

BY-LAW NO. 13222

**A By-law to amend
Zoning and Development By-law No. 3575
Regarding Residential Rental Tenure in C-2 Districts and
New Residential Rental District Schedules**

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 2, Council adds the following new definition in the correct alphabetical order:

“Residential Rental Tenure Any of the following:

 - (a) a tenancy governed by a tenancy agreement as defined in the Residential Tenancy Act or, in the event that the Act is repealed and not replaced, that contains the standard terms set out in the Residential Tenancy Regulation B.C. Reg. 477/2003;
 - (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 whose objects include the provision of affordable rental housing, or a partnership between any two or more such entities; or
 - (c) an occupancy between a member and a non-profit housing co-operative incorporated under the Cooperative Association Act whose objects include the provision of affordable rental housing.”.
3. In section 9, Council:
 - (a) in section 9.1, adds the following to the end of the list of classifications:

“Residential Rental
RR-1
RR-2A, RR-2B and RR-2C
RR-3A and RR-3B”; and
 - (b) in section 9.4:
 - (i) adds the following in the correct alphabetical order:

“RR shall include any and all districts designated in section 9.1 commencing with the letters “RR” and followed by other letters or numbers or combination thereof.”,

- (ii) in the sentence starting “R shall include”, adds “, and RR-1, RR-2A, RR-2B and RR-2C” after “in or combination thereof”, and
- (iii) in the sentence starting “C shall include”, adds “and RR-3A and RR-3B,” after “in or combination thereof,”

4. In section 1 of the C-2 District Schedule, Council strikes out “furthers” and substitutes “promotes”.

5. In section 1 of the C-2, C-2B, C-2C, and C-2C1 District Schedules, Council adds the following sentence at the end of the section:

“In addition, this Schedule encourages mixed-use development containing secure rental housing by including unique provisions for residential rental tenure buildings.”.

6. In section 2.2.A(f) of the C-2, C-2B, C-2C, and C-2C1 District Schedules, Council adds “section 4.10 of” after “prescribed in”.

7. In section 3.3.3(b)(i) of the C-2 District Schedule, section 3.3.4(b)(i) of the C-2B District Schedule, section 3.3.5(b)(i) of the C-2C District Schedule, and section 3.3.6(b)(i) of the C-2C1 District Schedule, Council strikes out “Director Planning” and substitutes “Director of Planning”.

8. In section 4 of the C-2 District Schedule, Council adds the following new paragraph after the first paragraph:

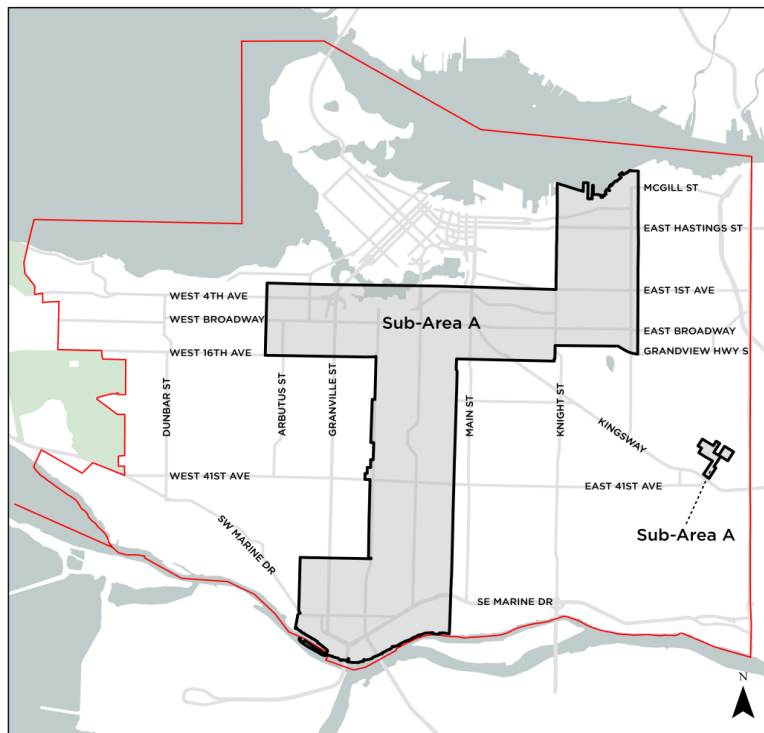
“For the purposes of this Schedule, “Residential Rental Tenure Building” means a building:

- (a) that is located outside of sub-area A, as illustrated in Figure 1, and as further illustrated in the maps in section 5 of this Schedule;
- (b) that contains at least three dwelling units in conjunction with any of the uses listed in this Schedule;
- (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 two or more bedrooms;
- (e) where the third storey and above, measured from the front property line, is limited to residential 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 (PHI), or the Zero Energy standard set by the International Living Future Institute (ILFI), or
 - (ii) energy and emissions intensity limits in accordance with the following table for all dwelling uses, except for Seniors Supportive or Assisted Housing:

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

The Director of Planning may vary the requirements under (f)(ii), provided the Director of Planning is satisfied that sustainability objectives have been achieved on the development site.

Figure 1. Sub-Area A



9. In section 4 of the C-2B, C-2C, and C-2C1 District Schedules, Council adds the following new paragraph after the first paragraph:

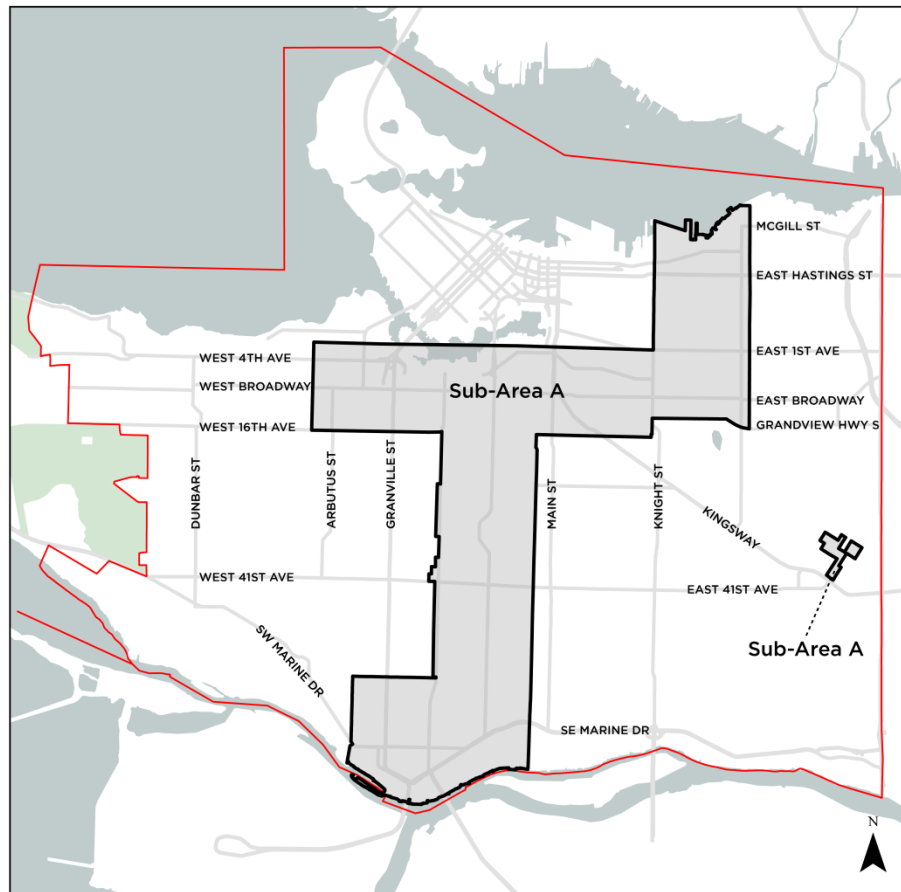
“For the purposes of this Schedule, “Residential Rental Tenure Building” means a building:

- (a) that is located outside of sub-area A, as illustrated in Figure 1, and as further illustrated in the maps in section 6 of this Schedule;
- (b) that contains at least three dwelling units in conjunction with any of the uses listed in this Schedule;
- (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 two or more bedrooms;
- (e) where the third storey and above, measured from the front property line, is limited to residential 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 (PHI), or the Zero Energy standard set by the International Living Future Institute (ILFI), or
 - (ii) energy and emissions intensity limits in accordance with the following table for all dwelling uses, except for Seniors Supportive or Assisted Housing:

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

The Director of Planning may vary the requirements under (f)(ii), provided the Director of Planning is satisfied that sustainability objectives have been achieved on the development site.

Figure 1. Sub-Area A



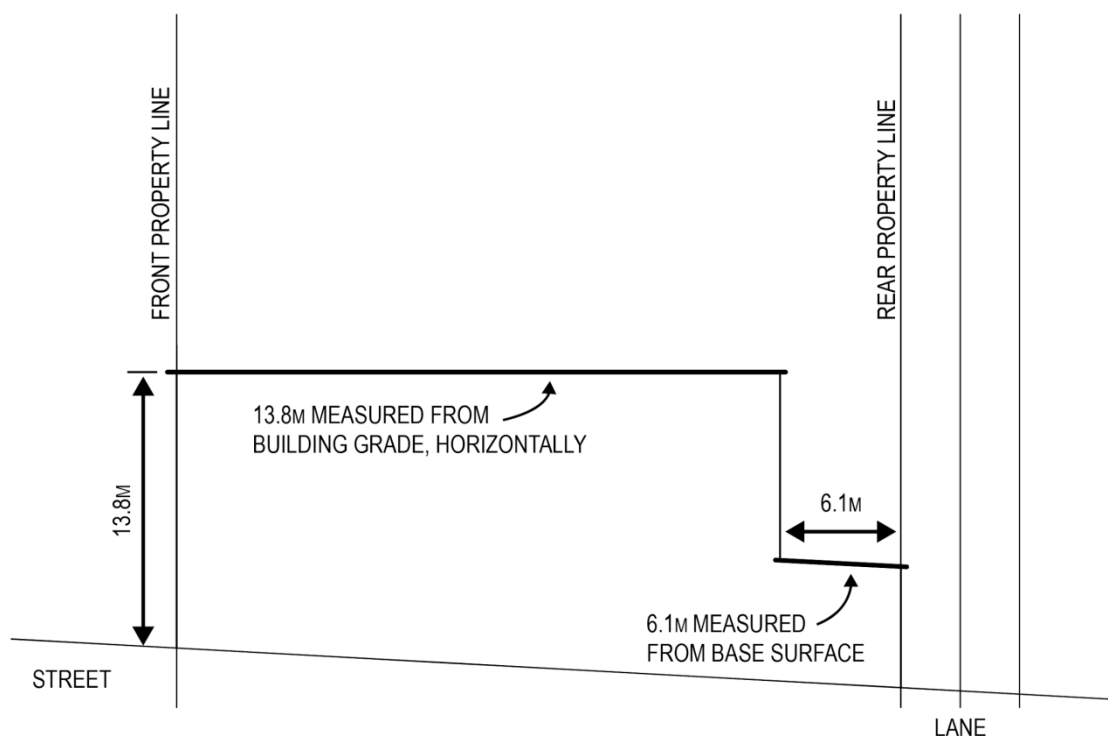
10. In section 4.2 of the C-2 District Schedule, Council:

- (a) in section 4.2.1, strikes out “Figure 1” and substitutes “Figure 2”; and
- (b) re-labels Figure 1 as Figure 2.

