

RS-6 District Schedule

1 Intent

The intent of this Schedule is to maintain the single-family residential character of the District, to encourage a high standard of building design, materials, and landscape development while allowing design diversity in new development, to encourage retention of existing housing stock, and to conditionally permit laneway houses and infill and multiple conversion dwellings in conjunction with retention of character houses. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established landscape.

2 Outright Approval Uses

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

2.2 Uses

2.2.A • Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, provided that:

- (a) no accessory building exceeds 3.7 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may exceed 4.6 m in height;
- (b) all accessory buildings are:
 - (i) located within 7.9 m of the ultimate rear property line or located within the permitted building depth as regulated by section 4.16 of this Schedule; and
 - (ii) in no case less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than 1.5 m from a flanking street, subject also to the provisions of section 11.1 of this By-law;
- (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 30 percent of the minimum rear yard prescribed in this Schedule, or 48 m² whichever is the greater, except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;
- (d) not more than 67 percent of the width of the rear yard of any lot is occupied by accessory buildings;
- (e) roof gardens and sun decks are not located on an accessory building located beyond the permitted building depth as regulated by section 4.16 of this Schedule.

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

2.2.DW [Dwelling]

- One-Family Dwelling.

2.2.I [Institutional]

- Community Care Facility – Class A, subject to the regulations and relaxations that apply to a one-family dwelling.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including section 3.3.3, and the provisions and regulations of this Schedule, the Development Permit Board may approve any of the uses listed in section 3.2, including such conditions as it may decide, provided that it first considers:

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

3.2 Uses

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

3.2.AG [Agricultural]

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

3.2.C [Cultural and Recreational]

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

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

3.2.DW [Dwelling]

- Dwelling Unit in conjunction with a neighbourhood grocery store existing as of July 29, 1980, subject to the provisions of section 11.16 of this By-law.
- Infill in conjunction with retention of a character house existing on the site as of January 16, 2018
- Infill One-Family Dwelling, provided that:
 - (a) it shall be for a caretaker;
 - (b) it shall be subject to the provisions of section 2.2.A regulating Accessory Buildings except that:
 - (i) clause (a) thereof shall not apply to any portion not located within 7.9 m of the ultimate rear property line;
 - (ii) clause (c) thereof shall not apply; and
 - (iii) clause (b) of section 11.1 of this By-law shall not apply; and
 - (c) its floor area shall not exceed 75 m² and shall be also counted in the accessory building area.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing, subject to section 11.17 of this By-law.
- Laneway House, subject to the provisions of section 11.24 of this By-law.
- Multiple Conversion Dwelling, in conjunction with retention of a character house existing on the site as of January 16, 2018, that contains no housekeeping or sleeping units.

- 3.2.I [Institutional]
- Ambulance Station.
 - Child Day Care Facility.
 - Church, subject to the provisions of section 11.7 of this By-law.
 - Hospital, subject to the provisions of section 11.9 of this By-law.
 - Public Authority Use essential in this District.
 - School - Elementary or Secondary, subject to the provisions of section 11.8 of this By-law.
 - Social Service Centre.
 - Community Care Facility – Class B, subject to the provisions of section 11.17 of this By-law.
 - Group Residence, subject to the provisions of section 11.17 of this By-law.
- 3.2.O [Office]
- Temporary Sales Office, subject to the provisions of section 11.26 of this By-law.
- 3.2.P [Parking]
- Parking Area ancillary to a principal use on an adjacent site.
- 3.2.R [Retail]
- Farmers' Market, subject to the provisions of Section 11.21 of this By-law. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
 - Neighbourhood Grocery Store existing as of July 29, 1980, subject to the provisions of section 11.16 of this By-law.
 - Public Bike Share.
- 3.2.S [Service]
- Bed and Breakfast Accommodation, subject to the provisions of section 11.4 of this By-law.
 - Short Term Rental Accommodation, subject to the provisions of section 11.32 of this By-law.
- 3.2.U [Utility]
- Public Utility.

