materials	75% of the site area

## Discretion to Vary Other Regulations

3.3.2.9 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the maximum site coverage; and
- (b) the maximum area of impermeable materials.

**Diagram: Building placement for triplex**





### 3.4 Seniors Supportive or Assisted Housing

Seniors supportive or assisted housing is subject to the following regulations.

#### 3.4.1 Density and Floor Area

##### 3.4.1.1 The maximum floor space ratio is 0.75, except that:

- (a) on sites with a minimum site area of 1,000 m<sup>2</sup> and a minimum site frontage of 36.6 m, the Director of Planning may increase:
  - (i) the permitted floor space ratio to a maximum of 1.70 where 100% of the residential floor area is developed as secured market rental housing subject to an agreed upon rental increase limit, or
  - (ii) the permitted floor area by 1 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 1.70,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;

- (b) where the Director of Planning considers the development site to consist of locked in lots, the Director of Planning may increase the permitted floor space ratio to a maximum of 1.20 where 100% of the floor area is developed as secured market rental housing subject to an agreed upon rental increase limit, if the proposed development:
  - (i) is on a site with a minimum site area of 566 m<sup>2</sup>,
  - (ii) is on a site with a frontage greater than 12.8 m and less than 36.6 m,
  - (iii) has a maximum building height of 11.5 m,
  - (iv) has a maximum building height of 10.1 m for rear buildings, and
  - (v) has a minimum rear yard depth of 1.8 m,

and if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant; or

- (c) where the Director of Planning considers the development site to consist of locked in lots, the Director of Planning may increase the permitted floor area by 1 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, if the proposed development:
  - (i) is on a site with a minimum site area of 566 m<sup>2</sup>,
  - (ii) is on a site with a frontage greater than 12.8 m and less than 36.6 m,
  - (iii) has a maximum building height of 11.5 m,
  - (iv) has a maximum building height of 10.1 m for rear buildings, and
  - (v) has a minimum rear yard depth of 1.8 m,

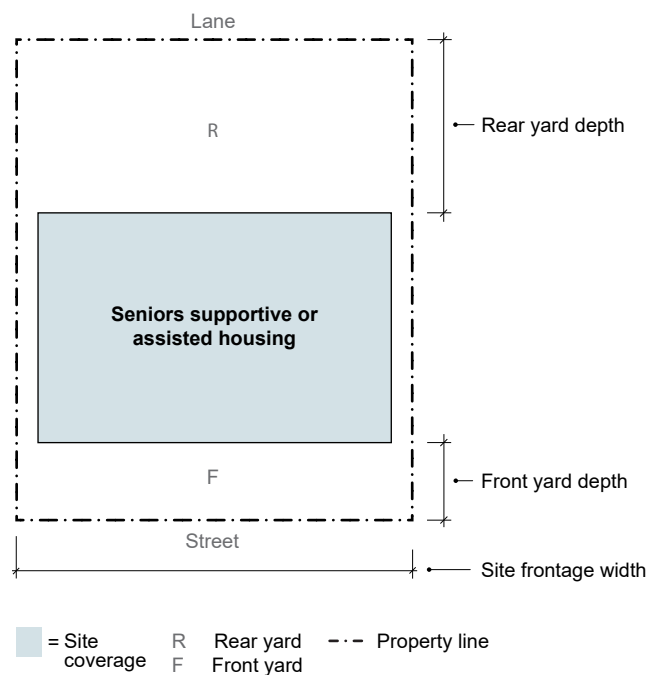
and if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

- 3.4.1.2 Despite sections **3.4.1.1(a)(ii)** and **3.4.1.1(c)** above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

#### 3.4.2 Building Form and Placement

Regulations	RM-11 and RM-11N
3.4.2.1 Minimum front yard depth	3.7 m
3.4.2.2 Maximum site coverage for all buildings	45% of the site area
3.4.2.3 Maximum area of impermeable materials	75% of the site area

**Diagram: Building placement for seniors supportive or assisted housing**



### 3.5 Other Uses

Uses not regulated by sections 3.1 to 3.4 of this schedule are subject to the following regulations, except duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, infill in combination with retention of a character house, multiple conversion dwelling, and secondary suite, which are regulated by the [RT-5 and RT-5N Districts Schedule](#).

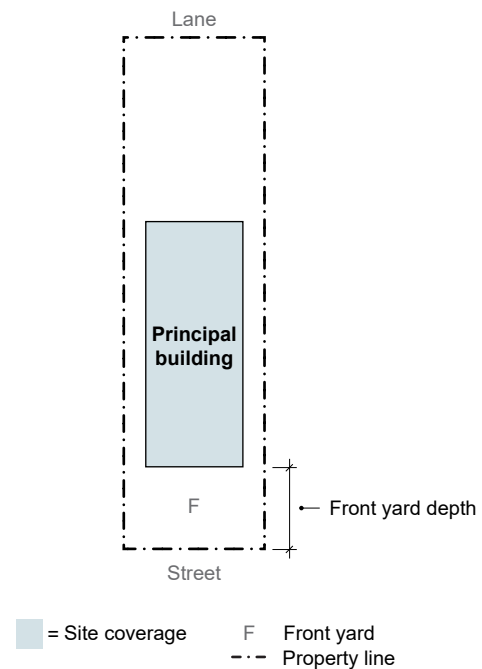
#### 3.5.1 Density and Floor Area

3.5.1.1 The maximum floor space ratio is 0.75.

#### 3.5.2 Building Form and Placement

Regulations		RM-11 and RM-11N
3.5.2.1	Minimum front yard depth	3.7 m
3.5.2.2	Maximum site coverage for all buildings	45% of the site area
3.5.2.3	Maximum area of impermeable materials	75% of the site area

**Diagram: Building placement for principal building**



## 4 GENERAL REGULATIONS

All uses in these districts, except duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, infill in combination with retention of a character house, multiple conversion dwelling, and secondary suite, are subject to the following regulations.

### 4.1 Amenity Shares and Affordable Housing Shares

4.1.1 For the purposes of this schedule, amenity means 1 or more of the following:

- (a) child day care facility;
- (b) community centre or neighbourhood house;
- (c) library;
- (d) museum or archives;
- (e) park or playground;
- (f) plaza;
- (g) public authority use;
- (h) rink;
- (i) social service centre; and
- (j) swimming pool.

4.1.2 For the purposes of this schedule, the cost of an amenity share or affordable housing share is the amount specified per m<sup>2</sup> in [Schedule F: Affordable Housing and Amenity Share Cost Schedule](#) of this by-law for the RM-11 and RM-11N zoning districts.

### 4.2 Computation of Floor Area

4.2.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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 exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

4.2.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area for apartment, townhouse or mixed-use residential building and 8% of the permitted floor area for all other uses;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) for multiple dwelling or mixed-use residential building, 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 does not exceed 7.3 m in length,
  - (ii) bicycle storage located at or below base surface or, if located at or above base surface, are contained in an accessory building customarily ancillary to multiple dwelling or mixed-use residential building, and that complies with section 2.2.15 of this schedule, and
  - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, any of which are located at or below base surface;
- (d) for triplex and other dwelling uses other than multiple dwelling or mixed-use residential building, 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 that the Director of Planning considers 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 2.2.14 of this schedule, or in an infill single detached house 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 manoeuvring 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, if the Director of Planning 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, 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 child day care facilities, recreation facilities, and meeting rooms to a maximum of 10% of the total permitted floor area;
- (g) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey and to which there is no permanent means of access other than a hatch, or

- (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;
- (h) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (i) for multiple dwelling and mixed-use residential building, 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) entries, porches and verandahs and covered porches above the first storey, if:
  - (i) the side 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 section 4.2.2(a) above, does not exceed 16% of the permitted floor area for multiple dwelling and mixed-use residential building and 13% of the permitted floor area for all other uses, and
  - (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the 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 that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% 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 section 4.2.2(j) above, to which there is no access from the interior of the building.