11. In section 4.3 of the C-2 District Schedule, Council strikes out sections 4.3.1 and 4.3.2 and substitutes the following:

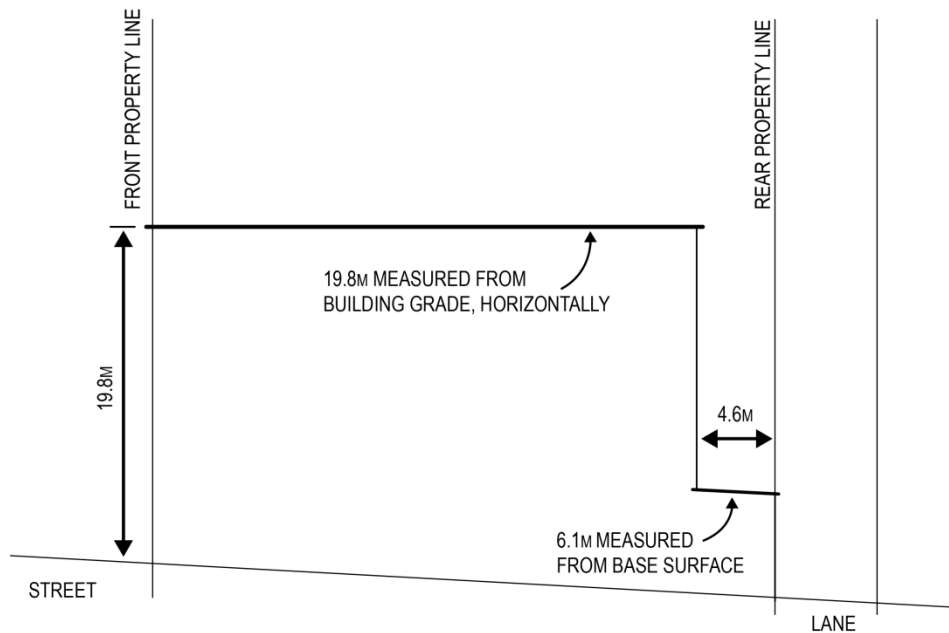
- “4.3.1 The building height shall not exceed 13.8 m measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line, except that for 6.1 m measured from the ultimate rear property line, the building height shall not exceed 6.1 m, as illustrated in Figure 3.
- 4.3.2 Despite section 4.3.1, if a minimum floor-to-floor height of 5.2 m is provided for non-residential uses located at the first storey facing the street, the building height shall not exceed 15.3 m, except that for 6.1 m measured from the ultimate rear property line, the building height shall not exceed 6.1 m, as illustrated in Figure 3.

Figure 3. Building Height



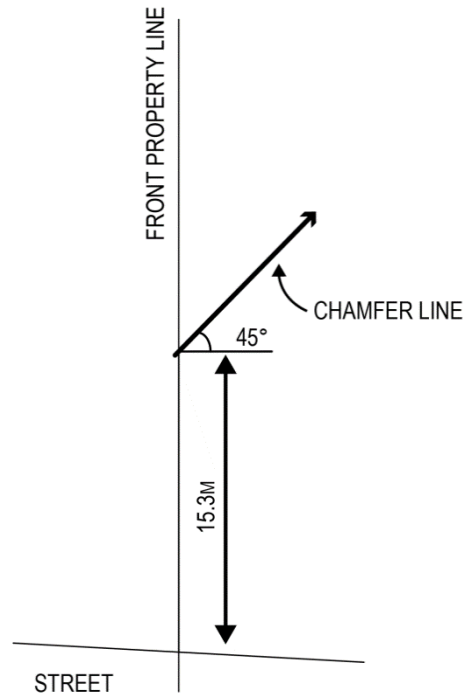
- 4.3.3 Despite sections 4.3.1 and 4.3.2, if a building is a residential rental tenure building, then the building height shall not exceed 19.8 m measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line, as illustrated in Figure 4, provided that:
- (a) for 4.6 m measured from the ultimate rear property line, the building height shall not exceed 6.1 m, except for portions of a building where the rear yard may be reduced under section 4.6.2(d); and
 - (b) the building does not exceed 6 storeys.

Figure 4. Building Height for Residential Rental Tenure Buildings



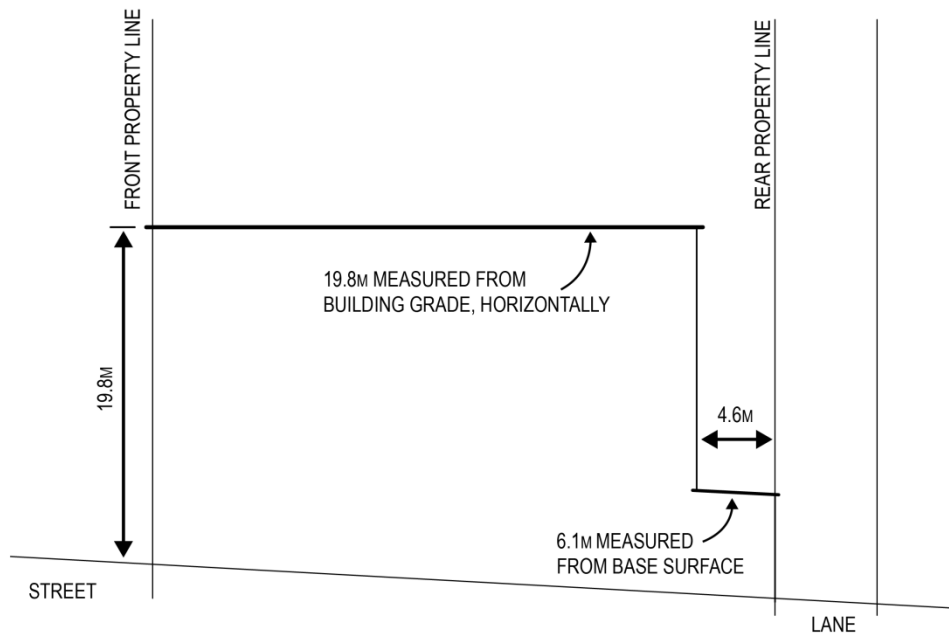
- 4.3.4 Despite section 4.3.3, if a minimum floor-to-floor height of 5.2 m is provided for non-residential uses located at the first storey facing the street in a residential rental tenure building, the building height shall not exceed 22.0 m, provided that:
- (a) for 4.6 m measured from the ultimate rear property line, the building height shall not exceed 6.1 m, except for portions of a building where the rear yard may be reduced under section 4.6.2(d); and
 - (b) the building does not exceed 6 storeys.
- 4.3.5 Despite sections 4.3.3 and 4.3.4, no portion of a residential rental tenure building shall 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 45 degrees measured from the horizontal, as illustrated and described in Figure 5, except in cases 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.

Figure 5. Chamfer Requirement



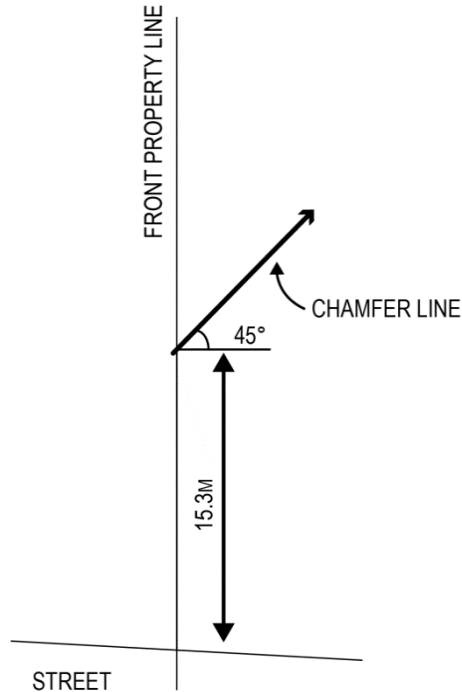
- 4.3.6 Despite sections 4.3.1, 4.3.2, 4.3.3, 4.3.4, and 4.3.5, the Director of Planning or Development Permit Board, as the case may be, may permit an increase in the maximum building height provided the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.
12. In section 4.3.2 of the C-2C and C-2C1 District Schedules, Council strikes out “13.8 m” and substitutes “15.3 m”.
13. In section 4.3 of the C-2B, C-2C, and C-2C1 District Schedules, Council adds the following new sections:
- “4.3.3 Despite sections 4.3.1 and 4.3.2, if a building is a residential rental tenure building, then the height shall not exceed 19.8 m measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line, as illustrated in Figure 2, provided that:
- (a) for 4.6 m measured from the ultimate rear property line, the building height shall not exceed 6.1 m, except for portions of a building where the rear yard may be reduced under section 4.6.2(d); and
 - (b) the building does not exceed 6 storeys.

Figure 2. Building Height for Residential Rental Tenure Buildings



- 4.3.4 Despite section 4.3.3, if a minimum floor-to-floor height of 5.2 m is provided for non-residential uses located at the first storey facing the street in a residential rental tenure building, the building height shall not exceed 22.0 m, provided that:
- (a) for 4.6 m measured from the ultimate rear property line, the building height shall not exceed 6.1 m, except for portions of a building where the rear yard may be reduced under section 4.6.2(d); and
 - (b) the building does not exceed 6 storeys.
- 4.3.5 Despite sections 4.3.3 and 4.3.4, no portion of a residential rental tenure building shall 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 45 degrees measured from the horizontal, as illustrated and described in Figure 3, except in cases 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.