4 Regulations

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

4.1 Site Area

- 4.1.1 The minimum site area for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling and multiple conversion dwelling shall be 334 m² and the minimum site width for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling and multiple conversion dwelling shall be 7.3 m.
- 4.1.2 Where the site is less than 9.8 m in width or less than 334 m² in area, the design of any new dwelling shall first require the approval of the Director of Planning or the Development Permit Board, as the case may be.
- 4.1.3 The minimum site area for a dwelling unit for a caretaker shall be 3 000 m².

4.2 Frontage -- Not Applicable.

4.3 Height

- 4.3.1 The height of a building shall not exceed:
- 10.7 m above the horizontal datum plane; and
 - 2 ½ storeys; and
 - an envelope located in compliance with the side yard regulations and formed by planes vertically extended 9.2 m in height above the horizontal datum plane and then extending inward and upward at an angle of 45 degrees from the horizontal.
- 4.3.2 For a building, including any accessory building, located within the allowed building depth as described in section 4.16, height shall be measured from the horizontal datum plane.
- 4.3.3 For the purposes of this Schedule, the horizontal datum plane shall be a single horizontal, flat surface, the elevation of which shall be the average of the existing site elevations taken at the intersections of the required front and rear yard setback lines with the side property lines.
- 4.3.4 Notwithstanding section 4.3.3, the elevation of the horizontal datum plane shall not exceed an elevation of 1.5 m above the lowest of the elevations averaged to determine the elevation of this plane.
- 4.3.5 Notwithstanding sections 4.3.2 through 4.3.4 the height of an accessory building not within the allowed building depth as described in section 4.16 shall be measured from existing grade around the perimeter of the accessory building.
- 4.3.6 For sites where the average slope within the allowable building envelope as determined by yard setbacks exceeds 15 percent or for sites exceeding 30.5 m in width and 1 393 m² in area and where, due to conditions peculiar to the site, literal enforcement of sections 4.3.3 and 4.3.4 would result in an unnecessary hardship, the Director of Planning may permit the height to be measured from a hypothetical surface determined by joining the existing grades at the intersections of the hypothetical lines defining the front and rear yards and the side property lines, except that if the Director of Planning is of the opinion that the hypothetical surface determined by joining the existing grades is not compatible with the existing grades of adjoining sites or general topography of the area, he may instead require that height be measured from base surface.
- 4.3.7 Notwithstanding any other provisions in this By-law, the Director of Planning may relax the height requirement to accommodate building features designed to reduce energy consumption in a Passive House, if the Director of Planning first considers:
- the intent of the relevant schedule;
 - all applicable Council policies and guidelines;
 - the relationship of the development to nearby residential development;
 - the submission of any advisory group, property owner or tenant; and
 - the relaxation does not exceed .5 m,

except that this relaxation shall not apply to laneway houses.

4.4 Front Yard

- 4.4.1 A front yard with a minimum depth of 20 percent of the depth of the site shall be provided, except that:
- on a site where the average front yard depth of the two adjacent sites on each side of the site is more than the 20 percent depth by at least 1.5 m or is less than the 20 percent depth, the minimum depth of the front yard to be provided shall be that average, subject to the following:

- (i) where an adjacent site is vacant, it shall be deemed to have a front yard depth of 20 percent of the depth of the site;
 - (ii) if one or more of the adjacent sites front on a street other than that of the development site or the adjacent sites are separated by a street or lane, then such adjacent sites shall not be used in computing the average;
 - (iii) where the site is adjacent to a flanking street or lane, the average depth shall be computed using the remainder of the adjacent sites;
- (b) the Director of Planning may vary the front yard requirement on a double fronting site or a site where a building line has been established pursuant to section 14.1 of this By-law.

4.4.2 Notwithstanding the provisions of section 10.7.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into the required front yard to a maximum of 1.0 m, measured horizontally.

4.4.3 If the provisions of section 4.4.1(a) and section 4.6.1 of this Schedule result in a distance between the front yard and the rear yard which is less than 40 percent of the depth of the site, and provided that the principal building is sited so that it abuts the required rear yard, the depth of the required front yard can be reduced so that the distance between the front yard and the rear yard is equal to 40 percent of the depth of the site.

4.4.4 Covered porches complying with the conditions of section 4.7.3(g) shall be permitted to project into the required front yard a maximum of 2.0 m provided that:

- (a) such a projection is limited to 30 percent of the width of the building; and
- (b) no decks are directly above those portions of a covered porch which project into a required front yard.