### 4.3 Site Coverage and Impermeability: Measurement

4.3.1 The maximum area of impermeable materials includes site coverage for all buildings.

### 4.4 Horizontal Angle of Daylight

4.4.1 Each habitable room must have at least 1 window on an exterior wall of a building.

4.4.2 For the purposes of section 4.4.1 above, habitable room means any room except a bathroom or kitchen.

4.4.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.4.4 The plane or planes referred to in section 4.4.3 above must be measured horizontally from the centre of the bottom of each window.

4.4.5 An obstruction referred to in section 4.4.3 above means:

- (a) any part of the same building excluding permitted projections; or
- (b) the largest building permitted on any adjoining site.

4.4.6 The Director of Planning may vary the horizontal angle of daylight requirement if:

- (a) the Director of Planning considers all applicable Council policies and guidelines;
- (b) the minimum distance of unobstructed view in a triplex is at least 3.7 m; and
- (c) the minimum distance of unobstructed view in an apartment, townhouse or mixed-use residential building is at least 6.1 m.

## 4.5 Dedication of Land

### 4.5.1 Dedication for Lane Purposes

4.5.1.1 Where a site does not abut a lane, or abuts a lane that 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.

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

### 4.5.2 Dedication for Sidewalk and Boulevard Purposes

4.5.2.1 For development sites that adjoin the streets set forth below, a portion of the site must be dedicated to the City for sidewalk and boulevard improvements to achieve the following distance from the centre line of the street to the property line of the development site, measured at right angles:

- (a) East 1st Avenue, from Commercial Drive to Salsbury Drive, 12.7 m;
- (b) East 1st Avenue, from Salsbury Drive to Semlin Drive, 12.2 m; and
- (c) East 12th Avenue, 12.2 m.

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

## 5 RELAXATIONS

5.1 The Director of Planning may relax the acoustic regulations in [Section 10](#) of this by-law and the provisions of this schedule regarding site area, site frontage, building height, required yards and setbacks, site coverage, horizontal angle of daylight, external design, and number of buildings on a site when a building listed on the Vancouver Heritage Register is retained, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

## SCHEDULE SSS

# RM-12N

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to encourage the development of 4-storey townhouses, including hybrid townhouses. 4-storey apartments are permitted on larger sites. Mixed-use residential buildings are permitted on certain larger sites, primarily sites fronting Nanaimo Street. Siting and massing of new development are intended to be compatible with pre-existing residential development. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [RM-12N Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-12N district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
1000 m <sup>2</sup>	Apartment	<a href="#">3.1</a>
	Mixed-Use Residential Building	<a href="#">3.1</a>
910 m <sup>2</sup>	Townhouse	<a href="#">3.2</a>
	Seniors Supportive or Assisted Housing	<a href="#">3.4</a>
306 m <sup>2</sup>	Triplex	<a href="#">3.3</a>
	Other uses in section <a href="#">2.1</a> of this schedule	<a href="#">3.5</a>
Regulated by the <a href="#">RT-5 and RT-5N Districts Schedule</a>	Duplex, Duplex with Secondary Suite, Single Detached House, Single Detached House with Secondary Suite, Infill in combination with retention of a character house, Multiple Conversion Dwelling, and Secondary Suite	Regulated by the <a href="#">RT-5 and RT-5N Districts Schedule</a>



## 2 USE REGULATIONS

### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Artist Studio – Class A	Conditional	<a href="#">2.2.1</a>
Club	Conditional	
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
Plaza	Conditional	
<b>Dwelling Uses</b>		
Apartment	Conditional	<a href="#">2.2.2</a>
Duplex	Outright	<a href="#">2.2.3</a>
Duplex with Secondary Suite	Conditional	<a href="#">2.2.3</a>
Infill, in combination with retention of a character house existing as of September 18, 2018	Conditional	<a href="#">2.2.3</a>
Laneway House, lawfully existing as of September 18, 2018	Outright	<a href="#">2.2.4</a>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.2</a> , <a href="#">2.2.5</a> , <a href="#">2.2.6</a> , <a href="#">2.2.7</a> , <a href="#">2.2.8</a> , <a href="#">2.2.13</a>

Use	Approval	Use-Specific Regulations
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	<a href="#">2.2.3</a> , <a href="#">2.2.9</a>
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a character house existing on the site as of September 18, 2018	Conditional	<a href="#">2.2.3</a> , <a href="#">2.2.10</a>
Principal Dwelling Unit with Lock-off Unit	Conditional	<a href="#">2.2.8</a>
Residential Unit associated with and forming an integral part of an Artist Studio limited to Artist Studio – Class A	Conditional	<a href="#">2.2.1</a>
Secondary Suite	Conditional	<a href="#">2.2.3</a> , <a href="#">2.2.11</a>
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House, lawfully existing as of September 18, 2018	Outright	<a href="#">2.2.3</a>
Single Detached House with Secondary Suite, lawfully existing as of September 18, 2018	Outright	<a href="#">2.2.3</a>
Townhouse	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.12</a> , <a href="#">2.2.13</a>
Triplex	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	<a href="#">2.2.14</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.15</a>
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
<b>Service Uses</b>		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	

Use	Approval	Use-Specific Regulations
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section 2.1, other than Multiple Dwelling or Mixed-Use Residential Building	Outright	2.2.16
Accessory Buildings, customarily ancillary to any use listed in this section 2.1, other than Multiple Dwelling or Mixed-Use Residential Building, and not permitted as an outright approval use	Conditional	
Accessory Buildings, customarily ancillary to Multiple Dwelling or Mixed-Use Residential Building	Conditional	2.2.17
Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1	Outright	2.2.18
Accessory Uses, customarily ancillary to any conditional approval use listed in this section 2.1	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	
Live-Work Use	Conditional	

## 2.2 Use-Specific Regulations

### 2.2.1 Artist studio – class A may be permitted only:

- (a) where there is a residential unit associated with and forming an integral part of that artist studio; or
- (b) in a mixed-use residential building.

### 2.2.2 In an apartment or mixed-use residential building with a floor space ratio greater than 1.45, a minimum of:

- (a) 25% of the total dwelling units must be 2-bedroom units; and
- (b) 10% of the total dwelling units must be 3-bedroom units,

except that the Director of Planning may vary the distribution of units if no less than 35% of the total dwelling units are 2- or 3-bedroom units, and provided the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### 2.2.3 The following uses must comply with the [RT-5 and RT-5N Districts Schedule](#):

- (a) duplex;
- (b) duplex with secondary suite;
- (c) single detached house;
- (d) single detached house with secondary suite;

- (e) infill in combination with retention of a character house;
- (f) multiple conversion dwelling; and
- (g) secondary suite.