Figure 3. Chamfer Requirement



14. In section 4.3 of the C-2C and C-2C1 District Schedules, Council adds the following new section:

“4.3.6 Despite sections 4.3.3, 4.3.4, and 4.3.5, the Director of Planning or Development Permit Board, as the case may be, may permit an increase in the maximum building height provided the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

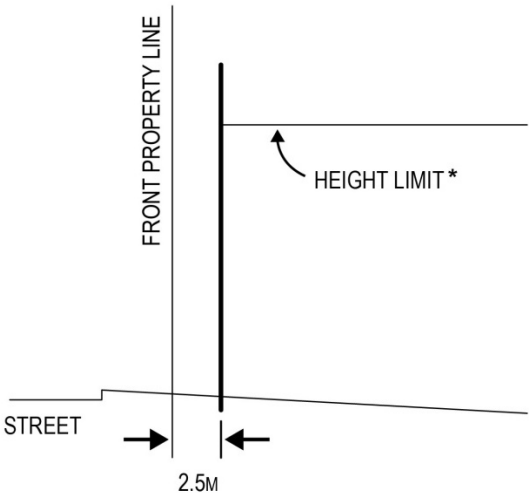
15. In section 4.4 of the C-2 District Schedule, Council:

- (a) in the heading, strikes out “**and Setback**”;
- (b) strikes out section 4.4.1 and substitutes the following:

“4.4.1 The front yard shall have a minimum depth of 2.5 m measured from the ultimate front property line, as illustrated in Figure 6, except that for buildings located in Sub-Area B shown on the map in Figure 7, the front yard shall have a minimum depth of 4.6 m.”;

- (c) strikes out “or front setback” in section 4.4.2;
- (d) strikes out Figure 3 and substitutes the following new figure:

“Figure 6. Front Yard

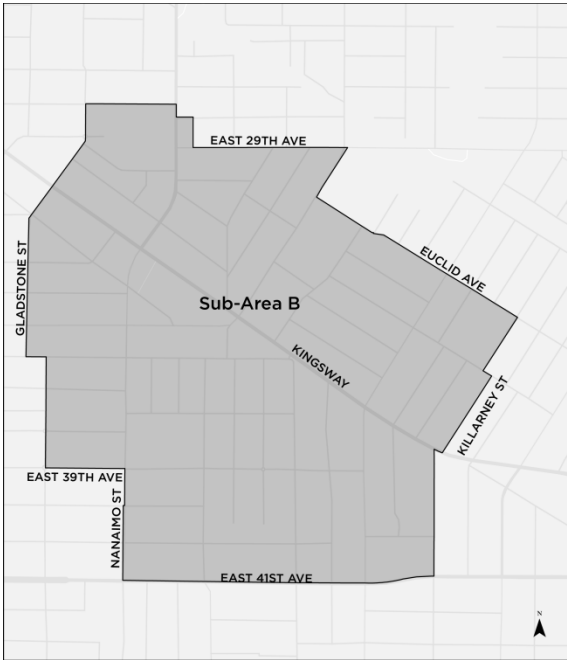


* HEIGHT LIMIT SUBJECT TO SECTION 4.3

”; and

- (e) inserts a new figure as Figure 7 immediately after Figure 6, as follows:

“Figure 7. Sub-Area B



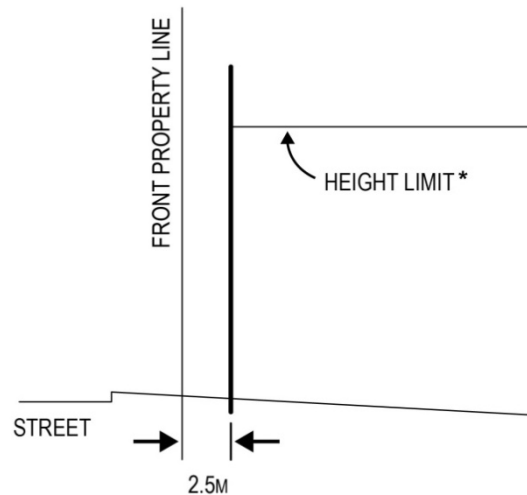
”

16. In section 4.4 of the C-2B District Schedule, Council:

- (a) in the heading, strikes out “**and Setback**”; and
- (b) strikes out sections 4.4.1 and 4.4.2 and substitutes the following:

“4.4.1 A front yard must have a minimum depth of 2.5 m measured from the ultimate front property line, as illustrated in Figure 4.

Figure 4. Front Yard



* HEIGHT LIMIT SUBJECT TO SECTION 4.3

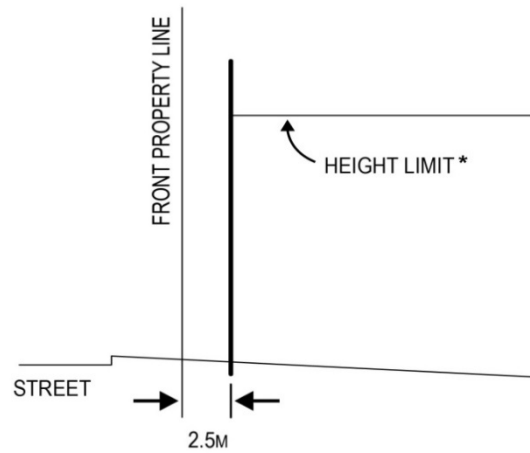
4.4.2 Despite section 4.4.1, the Director of Planning may permit a reduced front yard provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

17. In section 4.4 of the C-2C and C-2C1 District Schedules, Council:

- (a) in the heading, strikes out “**and Setback**”; and
- (b) strikes out sections 4.4.1, 4.4.2, and 4.4.3 and substitutes the following:

“4.4.1 A front yard must have a minimum depth of 2.5 m measured from the ultimate front property line, as illustrated in Figure 4.

Figure 4. Front Yard



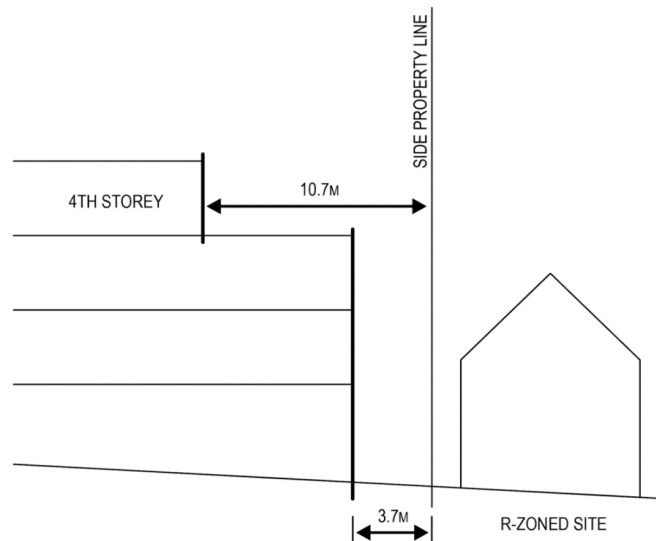
* HEIGHT LIMIT SUBJECT TO SECTION 4.3

4.4.2 Despite section 4.4.1, the Director of Planning may permit a reduced front yard provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

18. In section 4.5.1 of the C-2 District Schedule, Council:

- (a) strikes out “Figure 4” and substitutes “Figure 8”; and
- (b) strikes out Figure 4 and substitutes the following new figure:

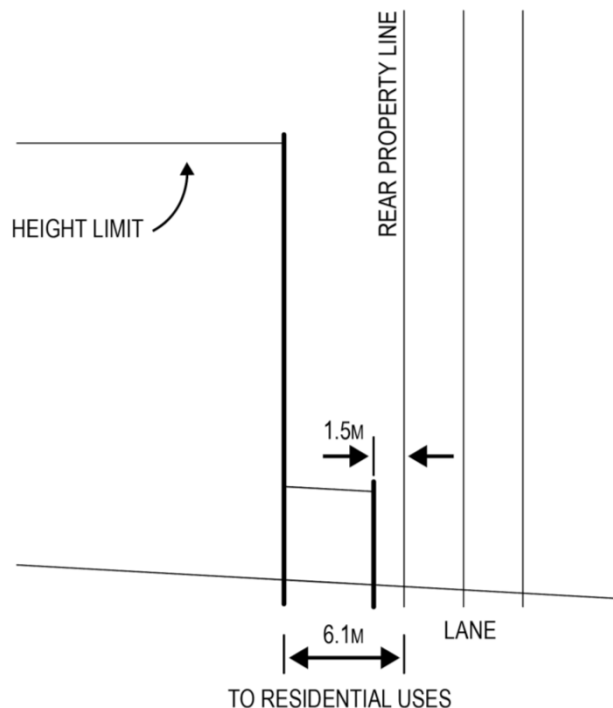
“Figure 8. Side Yard and Setback Adjacent



”.

19. In section 4.5 of the C-2B District Schedule, Council adds a new section 4.5.4 as follows:
- “4.5.4 On a corner site, the exterior side yard requirements shall be the same as the front yard requirements in section 4.4.”.
20. In section 4.5 of the C-2C and C-2C1 District Schedules, Council adds the following new sections:
- “4.5.4 On a corner site, the exterior side yard requirements shall be the same as the front yard requirements in section 4.4.
- 4.5.5 Despite sections 4.5.1, 4.5.2, 4.5.3, and 4.5.4, the Director of Planning may permit reduced side yards or side setbacks provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.
21. In section 4.6 of the C-2 District Schedule, Council:
- (a) in section 4.6.1, strikes out “Figure 5” and substitutes “Figure 9”;
 - (b) in subsection 4.6.1(a), strikes out “0.6 m” and substitutes “1.5 m”;
 - (c) strikes out Figure 5 and substitutes the following new figure, inserting it below section 4.6.1:

“Figure 9. Rear Yard Setback



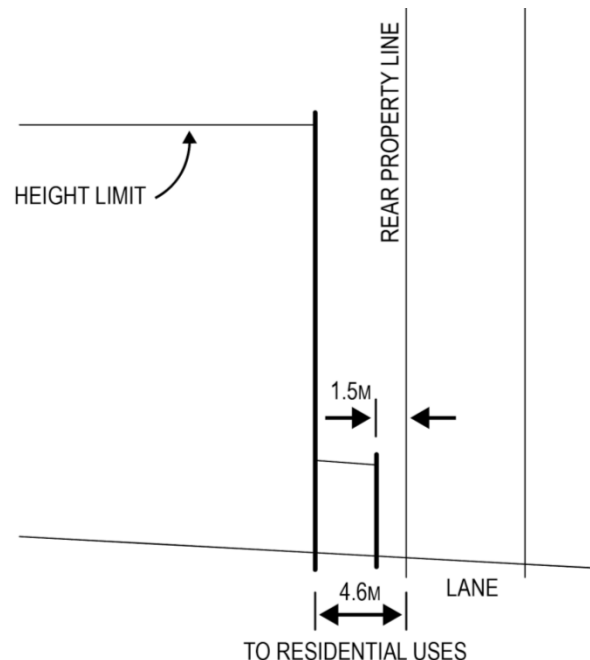
”; and

(d) strikes out section 4.6.2 and substitutes the following:

“4.6.2 Despite section 4.6.1, if a building is a residential rental tenure building, then a rear yard or rear setback, measured from the ultimate rear property line, shall be as follows, and as illustrated in Figure 10:

- (a) for portions of a building not containing dwelling uses and under 6.1 m in building height, the minimum depth of the rear yard shall be 1.5 m;
- (b) for portions of a building not containing dwelling uses and above 6.1 m in building height, the minimum depth of the rear setback shall be 4.6 m; and
- (c) for portions of a building containing dwelling uses the minimum depth of the rear setback shall be 4.6 m, except that roof decks and balconies may intrude into the setback.