4.5 Side Yard

4.5.1 A side yard shall be provided on each side of the building with a minimum width equal to:

- (a) 12 percent of the site width for sites less than or equal to 21.3 m in width; or
- (b) for sites exceeding 21.3 m in width, the following formula shall be used, except that this percent need never be more than 20 percent:

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

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

4.5.3 Notwithstanding the provisions of section 10.7.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into the required side yard to a maximum of 1.0 m, measured horizontally, except that they shall not be less than 0.6 m from an interior side property line.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 40 percent of the depth of the site shall be provided, except that the rear yard to be provided can be reduced to a depth of not less than the greater of the depths of the rear yards of the sites on either side, subject to the following:

- (a) where an abutting site is vacant, it shall be deemed to have a rear yard depth of 40 percent of its site depth;
- (b) where an adjacent site abuts the site by way of its rear property line or is separated by a street or lane, it shall not be used in computing the reduction in the depth of the rear yard to be provided;

- (c) where the site has an exterior side yard, the rear yard to be provided can be reduced to that of the abutting site; and
 - (d) any portion of the principal building to be located within that part of the rear yard decreased as provided for in this section 4.6.1 must comply with the provisions of section 2.2.A(a) of this Schedule.
- 4.6.2 Notwithstanding the provisions of section 10.7.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into the required rear yard to a maximum of 1.0 m, measured horizontally.
- 4.6.3 Covered porches complying with the conditions of section 4.7.3 (g) shall be permitted to project into the required rear yard a maximum of 2.0 m provided that:
- (a) such a projection is limited to 30 percent of the width of the building; and
 - (b) no decks are directly above those portions of a covered porch which project into a required rear yard; and
 - (c) such a projection shall not be permitted to extend more than 2.0 m beyond the allowable building depth.
- 4.6.4 For the purposes of calculating the rear yard to be provided, where the rear property line does not abut a lane or abuts a lane that is only partially dedicated, the rear yard to be provided shall be calculated and measured from the ultimate rear property line.
- 4.6.5 Where a building line has been established pursuant to the provisions of section 14.2, such building line shall be deemed to be the southerly boundary of any required rear yard on lands described in “Plan A” of Part III of Schedule E to this By-law, notwithstanding any dimension contained herein.
- 4.6.6 For buildings existing prior to April 12, 1988 the depth of the required rear yard can be reduced by up to 3.1 m, provided that the resulting depth of the principal building does not exceed 40 percent of the depth of the site. The floor of a roof garden or sun deck located within that part of the rear yard decreased as provided for in this section shall not be any higher than the floor of the first storey of the principal building.
- 4.6.7 Notwithstanding any other provisions in this By-law, the Director of Planning may decrease the rear yard requirement to accommodate building features designed to reduce energy consumption in a Passive House to a minimum of 35 percent of the depth of the site, if the Director of Planning first considers:
- (a) the intent of the relevant schedule;
 - (b) all applicable Council policies and guidelines;
 - (c) the relationship of the development to nearby residential development; and
 - (d) the submission of any advisory group, property owner or tenant.

4.7 Floor Space Ratio

- 4.7.1 The floor space ratio shall not exceed 0.60, subject to the following:
- (a) for buildings existing prior to April 12, 1988 the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 2.0 m or more above finished grade, all of which floors are located within the building depth as defined by section 4.16 of this Schedule, shall not exceed a floor space ratio of 0.20 plus 130 m²;