2.2.4 Laneway house is regulated by **Section 11** of this by-law and section **3** and **4** of this schedule do not apply.

2.2.5 The only non-dwelling uses permitted in a mixed-use residential building are:

- (a) artist studio – class A;
- (b) barber shop or beauty salon;
- (c) beauty and wellness centre;
- (d) grocery or drug store;
- (e) live-work use;
- (f) neighbourhood grocery store;
- (g) residential unit associated with and forming an integral part of an artist studio – class A;
- (h) restaurant – class 1; and
- (i) retail store.

2.2.6 A mixed-use residential building is only permitted on sites located along Nanaimo Street and on the northwest corner of East 1st Avenue and Lakewood Drive, as identified in **Map 1: Sites where mixed-use residential building is permitted** at the end of this schedule.

2.2.7 The Director of Planning may permit more than 1 townhouse building or mixed-use residential building on a site, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.8 Principal dwelling unit with lock-off unit may be permitted only in a multiple dwelling or mixed-use residential building and there may be no more than 1 lock-off unit for every 3 principal dwelling units, except that the Director of Planning may permit a higher ratio after considering the intent of this schedule and all applicable Council policies and guidelines.

2.2.9 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:

- (a) there are no additions to the building; and
- (b) no housekeeping or sleeping units are created.

- 2.2.10 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a character house existing as of September 18, 2018, may be permitted as a conditional approval use if it contains no housekeeping or sleeping units.
- 2.2.11 Secondary suite may be permitted if it is in a single detached house lawfully existing as of September 18, 2018.
- 2.2.12 The Director of Planning may permit a townhouse building where the lower units have direct access to grade and the upper units are accessed by way of a common main entrance and corridor, referred to as a “hybrid townhouse” for the purposes of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.
- 2.2.13 In a townhouse or mixed-use residential building with a floor space ratio less than or equal to 1.45, a minimum of 25% of the total dwelling units must be 3-bedroom units.
- 2.2.14 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.15 Farmers’ market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

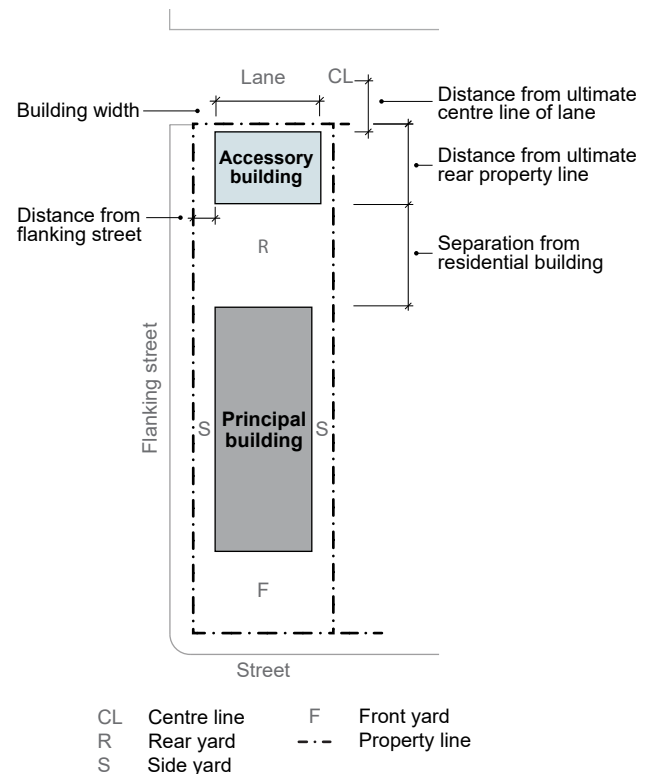
2.2.16 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, other than those ancillary to multiple dwelling or mixed-use residential building, are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
- (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:
- (i) within 7.9 m of the ultimate rear property line,

**Diagram: Building placement for accessory buildings**



- (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
- (iii) at least 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, does not exceed 48 m<sup>2</sup>;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line;
- (e) the separation from any residential building is at least 3.7 m; and
- (f) roof decks and decks are not located on an accessory building.

2.2.17 Accessory buildings customarily ancillary to multiple dwelling or mixed-use residential building may be permitted as a conditional approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height 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 building height;
- (b) all accessory buildings are located:
  - (i) within 7.9 m of the ultimate rear property line,
  - (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) at least 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, does not exceed 48 m<sup>2</sup>, except that the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m<sup>2</sup> for each dwelling unit, not including lock-off units, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (d) the combined building width for all accessory buildings does not exceed 30% of the width of the site at the rear property line, except that the Director of Planning may increase the maximum building width up to 80%, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (e) the separation from any residential building is at least 3.7 m; and
- (f) roof decks and decks are not located on an accessory building.

2.2.18 Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 of this schedule must comply with the provisions of section 2.2.16(b) above.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 Apartment and Mixed-Use Residential Building

Apartment and mixed-use residential building are subject to the following regulations.

##### 3.1.1 Density and Floor Area

##### 3.1.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 1.70 where 100% of the residential floor area is either developed as social housing or secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased; or
- (b) the permitted floor area by 1 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 1.70,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

##### 3.1.1.2 Despite section 3.1.1.1 above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

##### 3.1.2 Building Form and Placement

Regulations		RM-12N
3.1.2.1	Minimum site area	1,000 m <sup>2</sup>
3.1.2.2	Minimum site frontage	36.6 m
3.1.2.3	Maximum building height for:	
	(a) apartment	13.7 m and 4 storeys
	(b) mixed-use residential building other than a rear building	13.7 m and 4 storeys
	(c) mixed-use residential building that is a rear building	9.5 m and 3 storeys
3.1.2.4	Minimum front yard depth	3.7 m
3.1.2.5	Minimum side yard width	2.1 m

Regulations	RM-12N
3.1.2.6 Minimum rear yard depth	6.1 m
3.1.2.7 Maximum site coverage for all buildings	55% of the site area
3.1.2.8 Maximum area of impermeable materials	70% of the site area
3.1.2.9 Maximum building width	26.0 m
3.1.2.10 Minimum separation between mixed-use residential buildings that are:	
(a) located on a site frontage	3.1 m
(b) rear buildings	3.1 m
(c) located on a site frontage and rear buildings	7.3 m

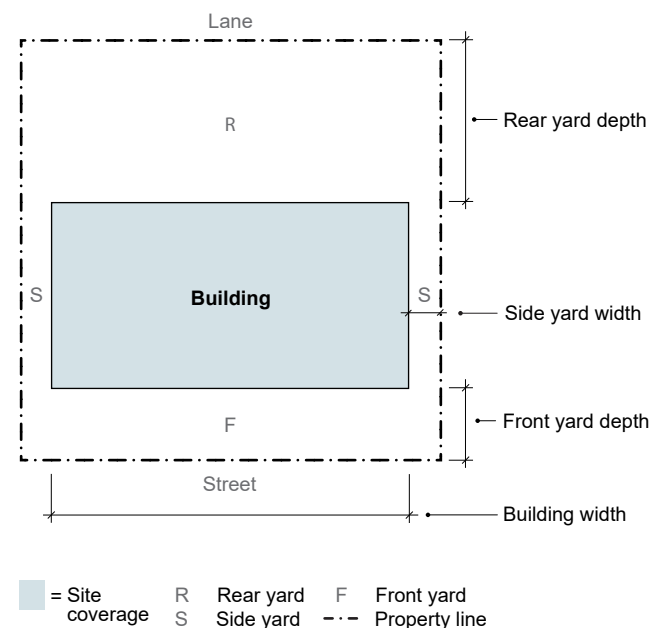
### Unit Frontage

- 3.1.2.11 In a mixed-use residential building, the maximum unit frontage for all non-dwelling uses is 15.3 m, except that the Director of Planning may increase the maximum unit frontage, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Building Height