Figure 10. Rear Yard Setback for Residential Rental Tenure Buildings



- (d) despite subsections (b) and (c), in the case of a corner site, the rear yard and rear setback may be reduced to a minimum depth of 1.5 m, provided that:
 - (i) the portion of a building for which the rear yard is reduced is located a minimum distance of 22.8 m from an adjoining site, and
 - (ii) the portion of the building for which the rear yard is reduced does not exceed 25.3 m in width, measured from the ultimate exterior side property line; and

- (e) despite subsections (a), (b), (c), and (d), if the rear of the site adjoins, without the intervention of a lane, the side yard of a site located in an R District:
 - (i) for portions of a building not containing dwelling uses and under 6.1 m in building height, the minimum depth of the rear yard shall be 3.1 m, and
 - (ii) for portions of a building not containing dwelling uses and over 6.1 m in building height, the minimum depth of the rear setback shall be 4.6 m, and
 - (iii) for portions of a building containing dwelling uses, the minimum depth of the rear setback behind those portions of the building shall be 4.6 m, except that roof decks may intrude into the setback.

4.6.3 Despite sections 4.6.1 and 4.6.2, the Director of Planning may permit a reduced rear yard or rear setback provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

22. In section 4.6 of the C-2B, C-2C, and C-2C1 District Schedules, Council strikes out sections 4.6.1 and 4.6.2 and substitutes the following:

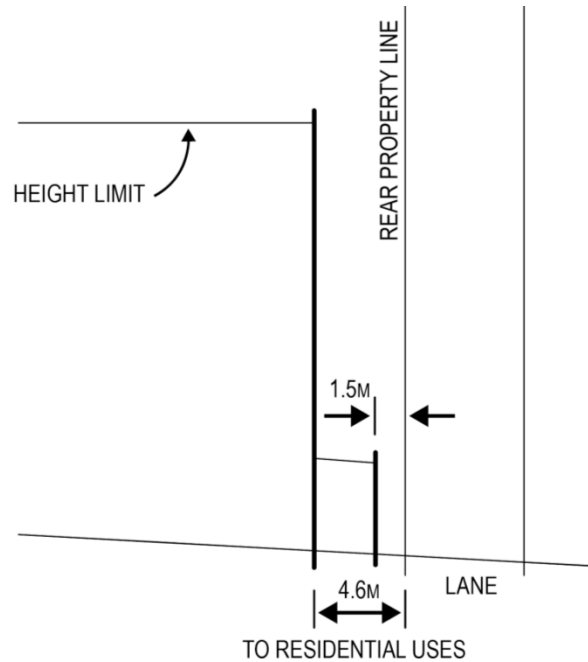
“4.6.1 The rear yard and rear setback, measured from the ultimate rear property line, shall be as follows:

- (a) for portions of a building not containing dwelling uses, the minimum depth of the rear yard shall be 1.5 m;
- (b) for portions of a building containing dwelling uses, the minimum depth of the rear setback shall be 4.6 m, except that roof decks may intrude into the setback.

4.6.2 Despite section 4.6.1, if a building is a residential rental tenure building, then a rear yard or rear setback, measured from the ultimate rear property line, shall be as follows, and as illustrated in Figure 5:

- (a) for portions of a building not containing dwelling uses and under 6.1 m in building height, the minimum depth of the rear yard shall be 1.5 m;
- (b) for portions of a building not containing dwelling uses and above 6.1 m in building height, the minimum depth of the rear setback shall be 4.6 m; and
- (c) for portions of a building containing dwelling uses the minimum depth of the rear setback shall be 4.6 m, except that roof decks and balconies may intrude into the setback;

Figure 5. Rear Yard Setback for Residential Rental Tenure Buildings



- (d) despite subsections (b) and (c), in the case of a corner site, the rear yard and rear setback may be reduced to a minimum depth of 1.5 m, provided that:
 - (i) the portion of a building for which the rear yard is reduced is located a minimum distance of 22.8 m from an adjoining site, and
 - (ii) the portion of the building for which the rear yard is reduced does not exceed 25.3 m in width, measured from the ultimate exterior side property line; and
- (e) despite subsections (a), (b), (c), and (d), if the rear of the site adjoins, without the intervention of a lane, the side yard of a site located in an R District:
 - (i) for portions of a building not containing dwelling uses and under 6.1 m in building height, the minimum depth of the rear yard shall be 3.1 m,
 - (ii) for portions of a building not containing dwelling uses and above 6.1 m in building height, the minimum depth of the rear setback shall be 4.6 m, and
 - (iii) for portions of a building containing dwelling uses, the minimum depth of the rear setback behind those portions of the building shall be 4.6 m, except that roof decks may intrude into the setback.”.

23. In section 4.6 of the C-2C and C-2C1 District Schedules, Council adds the following new section:

“4.6.3 Despite sections 4.6.1 and 4.6.2, the Director of Planning may permit a reduced rear yard or rear setback provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

24. In section 4.7 of the C-2 District Schedule, Council:

(a) strikes out sections 4.7.1 and 4.7.2 and substitutes the following:

“4.7.1 The floor space ratio shall not exceed 0.75, except that the Director of Planning may permit an increase in floor space ratio as follows, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:

- (a) for all uses combined, up to 2.5, provided that the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35;
- (b) for multiple dwellings, up to 2.15; and
- (c) for the purposes of subsections (a) and (b), an artist studio shall be deemed to be a dwelling use.

4.7.2 Despite section 4.7.1, if a building is a residential rental tenure building, then the floor space ratio is as follows:

- (a) for all uses combined, up to 3.5, provided that the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35;
- (b) despite subsection (a), up to 3.7 for all uses combined, provided that:
 - (i) the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35,
 - (ii) the site is a corner site,
 - (iii) the length of the front property line facing the street measures a minimum of 45.7 m, and
 - (iv) the site has a minimum site area of 1,672 m²; and
- (c) despite subsections (a) and (b), the Director of Planning may permit an increase in floor area of up to 0.05 FSR for exterior circulation located above the first storey.

4.7.3 All floors of all buildings, including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building, shall be included in the computation of floor space ratio.”;

- (b) renumbers sections 4.7.3 and 4.7.4 as sections 4.7.4 and 4.7.5 respectively; and
- (c) in section 4.7.5, strikes out “The Director of Planning may permit” and substitutes “If a building is not a residential rental tenure building, the Director of Planning may permit”.

25. In section 4.7 of the C-2B District Schedule, Council:

(a) strikes out section 4.7.2 and substitutes the following:

“4.7.2 Despite section 4.7.1, if a building is a residential rental tenure building, then the floor space ratio is as follows:

- (a) for all uses combined, up to 3.5, provided that the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35;
- (b) despite subsection (a), up to 3.7 for all uses combined, provided that:
 - (i) the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35,
 - (ii) the site is a corner site,
 - (iii) the length of the front property line facing the street measures a minimum of 45.7 m, and
 - (iv) the site has a minimum site area of 1,672 m²; and
- (c) despite subsections (a) and (b), the Director of Planning may permit an increase in floor area of up to 0.05 FSR for exterior circulation located above the first storey.

4.7.3 All floors of all buildings, including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building, shall be included in the computation of floor space ratio.”;

- (b) renumbers sections 4.7.3 and 4.7.4 as sections 4.7.4 and 4.7.5 respectively; and
- (c) in section 4.7.5, strikes out “The Director of Planning may permit” and substitutes “If a building is not a residential rental tenure building, the Director of Planning may permit”.

26. In section 4.7 of the C-2C and C-2C1 District Schedules, Council:

- (a) strikes out sections 4.7.1 and 4.7.2 and substitutes the following:

“4.7.1 The floor space ratio shall not exceed 1.20 in the case of office uses, 1.50 in the case of a site used for purely residential uses, and 3.00 in all other cases, provided that the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35, and for the purposes of the computation of floor space ratio in this section, an artist studio shall be deemed to be a dwelling use.

4.7.2 Despite section 4.7.1, if a building is a residential rental tenure building, then the floor space ratio is as follows:

- (a) for all uses combined, up to 3.5, provided that the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35;
- (b) despite subsection (a), up to 3.7 for all uses combined, provided that:
 - (i) the floor space ratio for non-residential uses on the first storey facing the street must be at least 0.35,
 - (ii) the site is a corner site,
 - (iii) the length of the front property line facing the street measures a minimum of 45.7 m, and
 - (iv) the site has a minimum site area of 1,672 m²; and

- (c) despite subsections (a) and (b), the Director of Planning may permit an increase in floor area of up to 0.05 FSR for exterior circulation located above the first storey.

4.7.3 All floors of all buildings, including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building, shall be included in the computation of floor space ratio.”;

- (b) renumbers sections 4.7.3 and 4.7.4 as sections 4.7.4 and 4.7.5 respectively; and
- (c) in section 4.7.5, strikes out “The Director of Planning may permit” and substitutes “If a building is not a residential rental tenure building, the Director of Planning may permit.”.

27. In section 4.11.1 of the C-2 District Schedule, Council strikes out “Figure 1” and substitutes “Figure 2”.

28. In section 4.14 of the C-2 District Schedule, Council:

- (a) strikes out the title “**Dedication of Land for Sidewalk and Boulevard Purposes**” and substitutes “**Dedication of Land and Statutory Right of Way for Sidewalk and Boulevard Purposes**”; and

- (b) adds the following new sections in the correct numerical order:

“4.14.3 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.

4.14.4 Despite section 4.14.3, the Director of Planning or Development Permit Board, as the case may be, may permit a reduced surface statutory right of way, provided the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

29. In section 4 of the C-2B District Schedule, Council adds a new section 4.11 as follows:

“4.11 Statutory Right of Way for Sidewalk and Boulevard Purposes

4.11.1 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.

4.11.2 Despite section 4.11.1, the Director of Planning or Development Permit Board, as the case may be, may permit a reduced surface statutory right of way, provided the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

30. In section 4 of the C-2C and C-2C1 District Schedules, Council adds a new section 4.12 as follows:

“4.12 Statutory Right of Way for Sidewalk and Boulevard Purposes

4.12.1 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.

4.12.2 Despite section 4.12.1, the Director of Planning or Development Permit Board, as the case may be, may permit a reduced surface statutory right of way, provided the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.”.

31. In the C-2 District Schedule, Council adds a new section 5 as follows:

“5 Sub-Area A Maps

5.1 Sub-area A, as described in section 4 and Figure 1 of this Schedule, is further illustrated by Figures 11, 12, 13, 14, and 15.