- (b) for buildings existing prior to March 26, 1996 but not before April 12, 1988 the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 1.8 m or more above finished grade, all of which floors are located within the building depth as defined by section 4.16 of this Schedule shall not exceed a floor space ratio of 0.20 plus 130 m²;
- (c) in all other cases, the area of all floors at or above finished grade and of the floors of any storey, basement, or cellar located below a storey which has a floor surface located 1.8 m or more above finished grade, all of which floors are located within the building depth as defined by section 4.16 of this Schedule, shall not exceed a floor space ratio of 0.16 plus 130 m²;
- (d) notwithstanding section 4.7.1, the Director of Planning may permit an increase of the floor space ratio to 0.64 provided that:
 - (i) he considers all applicable policies and guidelines adopted by Council; and
 - (ii) the increase is subject to the following:
 - (1) the first and second storeys of the building shall not exceed a floor space ratio of 0.20 plus 130 m²;
 - (2) where a half storey is provided above the second storey, the area of all floors on the first, second, and half storey above the second storey shall not exceed a floor space ratio of 0.24 plus 130 m²;
 - (3) the total floor space ratio may not exceed 0.60 plus the floor space ratio of the floor area counted above the second storey up to a maximum of 0.64;
- (e) if:
 - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.45, and the floor space ratio determined under subsection (a), (b), (c), or (d) of section 4.7.1,
 - (ii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
 - (iii) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including covered porches,
 an increase in the floor space ratio to 0.70 is permissible;
- (f) for buildings existing prior to July 7, 2009, if:
 - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.50 and the existing floor space ratio,
 - (ii) the area of all floors at, above or below finished grade, after the addition of a basement or cellar, does not exceed a floor space ratio of 0.75,
 - (iii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
 - (iv) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including covered porches,
 a basement or cellar is permissible;
- (f) [sic] the Director of Planning may increase the maximum permitted floor space ratio to 0.75 to facilitate an addition to a character house, if the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (g) [sic] the Director of Planning may increase the maximum permitted floor space ratio to 0.85 for infill in conjunction with retention of a character house, if the Director of Planning first considers the intent of this schedule and all applicable policies and guidelines adopted by Council.

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

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

- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
- (c) where the distance from a floor to the floor above, or where there is no floor above, to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude an area designed with venting skylights, opening clerestory windows or other similar features if:
 - (i) in the opinion of the Director of Planning, the area is designed to reduce energy consumption or improve natural light and ventilation, and
 - (ii) the area excluded does not exceed one percent of the permitted floor area.;
- (d) areas of basement or cellar below those decks, skylights or roofs which are greater than 1.8 m above the horizontal datum plane as described in 4.3.3 and 4.3.4 shall be included in the above-grade floor space ratio calculation as described in 4.7.1; and
- (e) the floor area of bay windows, regardless of seat height, location on building, or relationship to yard setbacks, in excess of the product of the total floor area permitted above the basement times 0.01.

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

- (a) uncovered residential balconies, uncovered decks at or below the first storey floor level and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the permitted residential floor area;
- (b) uncovered roof decks and roof gardens provided that the Director of Planning first approves the design of guards and privacy screening;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage in multiple conversion dwellings containing 3 or more units or in multiple dwellings or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used which:
 - (i) are located in an accessory building located within 7.9 m of the ultimate rear property line, or
 - (ii) where a site has no developed secondary vehicular access, are located in a principal building, or in an accessory building located within the building depth regulated by the provisions of section 4.16, up to a maximum of 42 m²;
- (d) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors which are located above the highest storey and any half-storey and to which there is no permanent means of access other than a hatch;
- (f) areas of floors existing, proposed or as may be extended over open-to-below space on a storey or a half-storey with a height of less than 1.2 m as measured to the underside of roof rafters or to the underside of the top member of a truss;
- (g) covered porches complying with 4.17.31, provided that:
 - (i) they face a street or a rear property line and are located at or below the first storey floor level;
 - (ii) they shall be open or protected by guard rails the height of which shall not exceed the minimum specified in the Building By-law; and
 - (iii) the total area being excluded does not exceed 5 percent of the permitted floor area; and
 - (iv) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the porch floor;
- (h) floors located below the first storey as defined in section 4.7.5 (a) with a height of less than 1.2 m measured to the underside of floor joists;