- 3.1.2.12 Despite the maximum building height in section 3.1.2.3(c) above, the third storey of a mixed-use residential building that is a rear building must be a partial storey not exceeding 60% of the storey immediately below.
- 3.1.2.13 The Director of Planning may vary the maximum building height for a rear building to a height not exceeding 10.7 m and 3 storeys, where the third storey is a partial storey not exceeding 60% of the storey immediately below, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for apartment and mixed-use residential building**





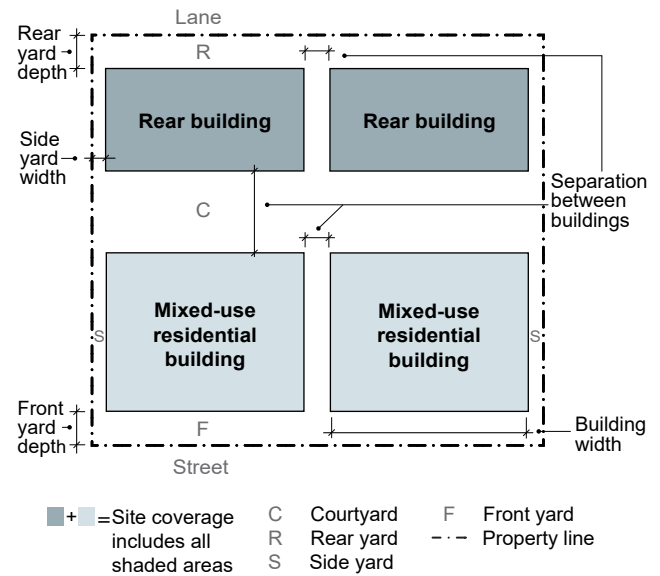
## Building Separation

- 3.1.2.14 Minimum separation between mixed-use residential buildings must be measured from the closest portion of the exterior side wall of any other mixed-use residential building on the site.
- 3.1.2.15 Despite the minimum building separation in section 3.1.2.10(c) above, where an entrance located at or above 1.5 m of grade, or more than 0.6 m below grade, is connected to grade by stairs that project into a courtyard, the separation between mixed-use residential buildings must be at least 9.1 m.
- 3.1.2.16 The Director of Planning may vary the minimum building separation if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

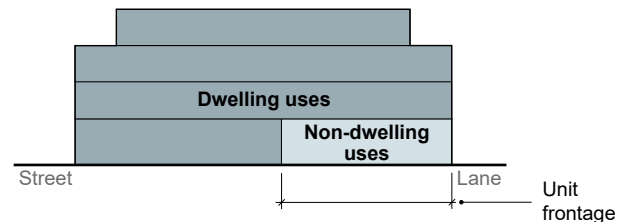
## Discretion to Vary Other Regulations

- 3.1.2.17 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- the minimum front yard depth;
  - the maximum site coverage;
  - the maximum area of impermeable materials; and
  - the maximum building width.

**Diagram: Building placement for mixed-use residential building in a courtyard configuration**



**Diagram: Unit frontage for non-dwelling uses in a mixed-use residential building**



## 3.2 Townhouse

Townhouse is subject to the following regulations.

### 3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 1.45 where 100% of the residential floor area is either developed as social housing or secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased; or
- (b) the permitted floor area by 1 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 1.45,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.2.1.2 Despite section 3.2.1.1 above, for a hybrid townhouse the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 1.70 where 100% of the residential floor area is either developed as social housing or secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased; or
- (b) the permitted floor area by 1 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 1.70,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.2.1.3 Despite sections 3.2.1.1(b) and 3.2.1.2(b) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

### 3.2.2 Building Form and Placement

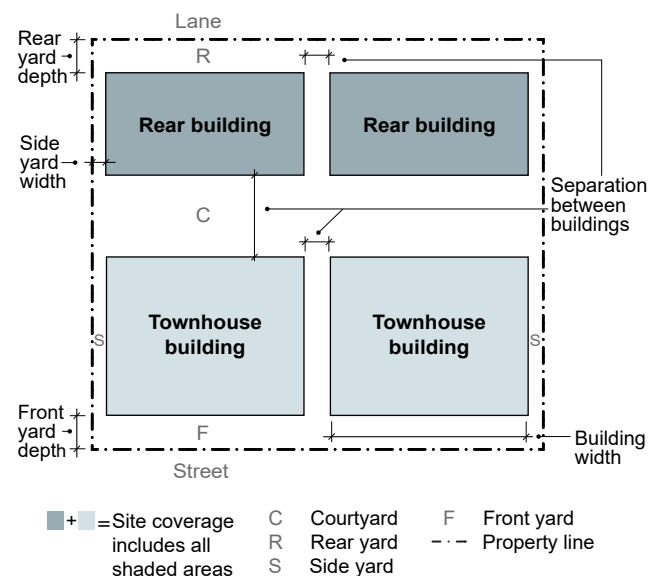
Regulations		RM-12N
3.2.2.1	Minimum site area	910 m <sup>2</sup>
3.2.2.2	Minimum site frontage	27.4 m
3.2.2.3	Maximum building height for:	
	(a) a building other than a rear building	12.2 m and 4 storeys

Regulations	RM-12N
(b) a rear building	9.5 m and 3 storeys
3.2.2.4 Minimum front yard depth	3.7 m
3.2.2.5 Minimum side yard width	1.2 m
3.2.2.6 Minimum rear yard depth	1.8 m
3.2.2.7 Maximum site coverage for all buildings	55% of the site area
3.2.2.8 Maximum area of impermeable materials	70% of the site area
3.2.2.9 Maximum building width	26.0 m
3.2.2.10 Minimum separation between:	
(a) buildings located on a site frontage	3.1 m
(b) rear buildings	3.1 m
(c) buildings located on a site frontage and rear buildings	7.3 m

### Building Height

- 3.2.2.11 Despite the maximum building height in section 3.2.2.3(a) above, the fourth storey of a building other than a rear building must be a partial storey not exceeding 60% of the storey immediately below.
- 3.2.2.12 Despite the maximum building height in section 3.2.2.3(b) above, the third storey of a rear building must be a partial storey not exceeding 60% of the storey immediately below.
- 3.2.2.13 The Director of Planning may vary the maximum building height for a rear building to a height not exceeding 10.7 m and 3 storeys, where the third storey is a partial storey not exceeding 60% of the storey immediately below, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for townhouse in a courtyard configuration**