Figure 11

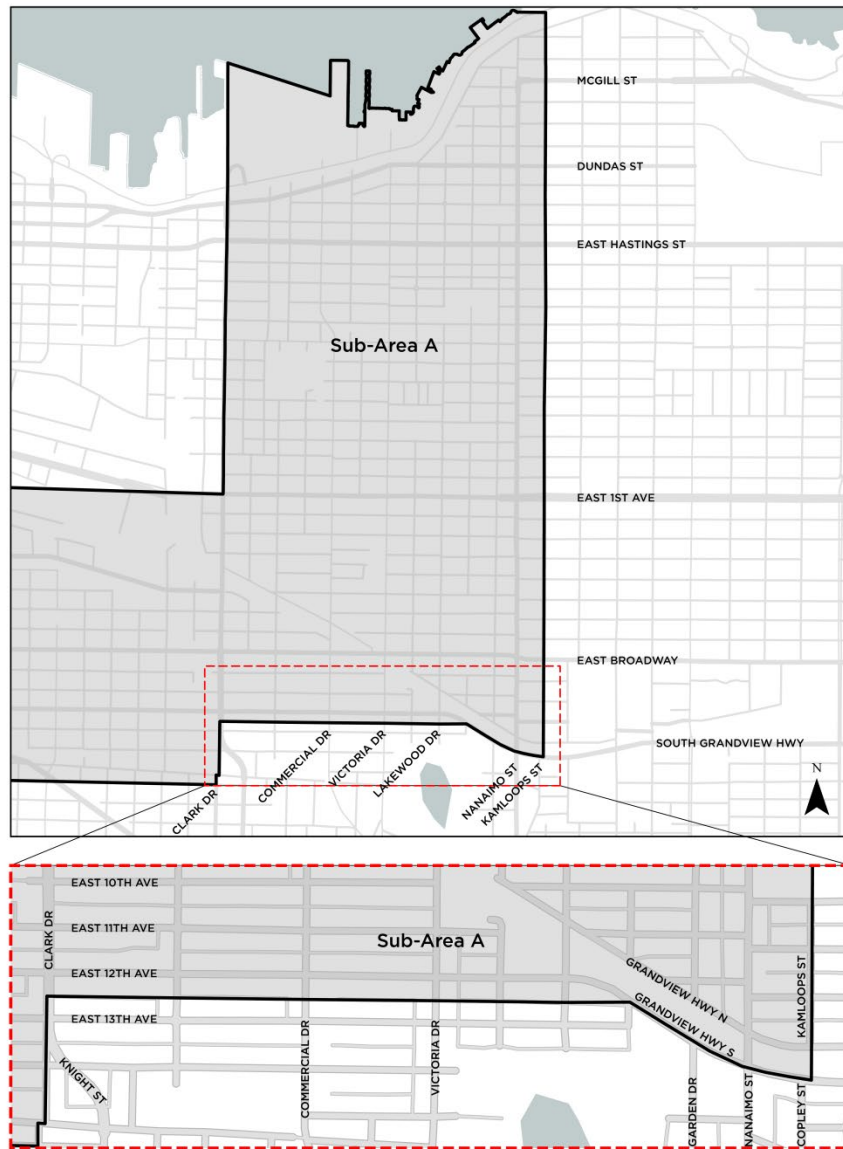


Figure 12

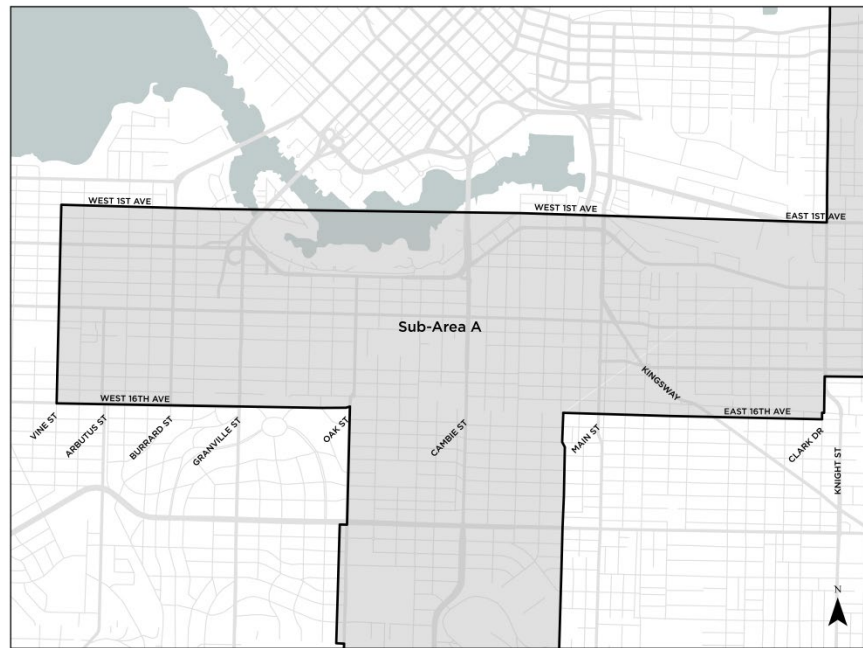


Figure 13



Figure 14

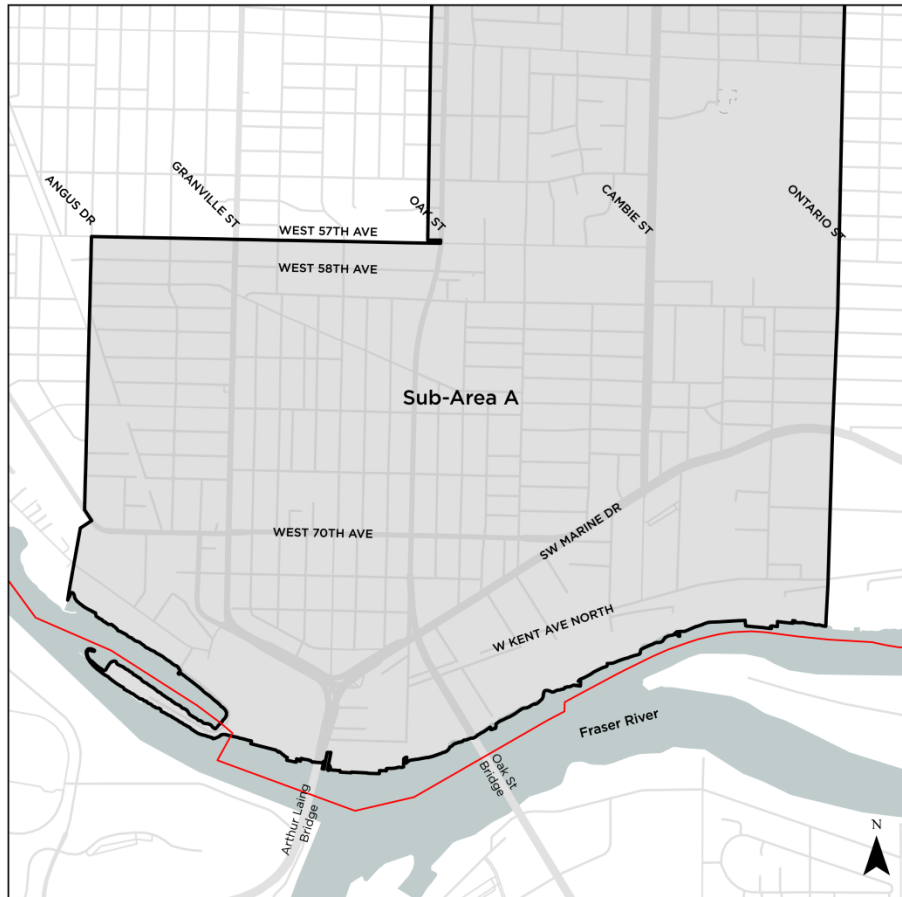
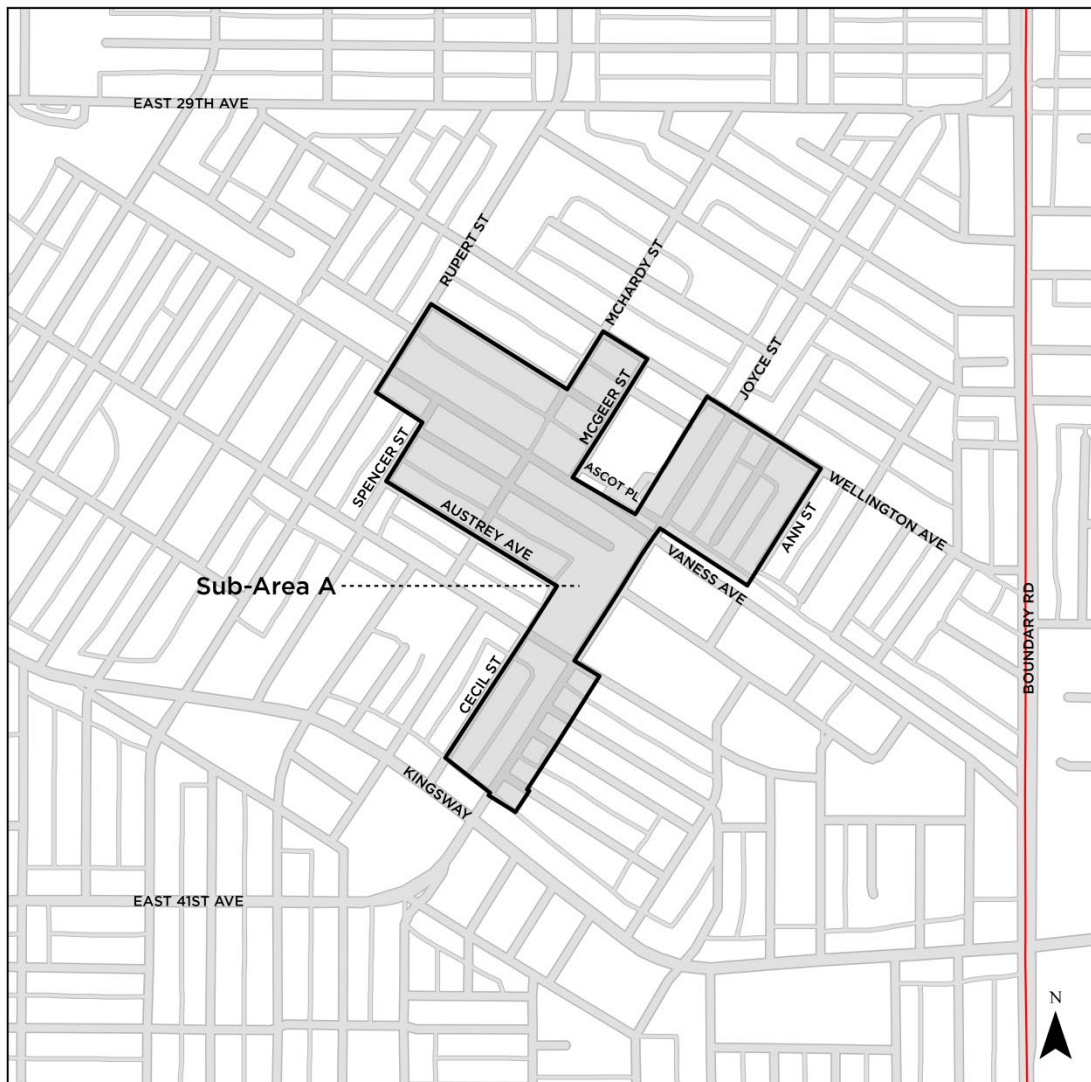


Figure 15



”

32. In the C-2B, C-2C, and C-2C1 District Schedules, Council adds a new section 6 as follows:

“6 Sub-Area A Maps

- 6.1 Sub-area A, as described in section 4 and Figure 1 of this Schedule, is further illustrated by Figures 6, 7, 8, 9, and 10.

