

BY-LAW NO. 13067

**A By-law to amend
Zoning and Development By-law No. 3575
Regarding Amendments to the Discretionary Height Regulations and other
Miscellaneous 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.
2. In Section 2, Council:
 - (a) adds the following new definitions in alphabetical order:
 - (i) “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.”, and
 - (ii) “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.”; and
 - (b) strikes out the definition of “Base Surface” and substitutes the following:

“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.”.
3. In section 6.4, Council strikes out “section 5” and substitutes “section 4”.
4. In section 9.1, in the column labelled “Industrial”, Council adds “I-1A”, “I-1B”, and “I-1C” after “I-1”, in alphabetical order.
5. In section 10, Council:
 - (a) strikes out section 10.18 and substitutes the following:

“10.18 Height - Building

10.18.1 The Director of Planning may permit the following items to exceed the maximum building height otherwise permitted in this By-law provided that, except for the items set out in subsection (d), they do not in total cover more than 10% of the roof area on which they are located as viewed from directly above:

- (a) architectural features, provided no additional floor area is created;
- (b) mechanical equipment, including elevator machine rooms and any screening materials that the Director of Planning considers appropriate to reduce visual impacts;
- (c) chimneys;
- (d) roof mounted energy technologies, and access and infrastructure required to maintain green roofs or urban agriculture;
- (e) venting skylights and opening clerestory windows designed to reduce energy consumption or improve natural light and ventilation;
- (f) roof-top access structures to private or common outdoor amenity space that do not exceed a height of 3.6 m;
- (g) common roof-top amenity structures, contiguous with common outdoor amenity spaces, that do not exceed a height of 3.6 m;
- (h) any required guards, provided that the Director of Planning considers the guard materials to be appropriate to reduce visual impacts; and
- (i) items similar to any of the above,

provided the Director of Planning first considers the impact on siting, massing, views, overlook, shadowing and noise.

10.18.2 The Development Permit Board may, for any building higher than 30.5 m, permit a decorative roof to exceed the maximum building height otherwise permitted in this By-law, provided that:

- (a) the Development Permit Board is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances;
- (b) the roof does not add to the floor area otherwise permitted; and
- (c) the Development Permit Board first considers all applicable policies and guidelines adopted by Council.”;

(b) in section 10.23A.1, strikes out “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” and substitutes “For a one-family dwelling, a one-family dwelling with secondary suite, an infill one-family dwelling, a two-family dwelling, a two-family dwelling with secondary suite, or an infill two-family dwelling in an RA, RS or RT district”;

- (c) in section 10.23A.4, strikes out “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” and substitutes “computation of floor area in a Passive House shall exclude 16% of the floor area in a one-family dwelling, a one-family dwelling with secondary suite, or an infill one-family dwelling, and 18% of the floor area in a two-family dwelling, a two-family dwelling with secondary suite, or an infill two-family dwelling”;
- (d) in section 10.27, strikes out the title “Site, Corner – in an RA, RS, RT or C-1 District” and substitutes “Site, Corner – in Certain Districts”; and
- (e) in section 10.27.1, strikes out “Development in an RA, RS, RT, or C-1 district” and substitutes “Development in an RA, RS, RT, C-1 district, or as required in other districts”.
6. In section 4.17.8 of the RS-6 District Schedule, Council strikes out “section 10.18.5, clauses (a), (c) and (d)” and substitutes “sections 10.18.1(a), 10.18.1(c) and 10.18.1(d)”.
7. In section 4.17.8 of the RS-7 District Schedule, Council strikes out “section 10.18.5 (a), (c) and (d)” and substitutes “sections 10.18.1(a), 10.18.1(c) and 10.18.1(d)”.
8. In the RM-7, RM-7N and RM-7AN Districts Schedule, Council strikes out section 4.2.2.
9. In the C-2 District Schedule, Council strikes out section 4.14.1(i) and substitutes:
“(i) Nanaimo Street, from William Street to Graveley Street 15.1 m; or”.
10. In the RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Districts Schedule, Council:
- (a) in section 3.2.AG, strikes out “• Accessory Uses customarily ancillary to any of the uses listed in this section.”;
- (b) in section 3.2.A, adds “• Accessory Uses customarily ancillary to any of the uses listed in this section.” to the end of the section;
- (c) in section 4.2.3, strikes out “sections 4.2.1 and 4.2.2” substitutes “section 4.2.2”;
- (d) in section 4.7.13, renumbers subsections 4.7.13(e) through 4.7.13(i) as subsections 4.7.13(f) through 4.7.13(j) respectively; and
- (e) adds a new subsection 4.7.13(e) as follows:
“(e) Plaza;”.
11. In the FM-1 District Schedule, Council:
- (a) in section 3.2.AG, strikes out “• Accessory Uses customarily ancillary to any of the uses listed in this section.”; and