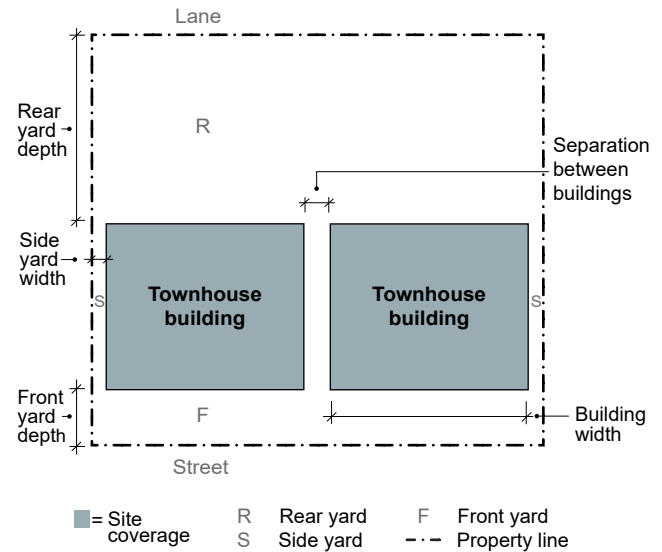
## Building Separation

- 3.2.2.14 Minimum separation between townhouse buildings must be measured from the closest portion of the exterior side wall of any other townhouse building on the site.
- 3.2.2.15 Despite the minimum building separation in section 3.2.2.10(c) above, where an entrance located at or above 1.5 m of grade, or more than 0.6 m below grade, is connected to grade by stairs that project into a courtyard, the separation between buildings must be at least 9.1 m.
- 3.2.2.16 The Director of Planning may vary the minimum building separation if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

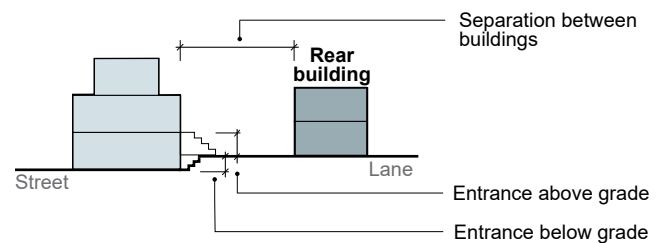
## Discretion to Vary Other Regulations

- 3.2.2.17 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
- the minimum site area;
  - the minimum front yard depth;
  - the maximum site coverage;
  - the maximum area of impermeable materials; and
  - the maximum building width.

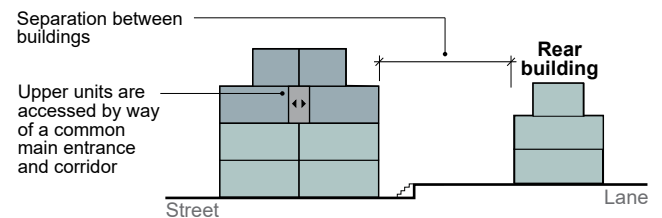
**Diagram: Building placement for townhouse not in a courtyard configuration**



**Diagram: Townhouse in a courtyard configuration**



**Diagram: Hybrid townhouse in a courtyard configuration**



### 3.3 Triplex

Triplex is subject to the following regulations.

#### 3.3.1 Density and Floor Area

3.3.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 0.90 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; or
- (b) the permitted floor area by 1 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,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

3.3.1.2 Despite section [3.3.1.1\(b\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

#### 3.3.2 Building Form and Placement

Regulations	RM-12N
3.3.2.1 Minimum site area	306 m <sup>2</sup>
3.3.2.2 Minimum site frontage	12.8 m
3.3.2.3 Maximum building height	10.7 m and 3 storeys
3.3.2.4 Minimum front yard depth	3.7 m
3.3.2.5 Minimum side yard width	1.2 m
3.3.2.6 Minimum rear yard depth	1.8 m
3.3.2.7 Maximum site coverage for all buildings	55% of the site area
3.3.2.8 Maximum area of impermeable materials	70% of the site area

#### Building Height

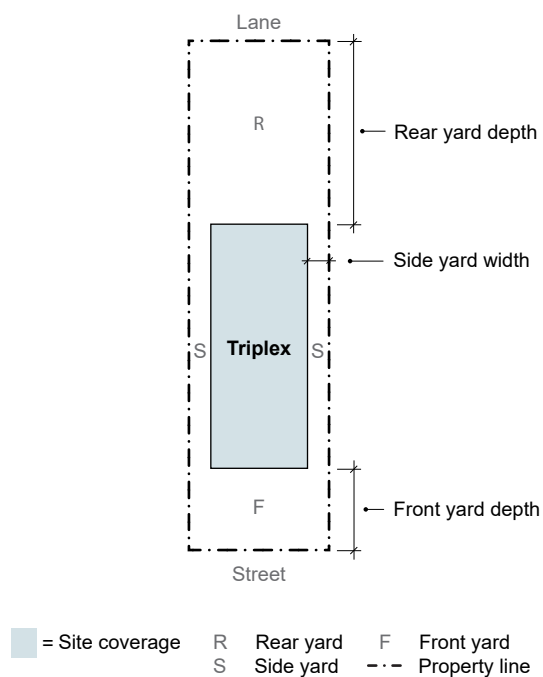
3.3.2.9 Despite the maximum building height in section [3.3.2.3](#) above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.

## Discretion to Vary Other Regulations

3.3.2.10 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the minimum front yard depth;
- (b) the maximum site coverage; and
- (c) the maximum area of impermeable materials.

**Diagram: Building placement for triplex**



### 3.4 Seniors Supportive or Assisted Housing

Seniors supportive or assisted housing is subject to the following regulations.

#### 3.4.1 Density and Floor Area

##### 3.4.1.1 The maximum floor space ratio is 0.75, except that:

(a) the Director of Planning may increase:

- (i) the permitted floor space ratio to a maximum of 1.45 where 100% of the residential floor area is developed as secured market rental housing subject to an agreed upon rental increase limit, or
- (ii) the permitted floor area by 1 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 1.45; and

(b) on sites with a minimum site area of 1,000 m<sup>2</sup> and a minimum site frontage of 36.6 m, the Director of Planning may increase:

- (i) the permitted floor space ratio to a maximum of 1.70 where 100% of the residential floor area is developed as secured market rental housing subject to an agreed upon rental increase limit, or
- (ii) the permitted floor area by 1 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 1.70,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

##### 3.4.1.2 Despite sections [3.4.1.1\(a\)\(ii\)](#) and [3.4.1.1\(b\)\(ii\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