Figure 6

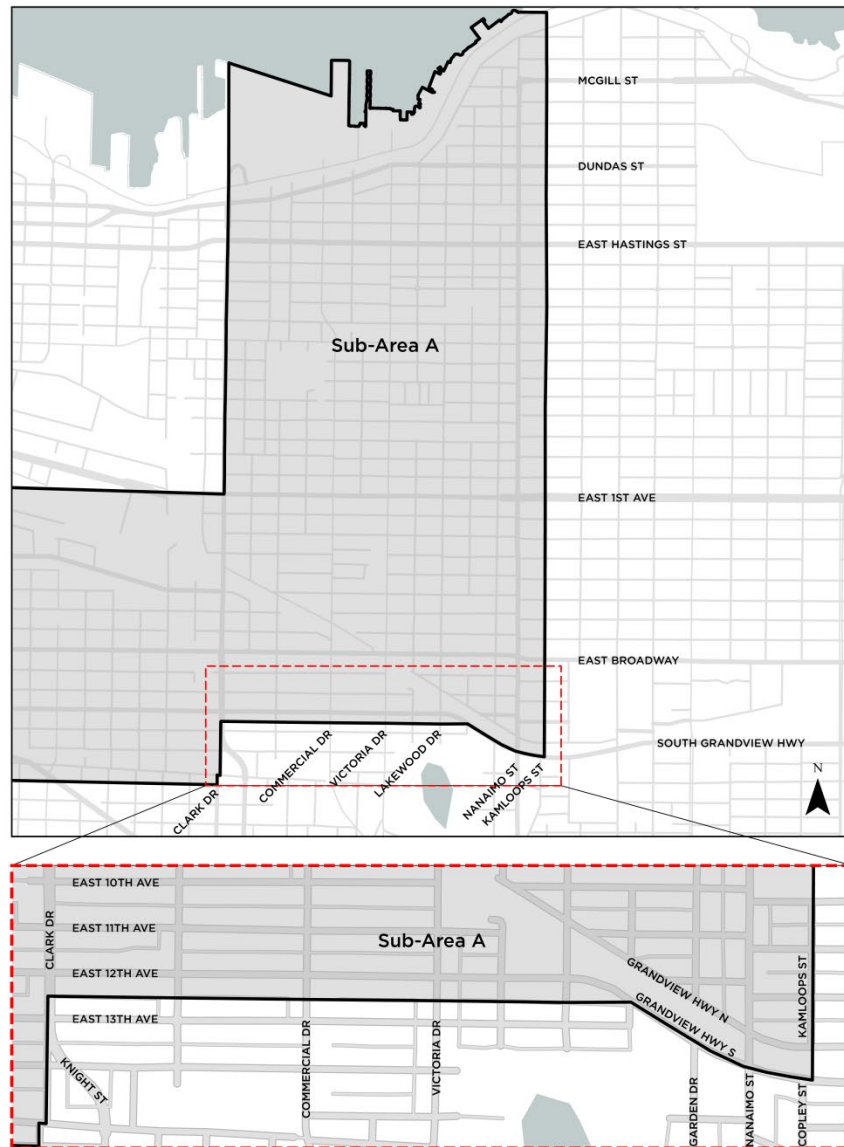


Figure 7

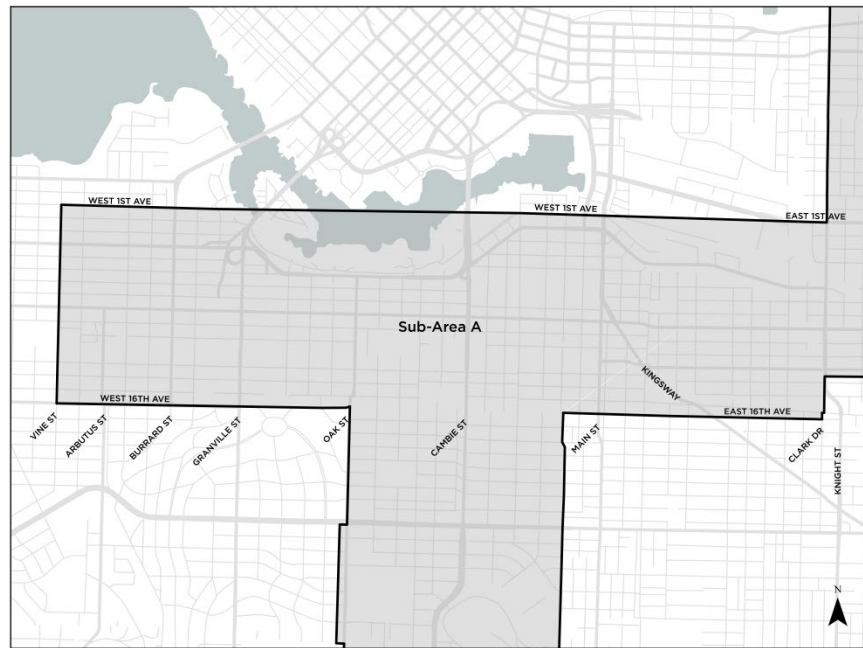


Figure 8



Figure 9

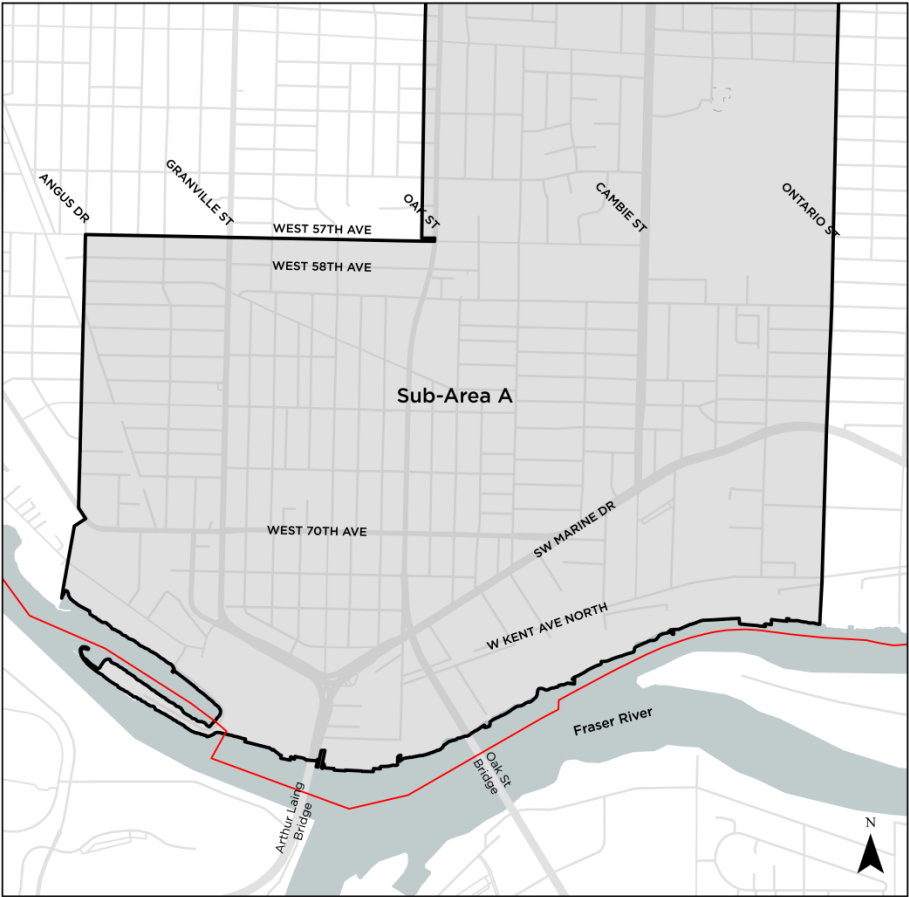
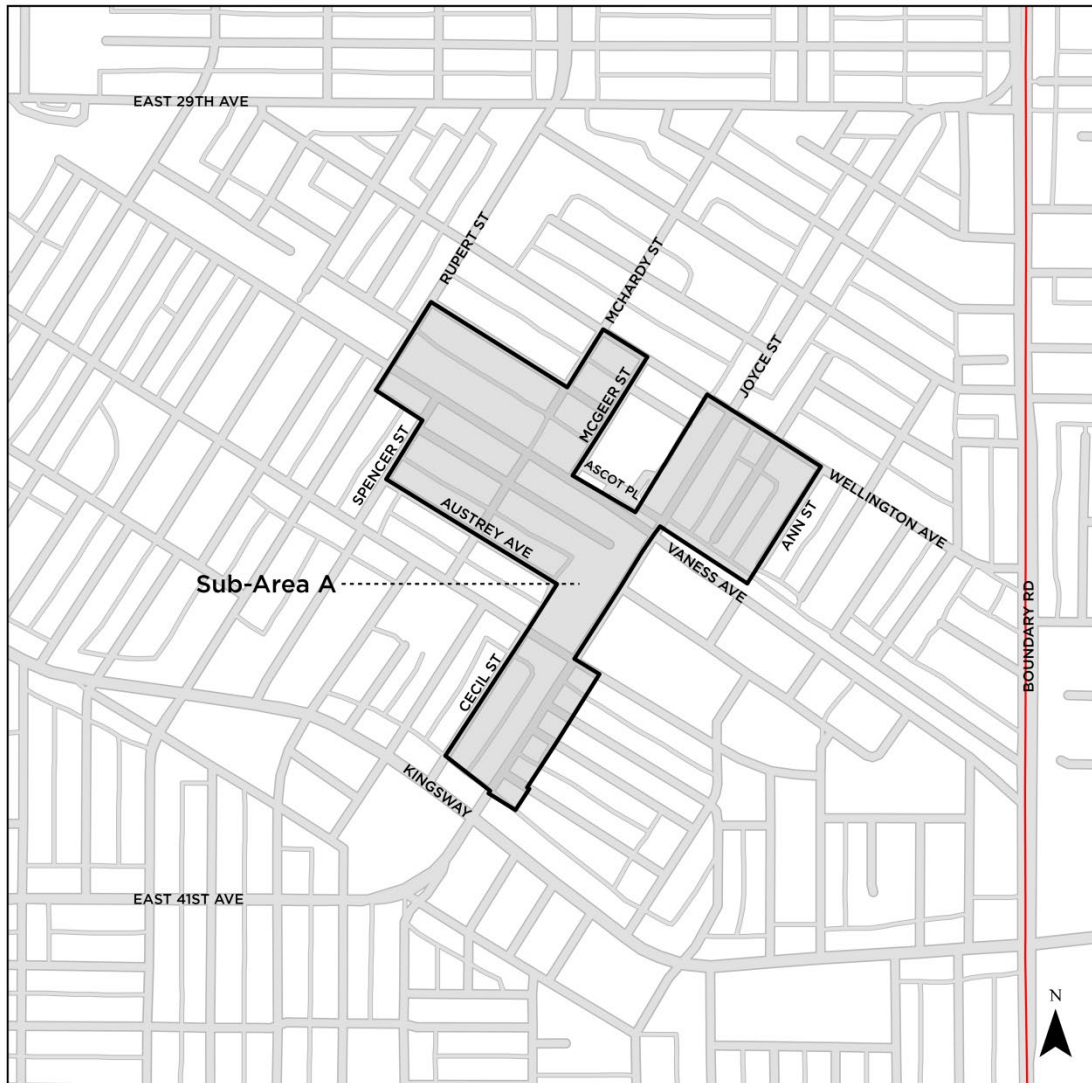


Figure 10



33. Council adds the following new district schedules:

- (a) RR-1 District Schedule, attached to this By-law as Schedule A;
- (b) RR-2A, RR-2B and RR-2C Districts Schedule, attached to this By-law as Schedule B; and
- (c) RR-3A and RR-3B Districts Schedule, attached to this By-law as Schedule C.