- (i) areas of floors existing, proposed or as may be extended over open-to-below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 6:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:
 - (i) the distance from the floor to any part of the ceiling or underside of roof rafters is no higher than 2.3 m and no lower than 1.2 m, both measured vertically; and
 - (ii) the floor area excluded under 4.7.3 (i) does not exceed 10 percent of the permitted floor area above the basement or cellar level;
 - (j) the floor area of a laneway house; and
 - (k) above grade floor area:
 - (i) built as open to below,
 - (ii) to which subsections 4.7.2(c) and 4.7.3(i) do not apply,
 - (iii) designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation, and
 - (iv) to a maximum exclusion of one percent of permitted floor area.
- 4.7.4 Notwithstanding the provisions of section 2 of this By-law regarding the maximum permitted floor area contained in a half-storey, the floor areas excluded in section 4.7.3 (i) shall not be counted in this half-storey calculation.
- 4.7.5 For the purposes of this Schedule:
- (a) the first storey shall be the storey with an average floor elevation at or below:
 - (i) 2.0 m above existing grade for houses existing prior to April 12, 1988; and
 - (ii) 1.8 m above existing grade for all other houses; and
 - (b) the second storey shall be the next storey above the first storey, but no portion of the second storey floor level shall be more than 3.7 m above the first storey floor level.
- 4.8 Site Coverage and Impermeability**
- 4.8.1 The maximum site coverage for buildings shall be 40 percent of the site area.
- 4.8.2 For the purpose of this section, site coverage for buildings shall be based on the projected area of the outside of the outermost walls of all buildings and includes carports, but excludes steps, eaves, balconies and sundecks.
- 4.8.3 Except where the principal use of the site is a parking area, the maximum site coverage for any portion of the site used as parking area shall be 30 percent.
- 4.8.4 The area of impermeable materials, including building coverage, shall not exceed 60 percent of the total site area except that where developed secondary vehicular access to a site is not available, the Director of Planning may exclude from the area of impermeable materials an amount not exceeding:
- (a) for the first parking space, the product of the distance, in metres as measured along the driveway centre line, from the point where the driveway crosses the property boundary to the point where it meets the nearest side of the approveable parking space times 3.1 m; and
 - (b) for each additional parking space, 67 m² to accommodate vehicular access and maneuvering.
- 4.8.5 For the purposes of section 4.8.4, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings, including carports, covered porches and entries; asphalt, concrete, brick, stone, and wood.

- 4.8.6 Notwithstanding section 4.8.5, gravel, river rock less than 5 cm in size, wood chips, bark mulch, and other materials which, in the opinion of the Director of Planning, have fully permeable characteristics when in place installed on grade with no associated layer of impermeable material (such as plastic sheeting) that would impede the movement of water directly into the soil below, are excluded from the area of impermeable materials.

**4.9 to
4.15 (Reserved.)**

4.16 Building Depth

- 4.16.1 The maximum permitted building depth shall not exceed the percentages indicated in the following table:

Portion of building width and location	Maximum building depth as percent of site depth
Centre 60% of the maximum allowable building width	40 percent
20% of maximum allowable building width as measured from both side yard setback lines	35 percent

- 4.16.2 For the purpose of section 4.16.1, building depth shall mean the distance from, and perpendicular to, the required front yard, measured in a straight line to a point directly opposite thereto at the furthest extent of the building, including decks, except that where an existing building encroaches into the required front yard, the distance shall be measured from the front exterior wall rather than the required front yard.
- 4.16.3 For the purposes of section 4.16.1, the maximum building width shall be that determined by the site width less the required side yard setbacks required under section 4.5 and, where applicable, section 11.1 of this By-Law.
- 4.16.4 For corner sites, the maximum building depth for the 20 percent portion of the maximum building width as described in section 4.16.1 which faces a flanking street or lane shall be 40 percent.
- 4.16.5 Where a 20 percent portion of the maximum building width as indicated in section 4.16.1 is adjacent to a site fronting the same street, and that site has a principal building, the projected rear of which (excluding any decks at or below the first storey floor level) extends further back than the 35 percent building depth of the subject site, the building depth for this portion of the subject site may be increased to match the adjacent site's principal building's projected depth but shall not exceed 40 percent.
- 4.16.6 Notwithstanding section 4.16.1 regarding the 20 percent of the maximum allowable building width as measured from both side yard setback lines permitting a maximum building depth of 35 percent, open and covered decks, at or below the first storey floor level, and basements and cellars may project to a maximum 40 percent building depth.
- 4.16.7 Projections into front and rear yards permitted under section 4.4.2, 4.4.4, 4.6.2, 4.6.3 and 4.17.4 shall not be included in the calculation of building depth.
- 4.16.8 Notwithstanding any other section of this schedule, the Director of Planning may increase the permitted building depth to accommodate building features designed to reduce energy consumption in a Passive House by 5 percent, if the Director of Planning first considers:

- (a) the intent of the relevant schedule;
- (b) all applicable Council policies and guidelines;
- (c) the relationship of the development to nearby residential development; and
- (d) the submission of any advisory group, property owner or tenant.