#### 3.4.2 Building Form and Placement

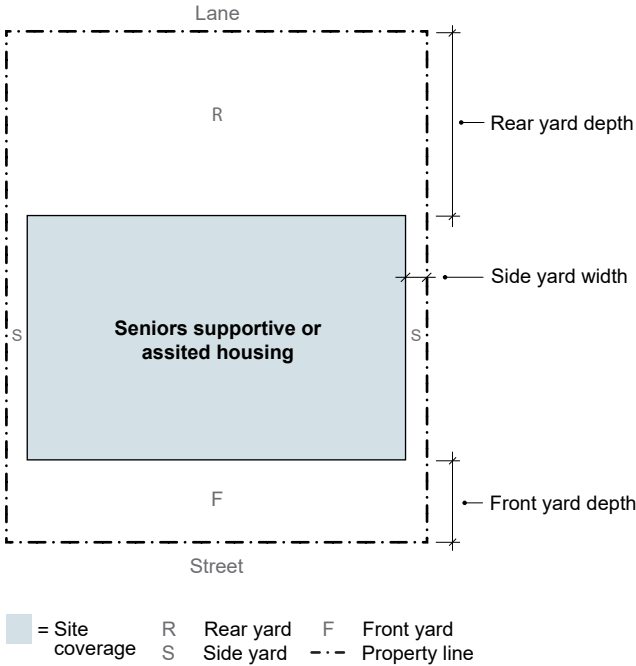
Regulations	RM-12N
3.4.2.1 Minimum site area	910 m <sup>2</sup>
3.4.2.2 Minimum site frontage	27.4 m
3.4.2.3 Maximum building height	12.2 m and 4 storeys
3.4.2.4 Minimum front yard depth	3.7 m
3.4.2.5 Minimum side yard width	1.2 m
3.4.2.6 Minimum rear yard depth	1.8 m

Regulations	RM-12N
3.4.2.7 Maximum site coverage for all buildings	45% of the site area
3.4.2.8 Maximum area of impermeable materials	70% of the site area

### Building Height

- 3.4.2.9 Despite the maximum building height in section 3.4.2.3 above, the fourth storey of a building must be a partial storey not exceeding 60% of the storey immediately below.
- 3.4.2.10 Despite the maximum building height in section 3.4.2.3 above, for sites with a minimum site frontage of 36.6 m and a minimum site area of 1000 m<sup>2</sup>, the Director of Planning may vary the maximum building height to a height not exceeding 13.7 m if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Building placement for senior supportive or assisted housing**





### 3.5 Other Uses

Uses not regulated by sections 3.1 to 3.4 of this schedule are subject to the following regulations, except duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, infill, multiple conversion dwelling and secondary suite, which are regulated by the [RT-5 and RT-5N Districts Schedule](#).

#### 3.5.1 Density and Floor Area

3.5.1.1 The maximum floor space ratio is 0.75.

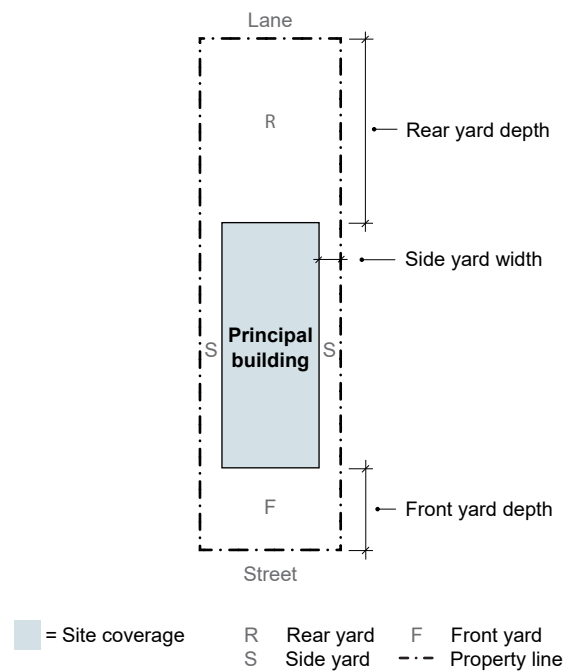
#### 3.5.2 Building Form and Placement

Regulations	RM-12N
3.5.2.1 Maximum building height	10.7 m and 3 storeys
3.5.2.2 Minimum front yard depth	3.7 m
3.5.2.3 Minimum side yard width	1.2 m
3.5.2.4 Minimum rear yard depth	1.8 m
3.5.2.5 Maximum site coverage for all buildings	45% of the site area
3.5.2.6 Maximum area of impermeable materials	70% of the site area

#### Building Height

3.5.2.7 Despite the maximum building height in section [3.5.2.1](#) above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.

Diagram: Building placement for principal building



## 4 GENERAL REGULATIONS

All uses in this district, except duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, infill in combination with retention of a character house, multiple conversion dwelling and secondary suite, are subject to the following regulations.

### 4.1 Amenity Shares and Affordable Housing Shares

4.1.1 For the purposes of this schedule, amenity means 1 or more of the following:

- (a) child day care facility;
- (b) community centre or neighbourhood house;
- (c) library;
- (d) museum or archives;
- (e) park or playground;
- (f) plaza;
- (g) public authority use;
- (h) rink;
- (i) social service centre; and
- (j) swimming pool.

4.1.2 For the purposes of this schedule, the cost of an amenity share or affordable housing share is the amount specified per m<sup>2</sup> in [Schedule F: Affordable Housing and Amenity Share Cost Schedule](#) of this by-law for the RM-12N zoning district.

### 4.2 Computation of Floor Area

4.2.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
- (c) where the distance from a floor located no more than 2.0 m above finished grade to the floor above, or where there is no floor above, to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude an area designed with venting skylights, opening clerestory windows or other similar features if:

- (i) in the opinion of the Director of Planning, the area is designed to reduce energy consumption or improve natural light and ventilation, and
- (ii) the area excluded does not exceed 1% of the permitted floor area; and
- (d) the floor area of bay windows, regardless of seat height, location in building or relationship to yard setbacks, which exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area for multiple dwelling or mixed-use residential building;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) for multiple dwelling or mixed-use residential building, 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 does not exceed 7.3 m in length,
  - (ii) bicycle storage located at or below base surface or, if located at or above base surface, are contained in an accessory building customarily ancillary to multiple dwelling or mixed-use residential building, and that complies with section 2.2.17 of this schedule, and
  - (iii) heating and mechanical equipment or uses that the Director of Planning considers similar to the foregoing, any of which are located at or below base surface;
- (d) for triplex and other dwelling uses other than multiple dwelling, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings containing 3 or more dwelling units, or uses that the Director of Planning considers similar to the foregoing:
  - (i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building that complies with section 2.2.16 of this schedule, or in an infill single detached house 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 manoeuvring aisle, which are located either in a principal building, an accessory building, or an infill single detached house up to a maximum area that the Director of Planning may determine, if the Director of Planning considers the intent of this schedule and 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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, 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 that are located:

- (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial 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 storey if:
  - (i) the side facing the street, rear property line, courtyard, 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 section 4.2.2(a) above, does not exceed 16% of the permitted floor area for multiple dwelling or mixed-use residential building and 13% of the permitted floor area for all other uses, and
  - (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;
- (i) for multiple dwelling or mixed-use residential building, 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 that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% of permitted floor area; and
- (k) 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 section 4.2.2(h) above, to which there is no access from the interior of the building.

### 4.3 Site Coverage and Impermeability: Measurement

4.3.1 The maximum area of impermeable materials includes site coverage for all buildings.

### 4.4 Horizontal Angle of Daylight

4.4.1 Each habitable room must have at least 1 window on an exterior wall of a building.

4.4.2 For the purposes of section 4.4.1 above, habitable room means any room except a bathroom or kitchen.

4.4.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.4.4 The plane or planes referred to in section 4.4.3 above must be measured horizontally from the centre of the bottom of each window.

4.4.5 An obstruction referred to in section 4.4.3 above means:

- (a) any part of the same building excluding permitted projections; or
- (b) the largest building permitted on any adjoining site.