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 February 14, 2022, except that sections 4 through 32 do not come into force or take effect and the C-2, C-2B, C-2C, and C-2C1 District Schedules existing on February 11, 2022 remain in force with regard to any development permit applications accepted on or before February 11, 2022.

ENACTED by Council this 25th day of January, 2022

Signed _____ "Kennedy Stewart"
Mayor

Signed _____ "Katrina Leckovic"
City Clerk

Schedule A

RR-1

RR-1

District Schedule

1 Intent

The intent of this schedule is to permit triplexes and townhouses where all dwelling units are secured as residential rental tenure.

Without limitation, applicable Council policies and guidelines for consideration include the Rental District Schedules Design Guidelines.

The table below provides an overview of permitted uses in the RR-1 district, categorized by the minimum site area required.

Minimum Site Area	Use
303 m ²	Triplex
	Townhouse, containing 4 units
465 m ²	Townhouse, containing 5 to 8 units
613 m ²	3-storey Townhouse, containing more than 8 units
920 m ²	4-storey Townhouse, containing more than 8 units

2 Outright Approval Uses

2.1 Subject to all other provisions of this by-law, and to compliance with section 2.3 and the regulations of this schedule, the uses noted in section 2.2 are permitted in this District and shall be issued a permit.

2.2 **Uses** – None.

2.3 **Conditions of Use** – Not applicable.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this by-law, compliance with section 3.3 and the provisions and regulations of this schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this schedule, with or without conditions, if the Director of Planning or the Development Permit Board first considers:

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

3.2 Uses

- 3.2.A
- Accessory Buildings customarily ancillary to any of the uses listed in this schedule, 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.

3.2.DW Dwelling

- Triplex. For the purposes of this schedule, "triplex" means a building containing 3 principal dwelling units, but does not include a multiple conversion dwelling.
- Townhouse. For the purposes of this schedule, "townhouse" means a building containing 4 or more principal dwelling units, where each unit has its own entrance from the exterior of the building.

3.3 Conditions of Use

- 3.3.1 All dwelling units must be secured as residential rental tenure, except that one dwelling unit in a triplex or townhouse containing up to 8 units may be occupied by a registered owner of the site.
- 3.3.2 At least 35% of the dwelling units must have 2 or more bedrooms.

4 Regulations

All uses approved under sections 2 and 3 of this schedule are subject to the following regulations.

4.1 Floor Area and Density

- 4.1.1 The maximum floor space ratio is:
- (a) 1.0 for triplex or townhouse limited to 4 units;
 - (b) 1.0 for townhouse containing 5 to 8 units;
 - (c) 1.2 for 3-storey townhouse containing more than 8 units; and
 - (d) 1.45 for 4-storey townhouse containing more than 8 units.

4.2 Site Area, Site Frontage and Building Height

Regulation		Triplex or Townhouse limited to 4 units	Townhouse containing 5 to 8 units	3-storey Townhouse containing more than 8 units	4-storey Townhouse containing more than 8 units
4.2.1	Minimum Site Area	303 m ²	465 m ²	613 m ²	920 m ²
4.2.2	Maximum Site Area	n/a	n/a	1,500 m ²	1,500 m ²
4.2.3	Minimum Site Frontage	10 m	15.2 m	20.1 m	30.1 m

4.2.4	Maximum Site Frontage	n/a	n/a	40.2 m	40.2 m
4.2.5	Maximum Building Height for a building other than a rear building	11.5 m; and 3 storeys	11.5 m; and 3 storeys	11.5 m; and 3 storeys	13.7 m; and 4 storeys
4.2.6	Maximum Building Height for a rear building	n/a	10.7 m and 3 storeys	10.7 m and 3 storeys	10.7 m and 3 storeys

4.2.7 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:

- (a) minimum and maximum site area;
- (b) minimum and maximum site frontage; and
- (c) maximum building height.

4.3 Building Height

- 4.3.1 The maximum building height excludes stairways and elevator shafts to roof decks, and guardrails.
- 4.3.2 For the purposes of this schedule, "partial storey" means the uppermost level of a building where the floor area is limited to the specified proportion of the storey immediately below. The floor area can be existing, proposed or as may be extended over open-to-below space, and has a minimum ceiling height of 1.2 m.
- 4.3.3 Despite the maximum building height in section 4.2.5 of this schedule, the 4th storey must be a partial storey not exceeding 60% of the storey immediately below.
- 4.3.4 Despite the maximum building height in section 4.2.6 of this schedule, the 3rd storey of a rear building must be a partial storey not exceeding 60% of the storey immediately below.

4.4 Front Yard

- 4.4.1 The front yard must have a minimum depth of 3.7 m.
- 4.4.2 Despite section 4.4.1 above, entries, porches and verandahs complying with section 4.7.2(h) of this schedule may project up to 1.8 m into the required front yard.
- 4.4.3 Despite section 10.32.1(b) of this by-law, eaves and gutters, or other projections that the Director of Planning considers similar to the foregoing, may project into the minimum front yard to a maximum of 1.0 m measured horizontally.
- 4.4.4 The Director of Planning may decrease the minimum front yard requirement if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.5 Side Yards

- 4.5.1 The side yards must have a minimum width of 1.2 m.

- 4.5.2 Despite section 10.32.1(b) of this by-law, eaves and gutters, or other projections that the Director of Planning considers similar to the foregoing, may project into the minimum side yard to a maximum of 1.0 m measured horizontally.
- 4.5.3 The Director of Planning may decrease the minimum side yard requirement if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.
- 4.5.4 Despite sections 4.5.1, 4.5.2 and 4.5.3 above, on a corner site, the front yard regulations in section 4.4 of this schedule apply to the exterior side yard.

4.6 Rear Yard

- 4.6.1 The rear yard must have a minimum depth of 3.1 m, measured from the ultimate rear property line.
- 4.6.2 Despite section 4.6.1 above, entries, porches and verandahs complying with section 4.7.2(h) of this schedule may project up to 1.8 m into the required rear yard.
- 4.6.3 Despite section 10.32.1(b) of this by-law, eaves and gutters, or other projections that the Director of Planning considers similar to the foregoing, may project into the minimum rear yard to a maximum of 1.0 m measured horizontally.
- 4.6.4 The Director of Planning may decrease the minimum rear yard requirement if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.7 Computation of Floor Area

- 4.7.1 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; 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.
- 4.7.2 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, if the total area of all exclusions does not exceed 12% of the permitted floor area;
 - (b) patios and roof decks, if the Director of Planning first considers the impact on privacy and overlook;
 - (c) off-street parking and loading located at or below base surface, if 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 which 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 portion 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, combined with the exclusions permitted in section 4.7.2(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 m² per dwelling unit, there will be no exclusion for any of the residential storage area above surface for that unit; and
- (j) amenity areas, including recreation facilities and meeting rooms, accessory to a residential use, to a maximum total area of 10% of the total permitted floor area.

4.8 - 4.9 [Reserved]

4.10 Horizontal Angle of Daylight

- 4.10.1 Each habitable room must have at least one window on an exterior wall of a building.
- 4.10.2 For the purposes of section 4.10.1 above, habitable room means any room except:
 - (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².
- 4.10.3 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 two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.10.4 The plane or planes referred to in section 4.10.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.10.5 An obstruction referred to in section 4.10.3 above means:
 - (a) any part of the same building except those in compliance with section 10.7.1 of this by-law; or
 - (b) the largest building permitted on any adjoining site.
- 4.10.6 The Director of Planning may vary the horizontal angle of daylight requirement, if:
 - (a) the Director of Planning first considers all the applicable Council policies and guidelines; and
 - (b) the minimum distance of unobstructed view is no less than 2.4 m.

4.11 - 4.15 [Reserved]

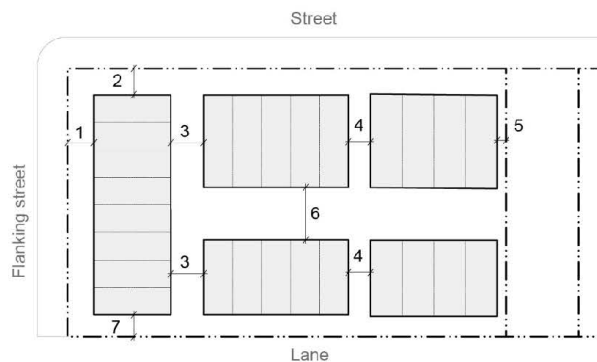
4.16 Building Depth

- 4.16.1 For the purpose of this schedule, "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 sections 4.4.2 and 4.6.2 of this schedule may be excluded from the measurement of building depth.
- 4.16.2 The maximum building depth for townhouse with 8 dwelling units or less is 19.8 m.
- 4.16.3 The Director of Planning may increase the maximum building depth requirement if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.17 External Design

- 4.17.1 No portion of underground parking is permitted to project into any required yard except for an access ramp.
- 4.17.2 The minimum separation between:
- (a) buildings located on a site frontage must be 3.1 m;
 - (b) rear buildings must be 3.1 m;
 - (c) buildings located on a site frontage and rear buildings must be 7.3 m; and
 - (d) a building facing a flanking street and any other townhouse building must be 4.6 m.

Diagram: Building placement for a corner site – courtyard configuration.



1. 3.7m (4.5.4) 2. 3.7m (4.4.1) 3. 4.6m (4.17.2 d) 4. 3.1m (4.17.2 a)
 5. 1.2m (4.5.1) 6. 7.3m (4.17.2 c) 7. 3.1m (4.6.1)

- 4.17.3 Despite section 4.17.2(c) above, where an entrance located 1.8 m or above of grade is connected to grade by stairs that project into a courtyard, the separation between buildings must be at least 9.1 m.

Diagram: Minimum separation between buildings with stairs < 1.8m in height projecting into a courtyard.

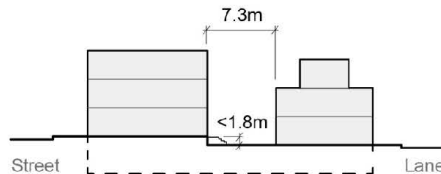
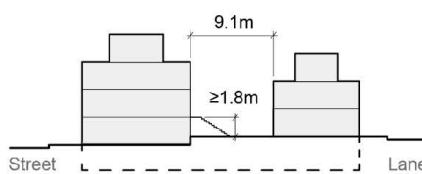


Diagram: Minimum separation between buildings with stairs $\geq 1.8\text{m}$ in height projecting into a courtyard.