4.17 External Design

- 4.17.1 For the purpose of section 4.17, a front entrance means a door facing the front yard and located at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means and a side entrance means a door located on that part of a building facing a side yard and at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means.
- 4.17.2 There shall be no more than one separate and distinct front entrance to a one-family dwelling or one-family dwelling with secondary suite.
- 4.17.3 A side entrance to a one-family dwelling or one-family dwelling with secondary suite unit shall only be permitted where the side yard faces a street or lane or where the door is no less than 5.0 m from the side property line and no more than one side entrance shall be permitted facing each side yard, except two side doors may be permitted to face a side yard which abuts a street or lane.
- 4.17.4 For the purpose of providing light or access to a basement or cellar, the surface of the ground adjoining a building can be lowered without affecting the calculation of average floor elevation, provided that:
- (a) the lowered surface does not extend into the required front yard nor more than 3.1 m into the required rear yard including access to the lowered surface; and
 - (b) that portion of the building abutting the lowered surface:
 - (i) faces either the front street or the rear property line; and
 - (ii) is not greater than half the width of the building, or 4.6 m, whichever is the lesser.
- 4.17.5 Notwithstanding section 4.17.2 or section 4.17.3, the Director of Planning, on the advice of the Director of Permits and Licenses, may permit one additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989.
- 4.17.6 For portions of a building more than 7.3 m above the horizontal datum plane as defined by 4.3.3 and 4.3.4:
- (a) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12 and a maximum slope of 14:12 and no part shall exceed 9.1 m above the horizontal datum plane except for dormers described under section 4.17.9 (c); and
 - (b) all roofs other than dormer roofs shall have a minimum slope of 6:12 and a maximum slope of 14:12, shall be either hip or gable or a combination of both and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.3 m above the horizontal datum plane or 0.6 m above the floor level of a half-storey or attic above the second storey.
- 4.17.7 Portions of a building conforming to section 10.11.1, clauses (a), (c) and (d) of this By-law shall not be considered for the determination of building height under section 4.17.6.
- 4.17.8 Uncovered roof decks and roof gardens are permitted above the second storey, provided that:
- (a) the total area of roof decks or roof gardens does not exceed 0.03 x site area;
 - (b) the base of the deck or garden shall not be more than 0.6 m above the floor level of a half-storey or attic above the second storey; and

- (c) the deck or garden shall be entirely contained in the rear half of the permitted building depth and be set back a minimum of 0.6 m from the perimeter walls of the second storey.

4.17.9 Where a dormer or dormers are provided on a half-storey above the second storey:

- (a) they shall be limited in total width to the percent of the total width of the elevation of the storey below according to the following table:

Orientation of Dormer	Maximum Width of all Dormers
facing a rear yard	40 percent
facing an interior side yard	25 percent
facing a street or flanking lane	one dormer 25 percent or two or more dormers, each separated by no less than 1.5 m, all totalling in width 30 percent

- (b) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below;
- (c) notwithstanding section 4.17.9(a) and (b), where a site is less than 13.7 m in width, one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above:
- may have its face wall flush or continuous with the second storey exterior wall face below; and
 - the width of this dormer need not be less than 4.6 m and no other dormers are permitted facing this interior side yard;
- (d) they shall face only one side yard on lots less than 13.7 m in width, except where a lot is a corner lot, dormers may face both side yards.

4.17.10 Gable end walls shall be designed so that;

- (a) a gable type roof, any portion of which is greater than 7.3 m above the horizontal datum plane, shall not have gable end walls with ridges more than 7.3 m above the horizontal datum plane on more than two building elevations; and
- (b) no more than one gable end wall on a building elevation may exceed 9.1 m height above the horizontal datum plane.

4.17.11 A bay window projecting into a required yard, as permitted under section 10.7.1 (e) of this By-law, shall not exceed 2.4 m at its widest dimension and the total width of all bay windows projecting into a required yard, measured at their widest dimensions, shall not exceed 25 percent of the width of the storey on that elevation where they are located.