4.4.6 The Director of Planning may vary the horizontal angle of daylight requirement if:

- (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
- (b) the minimum distance of unobstructed view is at least 2.4 m.

## 4.5 Dedication of Land

### 4.5.1 Dedication for Lane Purposes

4.5.1.1 Where a site does not abut a lane, or abuts a lane that 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.

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

### 4.5.2 Dedication for Sidewalk and Boulevard Purposes

4.5.2.1 For development sites that adjoin the streets set forth below, a portion of the site must be dedicated to the City for sidewalk and boulevard improvements to achieve the following distance from the centre line of the street to the property line of the development site, measured at right angles:

- (a) East 1st Avenue, 12.2 m;
- (b) East 1st Avenue, from Garden Drive to Nanaimo Street, 13.4 m;
- (c) Nanaimo Street, from East Pender Street to William Street, 15.1 m; and
- (d) Nanaimo Street, from East 2nd Avenue to Grandview Highway North, 16.1 m.

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

Map 1: Sites where mixed-use residential building is permitted



## SCHEDULE TTT

# FM-1

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to enhance the small-scale residential character of the Fairview Slopes neighbourhood by encouraging retention of the existing houses and permitting new low-profile residential development, which may include some compatible commercial, light industrial, and ancillary uses, designed to optimize the amenities inherent in the topography and location of this central neighbourhood.

Without limitation, applicable Council policies and guidelines for consideration include the [Fairview Slopes FM-1 Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the FM-1 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section 2.1 of this schedule	3.1

### 2 USE REGULATIONS

#### 2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section 2.2.

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.



The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Club	Conditional	2.2.1
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
<b>Dwelling Uses</b>		
Duplex	Outright	
Infill Duplex	Conditional	
Infill Multiple Dwelling	Conditional	2.2.2
Infill Single Detached Dwelling	Conditional	
Mixed-Use Residential Building	Conditional	2.2.2, 2.2.3
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	2.2.4
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing on the site as of June 18, 1956	Conditional	2.2.2, 2.2.5
Multiple Dwelling	Conditional	2.2.2
Rooming House	Outright	
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	

Use	Approval	Use-Specific Regulations
Community Care Facility – Class A	Outright	<a href="#">2.2.6</a>
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
<b>Manufacturing Uses</b>		
Jewellery Manufacturing	Conditional	
<b>Office Uses</b>		
General Office	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a> , <a href="#">2.2.9</a>
Grocery or Drug Store	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Grocery Store with Liquor Store	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Liquor Store	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Pawnshop	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Public Bike Share	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Retail Store	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Secondhand Store	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Small-Scale Pharmacy	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
<b>Service Uses</b>		
Barber Shop or Beauty Salon	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Beauty and Wellness Centre	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Bed and Breakfast Accommodation	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Laundromat or Dry Cleaning Establishment	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Repair Shop – Class B	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Restaurant – Class 1	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.7</a> , <a href="#">2.2.8</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	
<b>uncategorized</b>		

Use	Approval	Use-Specific Regulations
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.10</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a>	Conditional	
Deposition or extraction of material which alters the configuration of the land	Conditional	

## 2.2 Use-Specific Regulations

- 2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.
- 2.2.2 Development on any site consisting of 3 or more dwelling units that:
- (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
  - (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,
- is subject to the [Rental Housing Stock Official Development Plan](#).
- 2.2.3 Any of the non-dwelling uses listed in section [2.1](#) of this schedule may be permitted in a mixed-use residential building.
- 2.2.4 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
- (a) there are no additions to the building;
  - (b) no housekeeping or sleeping units are created; and
  - (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.
- 2.2.5 Multiple conversion dwelling that is not permitted as an approval outright use, resulting from the conversion of a building existing as of June 18, 1956, may be permitted as a conditional approval use, if:
- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact 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 are in keeping with the character of the building.

2.2.6 Community care facility – class A is subject to the regulations, variations, and relaxations that apply to single detached house.

2.2.7 Any office, retail or service use listed in section 2.1 above may be permitted as a conditional approval use if:

- (a) the Director of Planning or Development Permit Board is satisfied that they are compatible with the residential character, are at a neighbourhood scale, and serve the local residential population; and
- (b) they do not exceed the maximum permitted floor area as follows:
  - (i) up to 50% of the gross floor area in buildings located in sub-area 1 identified in **Map 1: Sub-Areas** and **Map 2: Sub-Areas** at the end of this schedule,
  - (ii) up to 15% of the gross floor area, or 130 m<sup>2</sup>, whichever is lesser, in buildings located in sub-area 2 identified in **Map 1: Sub-Areas** and **Map 2: Sub-Areas** at the end of this schedule,
  - (iii) up to 100% of the gross floor area in buildings located in sub-area 3 identified in **Map 1: Sub-Areas** and **Map 2: Sub-Areas** at the end of this schedule,
  - (iv) up to 100% of the gross floor area in buildings protected by a heritage designation by-law, subject to the building being renovated to the satisfaction of the Development Permit Board, and
  - (v) up to 50% of the gross floor area or 700 m<sup>2</sup>, whichever is lesser, in residential buildings existing prior to December 1, 1973, subject to the building being renovated to the satisfaction of the Director of Planning or Development Permit Board.

2.2.8 Subject to the approval of Council, the Development Permit Board may increase the maximum permitted floor area for office, retail or service uses as established in section 2.2.7 above, for development on consolidated sites that comprise land in 2 or more sub-areas as illustrated in **Map 1: Sub-Areas** and **Map 2: Sub-Areas** at the end of this schedule, provided that:

- (a) any increase must be limited to the transfer of the permitted office, retail or service use floor area of 1 sub-area to other sub-areas;
- (b) the Board considers the overall quality of the development, the surrounding developments and potential for redevelopment both within the FM-1 district and other zoning districts that are adjacent to the consolidated site, surrounding traffic patterns, and the intent of this schedule and all applicable Council policies and guidelines; and
- (c) there is no transfer of permitted floor area across future lanes, irrespective of existing property consolidation.

2.2.9 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.10 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height measured to:
  - (i) the highest point of a flat roof,
  - (ii) the deck line of a mansard roof, or
  - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
  - (i) in the rear yard, and
  - (ii) at least 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, does not exceed 35% of the minimum rear yard required in this schedule, or 48 m<sup>2</sup>, whichever is greater; and
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line,

except that the Director of Planning may vary the maximum height, floor area and location regulations, provided that the varied height does not exceed 10.7 m and the varied floor area does not exceed 33.3% of the gross floor area of the principal use.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

#### 3.1 All Uses

All uses in this district are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 0.60, except that:

- (a) for a building existing prior to December 1, 1973 and approved for dwelling use only, the floor area may be increased by 20% of the existing floor area, provided that in no case may the maximum floor space ratio exceed 1.00 and the increase in floor area is for dwelling use only; and
- (b) the Director of Planning or Development Permit Board may increase the permitted floor space ratio to a maximum of 1.50, if the Director of Planning or Development Permit Board considers the intent of this schedule, all applicable Council policies and guidelines, the nature and size of the site, adequacy of open space, overall design and the provision of amenities which would result in community benefits.