- (b) in section 3.2.A, strikes out “• Accessory Uses to any of the uses listed in this Schedule.” and substitutes “• Accessory Uses customarily ancillary to any of the uses listed in this section.”.
12. In section 3.2.DW of the RS-1B District Schedule and the RS-3 and RS-3A Districts Schedule, Council:
- (a) reorders the list of dwelling uses in alphabetical order; and
 - (b) adds, in the correct alphabetical order, “• Dwelling Units in conjunction with a Neighbourhood Grocery Store.”.
13. In section 3.2.DW of the RM-3 District Schedule, the RM-3A District Schedule, and the RM-4 and RM-4N Districts Schedule, Council strikes out “• Dwelling Units in conjunction with a neighbourhood grocery store existing as of July 29, 1980.” and substitutes “• Dwelling Units in conjunction with a Neighbourhood Grocery Store.”.
14. In section 3.2.DW of the RT-11 and RT-11N Districts Schedule, Council strikes out “• Dwelling Units, up to a maximum of two, in conjunction with a Neighbourhood Grocery Store existing as of July 29, 1980.” and substitutes “• Dwelling Units in conjunction with a Neighbourhood Grocery Store.”.
15. In section 4.7.3 of the RT-4, RT-4A, RT-4N and RT-4AN Districts Schedule, the RT-7 District Schedule, the RT-8 District Schedule, the RT-9 District Schedule, the RT-10 and RT-10N Districts Schedule, and the RM-1 and RM-1N Districts Schedule, Council strikes out “covered verandas or porches” and substitutes “entries, porches and verandahs and covered porches above the first storey”.
16. In section 4.7.9 of the RM-10 and RM-10N Districts Schedule and the RM-11 and RM-11N Districts Schedule, Council strikes out “covered verandas or porches” and substitutes “entries, porches and verandahs and covered porches above the first storey”.
17. In section 4.7.11 of the RM-12N District Schedule, Council strikes out “covered verandas or porches” and substitutes “entries, porches and verandahs and covered porches above the first storey”.
18. In section 4.7.15 of the RM-9, RM-9A, RM-9N, RM-9AN and RM-9BN Districts Schedule, Council strikes out “covered verandas or porches” and substitutes “entries, porches and verandahs and covered porches above the first storey”.
19. In section 4.19.2 of the RM-8, RM-8A, RM-8N and RM-8AN Districts Schedule, Council strikes out “a second” and substitutes “more than one”.
20. In the RM-3A District Schedule and the RM-4 and RM-4N Districts Schedules, Council:
- (a) in section 3.3.1, adds “buildings containing three or more dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing,” after “Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of”;

- (b) in section 4.1.1, strikes out “multiple dwelling or rooming house” and substitutes “building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing, multiple dwelling, or rooming house”;
- (c) in section 4.1.2:
 - (i) renumbers subsections (a) through (c) as subsections (b) through (d), and
 - (ii) adds a new subsection (a) as follows:
 - “(a) a building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing, with a minimum lot area of 500 m².”; and
- (d) in section 4.1.3:
 - (i) renumbers subsections (a) through (c) as subsections (b) through (d), and
 - (ii) adds a new subsection (a) as follows:
 - “(a) a building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing;”.

21. In section 4.2.1 of the RM-4 and RM-4N Districts Schedule, Council strikes out “The maximum frontage for a site for a multiple dwelling” and substitutes “The maximum site frontage for a building containing dwelling units in conjunction with child day care facility, provided that all residential floor area is developed as social housing, or a multiple dwelling”.

22. In Schedule C (Streets Requiring Landscaped Setbacks), Council strikes out “section 11.3” and substitutes “section 10.20”.

23. 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.

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

ENACTED by Council this 20th day of July, 2021

Signed _____ "Kennedy Stewart"
Mayor

Signed _____ "Katrina Leckovic"
City Clerk