

BY-LAW NO. 12667

A By-law to amend Zoning and Development By-law No. 3575 Regarding Passive House Amendments

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 No. 3575.
2. In section 10, Council:
 - (a) strikes out section 10.12.1, including the heading, and substitutes “Deleted”;
 - (b) strikes out section 10.14.1, including the heading, and substitutes “Deleted”;
 - (c) strikes out 10.18.4; and
 - (d) strikes out section 10.32.3.
3. In section 10, Council adds the following new section 10.23A in the correct numerical order:

“10.23A Passive House

- 10.23A.1 For a one-family dwelling, a one-family dwelling with secondary suite, a two-family dwelling, or a two-family dwelling with secondary suite in an RA, RS or RT district, the Director of Planning may vary the following regulations to accommodate building features designed to reduce energy consumption in a Passive House, if the Director of Planning first considers the intent of the relevant district schedule and all applicable Council policies and guidelines:
- (a) height, including secondary envelopes, by a maximum of 1 m;
 - (b) the floor area of a partial storey or a half-storey;
 - (c) front yards expressed as a dimension, by a maximum of 0.5 m;
 - (d) rear yards expressed as a dimension, by a maximum of 1.25 m;
 - (e) building depth, and front and rear yards expressed as a percentage, by a maximum of 5%;
 - (f) the computation of floor space ratio where the distance from a floor to the floor above, or where there is no floor, to the top of the roof joists, exceeds 3.7 m, by excluding the area of the floor below the excess height, up to maximum of 10% of the permitted floor area;
 - (g) external design regulations; and
 - (h) the dimensions of below grade features including window wells and entrances designed to increase solar gain to a basement.

- 10.23A.2 For any district or use not included in section 10.23A.1, except a laneway house, the Director of Planning may vary a height, yard, or building depth regulation by a maximum of 1.25 m to accommodate building features designed to reduce energy consumption in a Passive House, if the Director of Planning first considers the intent of the relevant district schedule and all applicable Council policies and guidelines.
- 10.23A.3 The Director of Planning may exclude any floor area occupied by heat recovery ventilators and connected shafts in a Passive House that exceeds the floor area required in order for these features to meet the requirements of the Building By-law, to a maximum exclusion of 2% of permitted floor area.
- 10.23A.4 In an RA, RS or RT district, except where the floor area exceeds 465 m², computation of floor area in a Passive House shall exclude 16% of the floor area in a one-family dwelling or a one-family dwelling with secondary suite, and 18% of the floor area in a two-family dwelling or two-family dwelling with secondary suite, unless exclusions are sought under section 10.11, section 10.23A.1(f), section 10.23A.3, or section 4.7 of an applicable district schedule for bay windows. This section 10.23A.4 shall not apply to applications made after December 31, 2025.
- 10.23A.5 The Director of Planning may exercise the discretion in this section 10.23A to accommodate a building designed for certification under the Passive House Institute's EnerPHit standard, the International Living Future Institute's Zero Energy standard, or an equivalent standard acceptable to the Director of Planning.”.
4. In section 10.32.1(f), Council:
- (a) strikes out “fixed external shading devices” and substitutes “building projections, including shading devices, eaves, and overhangs”; and
 - (b) in paragraph (iii), strikes out “1.2 m” and substitutes “1.5 m”.
5. In the RS-1, RS-1B and RS-5 District Schedules, Council strikes out section 4.3.6.
6. In the RS-1A, RS-2, and RS-7 District Schedules, Council strikes out section 4.3.2.
7. In the RS-3 and RS-3A Districts Schedule, Council strikes out section 4.3.4.
8. In the RS-6 District Schedule, Council strikes out sections 4.3.7 and 4.6.7.
9. In the RS-1 District Schedule, Council strikes out section 4.6.6.
10. In section 4.7.2(c) of the RS-1, RS-3 and RS-3A, RS-5, and RT-10 and RT-10N District Schedules, Council strikes out “, 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”.

11. In section 4.7.2(c) of the RS-6 District Schedule, Council strikes out “, 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.”.

12. In section 4.7.3(c) of the RS-7 District Schedule, Council strikes out “, 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”.

13. In section 4.7.4(c) of the RT-11 and RT-11N Districts Schedule, Council strikes out “, 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”.

14. In section 4.7.3 of the RS-1, RS-1A, RS-1B, and RS-2 District Schedules, Council:

- (a) in subsection (h), adds “and” to the end of the subsection; and
- (b) strikes out subsection (i).