##### 3.1.2 Building Form and Placement

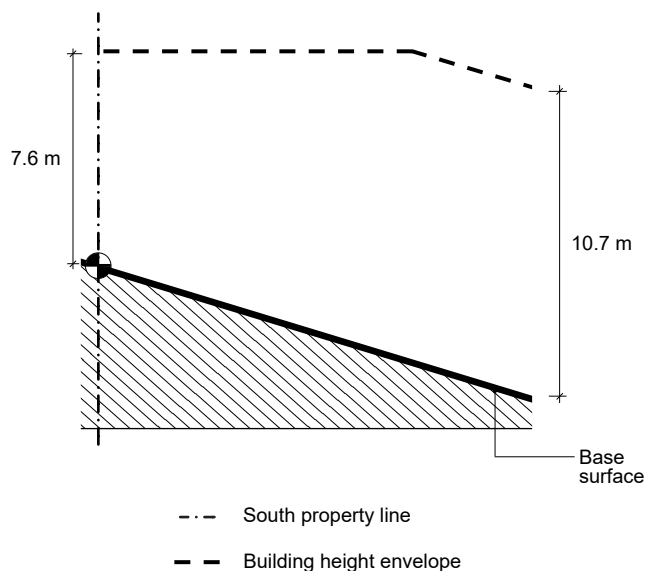
Regulations	FM-1
3.1.2.1 Maximum building height	10.7 m

#### Building Height

3.1.2.2 Building height will be calculated from the building grades as established by the City Engineer and measured at the ultimate property line at the lane.

3.1.2.3 Despite the maximum building height in section 3.1.2.1 above, in the case of a site fronting on a street running east and west, no portion of the building may extend above an envelope formed by a vertical line measuring 7.6 m in height at the south property line and a line extended horizontally from the vertical line to intersect a line representing the maximum height.

**Diagram: Maximum building height for all the uses**



- 3.1.2.4 Subject to approval of Council, the Development Permit Board may increase the maximum permitted building height in section 3.1.2.1 above, if the Development Permit Board considers:
- (a) the height, bulk, location and overall design of the building and its impacts on the site, surrounding buildings and streets, and views;
  - (b) the amount of open space and the impact of the overall design on the general amenity of the area;
  - (c) the peculiarities of the site with respect to traffic, surrounding developments, topography, the potential for development both within the FM-1 district and other zoning districts that are adjacent to the site, and other factors not characteristic of the FM-1 district; and
  - (d) the intent of this schedule, all applicable Council policies and guidelines, and the compatibility of the development with adjacent buildings.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

#### 4.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, having a minimum ceiling height of 1.2 m, both above and below ground level, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, 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, which exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

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

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) floors or portions of floors used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, which:
  - (i) are at or below the base surface, provided that the maximum exclusion for a parking space does 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 does not exceed 7.3 m in length;
- (d) child day care facilities to a maximum floor area of 10% of the total permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;
- (f) basement and cellar areas in a building existing prior to June 18, 1956, and approved for dwelling use only;



- (g) 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 area above base surface for that unit; and
- (h) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% of permitted floor area.

4.1.3 In computing the floor area, site area must be measured to the rear property line on sites where there has been no dedication for lane purposes or the ultimate centre line of the lane on sites where land has been dedicated for lane purposes.

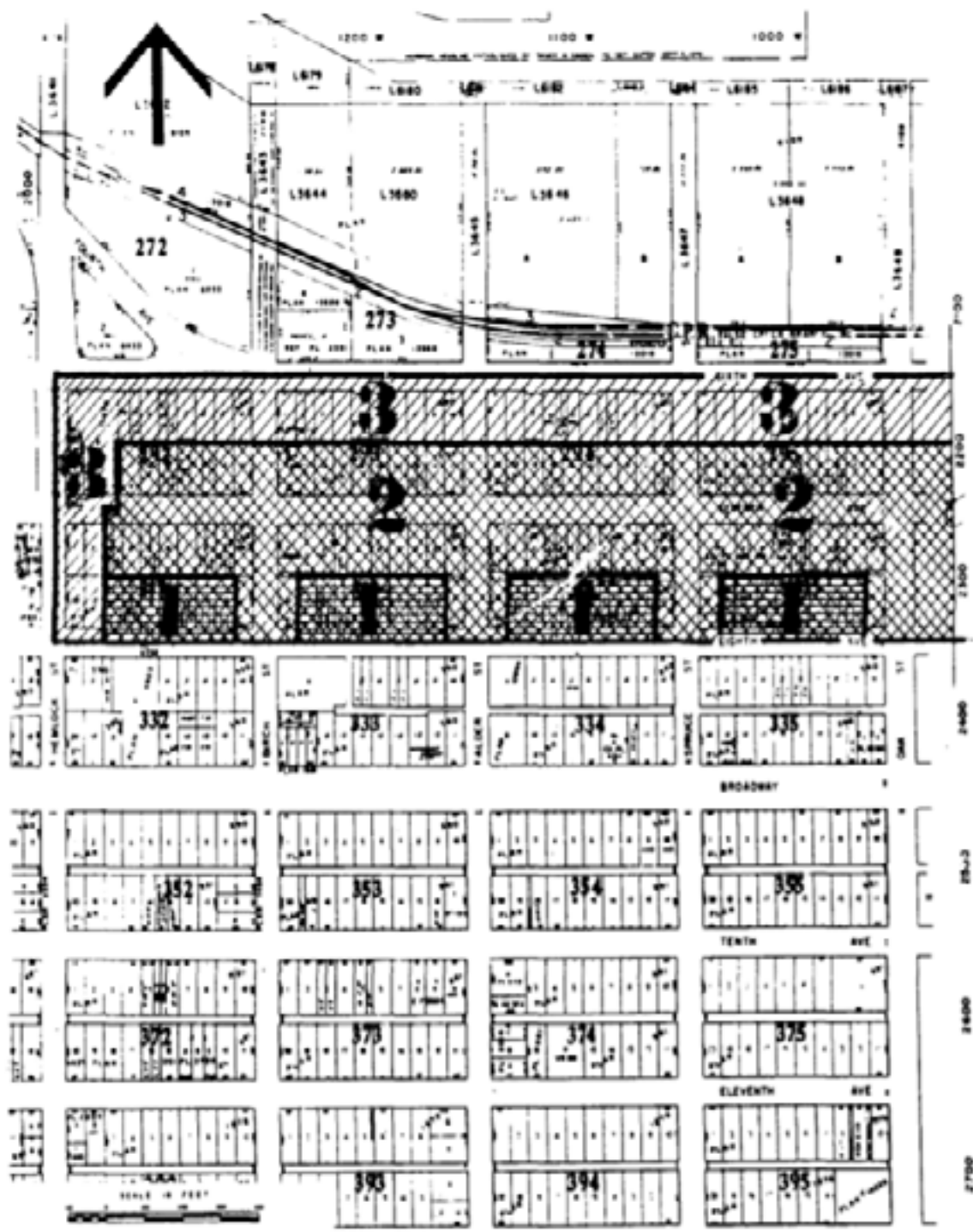
## 4.2 Dedication of Land

### 4.2.1 Dedication for Lane Purposes

4.2.1.1 Where a site does not abut a lane, a portion of the rear of the site, as determined by the City Engineer, to a maximum of 3.1 m, must be dedicated for lane purposes.

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

Map 1: Sub-Areas



Map 2: Sub-Areas