4.17.12 Where a basement or cellar horizontally projects beyond the first storey, the projecting area shall:

- face the rear property line or an interior side yard; or
- face the street towards which the front entry faces and be under an approved deck, planter or patio at or below the first storey floor level; or
- face, on a corner lot, a street other than as described in 4.17.12(b), and not be closer to the property line fronting this street than the closest portion of the first storey; or
- be below a covered porch as described in section 4.4.4 or 4.6.3;

except in no case shall a basement or cellar project into a required yard or exceed permitted building depth requirements.

4.17.13 to 4.17.29 (Reserved)

- 4.17.30 Metal chimney flues or vents shall be visually screened from view by a non-combustible enclosure except that this requirement shall not apply to through-wall-direct-vented gas fireplaces.
- 4.17.31 The maximum height of covered porches shall be governed by the following:
- (a) the height above the porch floor to the ceiling shall not exceed 3.1 m and the height above the porch floor to the top of a flat roof covering the porch shall not exceed 4.0 m; or
 - (b) the height above the porch floor to the ridge or highest point of a gable, hip, or vaulted roof springing from no higher than 3.4 m above the porch floor, shall not exceed 4.9 m.
- 4.17.32 Where a front entry area includes columns, piers, pillars or posts or other similar elements, these shall not exceed the lesser of the first storey ceiling height or 3.1 m above the entry landing floor and where they are used on a deck, balcony, or roof area directly above this first storey entry area, no columns, piers, pillars, posts or other similar elements shall exceed 1.2 m in height above the second storey floor level.
- 4.17.33 Except for front door side lights to a total maximum of 2.3 m² and for transom lights over front doors to a maximum of 2.3 m², windows shall be of clear glass or leaded clear glass or leaded stained glass, except bevelled glass, frosted glass, sandblasted glass or glass block may be used for basement windows, windows at stairwells or any windows into lavatories, bathrooms or dressing rooms.
- 4.17.34 Exterior wall cladding materials shall:
- (a) include wood, unglazed brick (minimum thickness 50 mm), non-polished stone (minimum thickness 76 mm), split-face stone, split-face concrete block, stone-dash stucco, pebble-dash stucco, acrylic stucco, paint, stain and similar coatings;
 - (b) include, in addition to these materials listed under (a) above, concrete or concrete block for foundation walls below the first storey and any material for architectural accents up to a maximum of 1.0 m² per building elevation;
 - (c) not be used so that more than two wall cladding materials appear on any single building elevation, except a third material is permitted above the second storey on gable ends or dormers;
 - (d) be used so that, where a building elevation includes a vertically continuous wall on the first and second storeys and this wall is also continuous to a gable end wall on a half-storey above the second storey, more than one wall cladding system shall be required above the basement level;
 - (e) be used so that, notwithstanding section 4.17.34 (c) and (d), materials on chimneys, basements, cellar or crawl space walls, entry porches, entry porch 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 m² per building elevation, and porch roof gable ends are not included when calculating the number of exterior wall cladding materials; and
 - (f) be used so that all wall cladding materials used on a front facade shall be continued in equal proportions no less than 2.0 m along adjacent side walls or 1.2 m where the discontinuation of a material occurs at a change in the building wall plane such as at a bay or chimney projection.
- 4.17.35 Roofing materials shall:
- (a) include wood shingles or wood shakes in natural finish, or asphalt shingles coloured black, blue, grey, green, brown, burgundy, tan, or beige; or

- (b) include slate or slate composites coloured black, green, or grey; or
- (c) include copper or baked enamel matte or flat finished metal roof systems coloured black, grey, brown, beige, or tan; or
- (d) include flat profile concrete or clay roof tiles in matte or flat finished colours black, grey, brown, beige, or tan.

- 4.17.36 Notwithstanding sections 4.17.35 (a) to (d) the use of skylights or flashing shall not be precluded.
- 4.17.37 Roofs with a slope of less than 4:12 shall be exempt from the requirements of sections 4.17.35 (a) to (d) and the roof materials thereon are not regulated by this Schedule.
- 4.17.38 Except where a window or door is recessed no less than 100 mm behind the adjacent exterior wall faces, all doors and windows shall have a minimum 75 mm wide trim all around except door sill trim may be omitted.