15. In section 4.7.3 of the RS-3 and RS-3A, and RS-5 District Schedule, Council:

- (a) in subsection (h), adds “and” to the end of the subsection;
- (b) in subsection (i), strikes out “; and” and substitutes “.”; and
- (c) strikes out subsection (j).

16. In section 4.7.3 of the RS-6 District Schedule, Council:

- (a) in subsection (i), adds “and” to the end of the subsection;
- (b) in subsection (j), strikes out “; and” and substitutes “.”; and
- (c) strikes out subsection (k).

17. In section 4.7.4 of the RS-7 District Schedule, Council:

- (a) in subsection (i), adds “and” to the end of the subsection;
- (b) in subsection (j), strikes out “; and” and substitutes “.”; and
- (c) strikes out subsection (k).

18. In section 4.7.3 of the RA-1, RT-1, and RT-2 District Schedules, Council:

- (a) in subsection (e), strikes out “.” at the end of the subsection and substitutes “; and”;
- (b) in subsection (f), strikes out “; and” and substitutes “.”; and
- (c) strikes out subsection (g).

19. In section 4.7.3 of the RT-3 District Schedule, Council:

- (a) in subsection (g), adds “; and” to the end of the subsection;
 - (b) in subsection (h), strikes out “; and” and substitutes “.”; and
 - (c) strikes out subsection (i).
20. In section 4.7.3 of the RT-4, RT-4A, RT-4N, and RT-4AN Districts Schedule, and the RT-7, RT-8, and RT-9 District Schedules, Council:
- (a) in subsection (f), adds “; and” to the end of the subsection;
 - (b) in subsection (g), strikes out “; and” and substitutes “.”; and
 - (c) strikes out subsection (h).
21. In section 4.7.6 of the RT-5 and RT-5N Districts Schedule, Council:
- (a) in subsection (f), adds “; and” to the end of the subsection;
 - (b) strikes out subsection (g).
22. In section 4.7.6 of the RT-6 District Schedule, Council:
- (a) in subsection (f), adds “; and” to the end of the subsection;
 - (b) in subsection (g), strikes out “; and” and substitutes “.”; and
 - (c) strikes out subsection (h).
23. In section 4.7.3 of the RT-10 and RT-10N Districts Schedule, Council:
- (a) in subsection (e), adds “; and” to the end of the subsection;
 - (b) in subsection (f), strikes out “; and” and substitutes “.”; and
 - (c) strikes out subsection (g).
24. In section 4.7.5 of the RT-11 and RT-11N Districts Schedule, Council:
- (a) in subsection (f), adds “; and” to the end of the subsection;
 - (b) strikes out subsection (g).
25. In the RS-1 District Schedule, Council:
- (a) strikes out section 4.16.4;
 - (b) renumbers section 4.16.5 as 4.16.4;
 - (c) in newly renumbered section 4.16.4, strikes out “4.16.4” and substitutes “10.23A.1”.
26. In the RS-1A, RS-1B, and RS-2 District Schedules, Council strikes out section 4.16.2.
27. In the RS-3 and RS-3A Districts Schedule, Council strikes out section 4.16.6.
28. In the RS-5 and RS-7 District Schedules, Council strikes out section 4.16.4.
29. In the RS-6 District Schedule, Council strikes out section 4.16.8.
30. In the RT-11 and RT-11N Districts Schedule, Council strikes out section 4.16.3.

31. In section 4.17.11 of the RS-1 and RS-5 District Schedules, Council strikes out “, or to facilitate a building designed for certification under the Passive House standard or International Living Future Institute’s Zero energy standard, or equivalent to the satisfaction of the Director of Planning”.

32. In section 4.17.7 of the RS-1A, RS-1B, and RS-2 District Schedules, Council strikes out “, or to facilitate a building designed for certification under the Passive House standard or International Living Future Institute’s Zero energy standard, or equivalent to the satisfaction of the Director of Planning”.

33. In section 4.17.44 of the RS-6 and RS-7 District Schedules, Council strikes out “, or to facilitate a building designed for certification under the Passive House standard or International Living Future Institute’s Zero energy standard, or equivalent to the satisfaction of the Director of Planning”.

Severability

34. 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.

Force and effect

35. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 31st day of March, 2020

Signed _____ “Kennedy Stewart”
Mayor

Signed _____ “Rosemary Hagiwara”
Acting City Clerk