5 Relaxation of Regulations

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

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

5.2 The Director of Planning may relax the height and yard and building depth provisions of sections 4.4, 4.5, 4.6, 4.16, and 4.17.6 and the floor space ratio exclusions for parking in accessory buildings of section 4.7.3(c)(i) of this Schedule where, due to conditions peculiar either to the site or to the proposed development, literal enforcement would result in unnecessary hardship, provided that:

- (a) he first considers the submission of any advisory group, property owner or tenant; and
- (b) he considers all applicable policies and guidelines adopted by Council; and
- (c) in no case shall the yard requirements be reduced to less than 60 percent of the amount specified in this Schedule.

5.3 In the case of a corner site, where the rear property line of a site adjoins, without the intervention of a lane, the side yard of a site in an R District, the Director of Planning may relax the provisions of section 4.7 of this Schedule to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m².

5.4 Relaxations for New Buildings

5.4.1 The Director of Planning may relax the requirements of sections 4.17.6 roof form, 4.17.8 roof decks, 4.17.9 dormers, 4.17.10 gables, 4.17.11 bay windows, 4.17.12 basements, 4.17.30 chimneys, 4.17.31 and 4.17.32 entry porches, 4.17.33 windows, 4.17.34 exterior wall cladding, 4.17.35 roofing materials, and 4.17.38 window trim provided that:

- (a) he considers the intent of this Schedule and all applicable policies and guidelines adopted by Council;

- (b) he considers the effects on adjacent properties with regard to shadowing and loss of privacy;
- (c) he considers the proposed development's design in relationship to neighbourhood character;
- (d) he may require submission of photographs or drawings showing the subject property and surrounding properties; and
- (e) he may consider the submission or any advisory group, property owner or tenant.

5.4.2 The Director of Planning may relax section 4.7.1 (d)(ii)(2) for new buildings located in a flood plain to allow a floor space ratio on the first and second storey not exceeding 0.24 plus 130 m² where the development of a half-storey above an existing second storey is not possible due to designated flood construction levels.

5.5 Relaxations for Renovations and Additions

5.5.1 Where renovations and additions are proposed to a building existing prior to March 26, 1996, the Director of Planning may relax the requirements of sections 4.17.6 roof form, 4.17.8 roof decks, 4.17.9 dormers, 4.17.10 gables, 4.17.11 bay windows, 4.17.12 basements, 4.17.30 chimneys, 4.17.31 and 4.17.32 entry porches, 4.17.33 windows, 4.17.34 exterior wall cladding, 4.17.35 roofing materials, and 4.17.38 window trim where the Director of Planning considers these requirements to be unduly restrictive, and provided that:

- (a) he considers the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) he considers the effects on neighbouring properties with particular regard to shadowing and loss of privacy;
- (c) he considers the presence of original materials and detailing and their architectural merit;
- (d) he considers the extent and exterior design of the proposed new work as related to the existing buildings character and design;
- (e) he may require submission of photographs and drawings showing the existing property and surrounding properties; and
- (f) he may consider the submission or any advisory group, property owner or tenant.

5.5.2 The Director of Planning may relax section 4.7.1 (d)(ii)(2) for buildings existing prior to March 26, 1996 to allow a floor space ratio on the first and second storey not exceeding 0.24 plus 130 m² where the development of a half-storey above an existing second storey is not possible due to the structural incapability of the existing building or because of height, access or view blockage concerns.

5.5.3 The Director of Planning may relax section 4.8.4 for buildings existing prior to March 26, 1996 to a maximum of 70 percent impermeable materials site coverage provided that:

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

5.6 Relaxation of Impermeable Materials Regulation

5.6.1 The Director of Planning may relax the requirements of section 4.8.4 where, due to the peculiarities of the site or special circumstances related to the use of the site, literal enforcement would result in unnecessary hardship, provided that:

- (a) he considers all applicable guidelines and policies adopted by Council; and
- (b) he considers the advice of the City Engineer.

- 5.7** The Director of Planning may relax the provisions of this district schedule regarding height, required yards, maximum site coverage and impermeability, building depth and external design when a character house is retained if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.