- 4.17.4 Minimum separation between buildings must be measured from the closest portion of the exterior walls of any other building on the site.
- 4.17.5 The following features are permitted in the courtyard:
 - (a) the features permitted in section 10.32 of this by-law, except balconies; and
 - (b) entries, porches and verandahs complying with section 4.7.2(h) of this schedule.
- 4.17.6 The maximum floor-to-floor height is 3.1 m.
- 4.17.7 The minimum width of a dwelling unit in a townhouse must be at least 4.2 m, measured between finished wall surfaces.
- 4.17.8 The Director of Planning may vary the requirements of this section 4.17 if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.18 [Reserved]

4.19 Number of Buildings on a Site

- 4.19.1 The Director of Planning may permit more than one principal building on a site if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

Schedule B

RR-2A, RR-2B and RR-2C

RR-2A, RR-2B and RR-2C

Districts Schedule

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.

Without limitation, applicable Council policies and guidelines for consideration include the Rental District Schedules Design Guidelines.

The table below provides an overview of permitted uses in the RR-2A, RR-2B and RR-2C districts, categorized by the minimum site area required.

Minimum Site Area	Use
613 m ²	Apartment, up to 4-storeys in the RR-2A district
	Apartment, up to 5-storeys in the RR-2B district
	Apartment in combination with Townhouse in the RR-2A and RR-2B districts
920 m ²	Apartment, up to 6-storeys in the RR-2C district
	Apartment in combination with Townhouse in the RR-2C district

2 Outright Approval Uses

2.1 Subject to all other provisions of this by-law, and to compliance with section 2.3 and the regulations of this schedule, the uses noted in section 2.2 are permitted in this District and shall be issued a permit.

2.2 **Uses** – None.

2.3 **Conditions of Use** – Not applicable.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this by-law, compliance with section 3.3 and the provisions and regulations of this schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this schedule, with or without conditions, if the Director of Planning or the Development Permit Board first considers:

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

3.2 Uses

- 3.2.A
- Accessory Buildings customarily ancillary to any of the uses listed in this schedule, 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.

3.2.DW Dwelling

- Apartment. For the purposes of this schedule, "apartment" means a building containing 4 or more principal dwelling units, all of which share at least one common entrance from the exterior of the building.
- Townhouse. For the purpose of this schedule, "townhouse" means a building containing 4 or more principal dwelling units, where each unit has its own entrance from the exterior of the building.

3.3 Conditions of Use

- 3.3.1 All dwelling units must be secured as residential rental tenure.
- 3.3.2 At least 35% of the dwelling units must have 2 or more bedrooms.
- 3.3.3 For the purposes of this schedule, "below market rental dwelling units" 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.
- 3.3.4 In the RR-2C district, a minimum of 20% of the floor area must be secured as below-market rental dwelling units.
- 3.3.5 Townhouse is only permitted in combination with apartment and must be located at the rear of the site.

4 Regulations

All uses approved under sections 2 and 3 of this schedule are subject to the following regulations.

4.1 Floor Area and Density

4.1.1 The maximum floor space ratio is:

- (a) 1.75 in the RR-2A district;
- (b) 2.2 in the RR-2B district; and
- (c) 2.4 in the RR-2C district.

4.1.2 Despite section 4.1.1 above, the Director of Planning may increase the permitted floor space ratio to a maximum of 2.0 in the RR-2A district, 2.4 in the RR-2B district, and 2.7 in the RR-2C district, if:

- (a) the site depth does not exceed 33.5 m; or
- (b) is a corner site, and:
 - (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 m²;

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

4.1.3 Despite section 4.1.1 and 4.1.2, the Director of Planning may increase the permitted floor space ratio in the RR-2C district for social housing to:

- (a) a maximum of 2.7; or
- (b) a maximum of 3.0, if:
 - (i) is a corner site, and:
 - 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 m²;

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

4.2 Site Area, Site Frontage, Site Depth and Building Height

Regulation		RR-2A district	RR-2B district	RR-2C district
4.2.1	Minimum Site Area	613 m ²	613 m ²	920 m ²
4.2.2	Minimum Site Frontage	20.1 m	20.1 m	30.1 m
4.2.3	Maximum Site Frontage for all sites other than a corner site	30.5 m	n/a	n/a

RR-2A, RR-2B and RR-2C

4.2.4	Maximum Site Frontage for a corner site	45.7 m	n/a	n/a
4.2.5	Minimum Site Depth for an apartment building	30.5 m	30.5 m	30.5 m
4.2.6	Minimum Site Depth for an apartment in combination with townhouse building	41.1 m	41.1 m	41.1 m
4.2.7	Maximum Building Height for an apartment building	13.7 m; and 4 storeys	16.8 m; and 5 storeys	19.8 m; and 6 storeys
4.2.8	Maximum Building Height for a townhouse building	10.7 m; and 3 storeys	10.7 m; and 3 storeys	10.7 m; and 3 storeys

4.2.9 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:

- (a) minimum site area;
- (b) minimum and maximum site frontage;
- (c) minimum site depth; and
- (d) maximum building height.

4.3 Building Height

4.3.1 The maximum building height excludes:

- (a) stairways and elevator shafts to roof decks, and guardrails; and
- (b) common amenity rooms on roof decks, if the total floor area does not exceed 10% of the roof area.

4.3.2 For the purposes of this schedule, "Partial storey" means the uppermost level of a building where the floor area is limited to the specified proportion of the storey immediately below. The floor area can be existing, proposed or as may be extended over open-to-below space, and has a minimum ceiling height of 1.2 m.

4.3.3 Despite the maximum building height for townhouse in section 4.2.8 of this schedule, the 3rd storey of a townhouse building must be a partial storey not exceeding 60% of the storey immediately below.

4.4 Front Yard

4.4.1 The front yard must have a minimum depth of 3.7 m.

4.4.2 Despite section 4.4.1 above, entries, porches and verandahs complying with section 4.7.2(h) of this schedule may project up to 1.8 m into the required front yard.

4.4.3 Despite section 10.32.1(b) of this by-law, eaves and gutters, or other projections that the Director of Planning considers similar to the foregoing, may project into the minimum front yard to a maximum of 1.0 m measured horizontally.

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

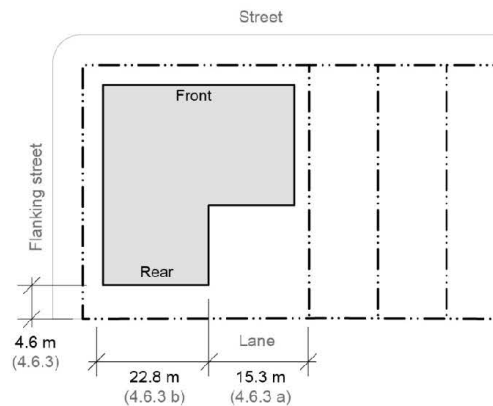
4.5 Side Yards

- 4.5.1 The side yards must have a minimum width of 1.8 m in the RR-2A district, and 2.4 m in the RR-2B and RR-2C districts.
- 4.5.2 Despite section 10.32.1(b) of this by-law, eaves and gutters, or other projections that the Director of Planning consider similar to the foregoing, may project into the minimum side yard to a maximum of 1.0 m measured horizontally.
- 4.5.3 The Director of Planning may decrease the minimum side yard requirement if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.
- 4.5.4 Despite sections 4.5.1, 4.5.2 and 4.5.3 above, on a corner site, the front yard regulations in section 4.4 of this schedule apply to the exterior side yard.

4.6 Rear Yard

- 4.6.1 For apartment, the rear yard must have a minimum depth of 7.6 m, measured from the ultimate rear property line.
- 4.6.2 For apartment in combination with a townhouse, the rear yard must have a minimum depth of 3.1 m, measured from the ultimate rear property line.
- 4.6.3 Despite section 4.6.1 above, in the case of 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.

Diagram: Decreased minimum rear yard depth for a corner site.



- 4.6.4 Despite sections 4.6.1 and 4.6.2 above, entries, porches and verandahs complying with section 4.7.2(h) of this schedule may project up to 1.8 m into the required rear yard.

- 4.6.5 Despite section 10.32.1(b) of this by-law, eaves and gutters, or other projections that the Director of Planning considers similar to the foregoing, may project into the minimum rear yard to a maximum of 1.0 m measured horizontally.
- 4.6.6 The Director of Planning may decrease the minimum rear yard requirement if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.7 Computation of Floor Area

- 4.7.1 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; 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.
- 4.7.2 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, if the total area of all exclusions does not exceed 12% of the permitted floor area;
 - (b) patios and roof decks, if the Director of Planning first considers the impact on privacy and overlook;
 - (c) off-street parking and loading located at or below base surface, if 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 which 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 portion 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, combined with the exclusions permitted in section 4.7.2(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 m² per dwelling unit, there will be no exclusion for any of the residential storage area above surface for that unit; and

- (j) amenity areas, including recreation facilities and meeting rooms, accessory to a residential use, to a maximum total area of 10% of the total permitted floor area.

4.8 - 4.9 [Reserved]**4.10 Horizontal Angle of Daylight**

- 4.10.1 Each habitable room must have at least one window on an exterior wall of a building.
- 4.10.2 For the purposes of section 4.10.1 above, habitable room means any room except:
 - (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².
- 4.10.3 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 two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.10.4 The plane or planes referred to in section 4.10.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.10.5 An obstruction referred to in section 4.10.3 above means:
 - (a) any part of the same building except those in compliance with section 10.7.1 of this by-law; or
 - (b) the largest building permitted on any adjoining site.
- 4.10.6 The Director of Planning may vary the horizontal angle of daylight requirement, if:
 - (a) the Director of Planning first considers all the applicable Council policies and guidelines; and
 - (b) the minimum distance of unobstructed view is no less than 2.4 m.

4.11 - 4.15 [Reserved]**4.16 Building Depth and Width**

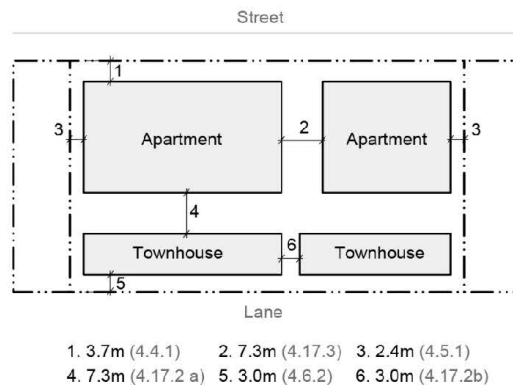
- 4.16.1 For the purposes of this schedule, "building depth" means the distance from the front exterior wall measured in a straight line to a point directly opposite on the rear exterior wall, except that balconies and entries, porches and verandahs that comply with section 4.4.2 and 4.6.4 of this schedule may be excluded from the measurement of building depth.
- 4.16.2 For apartment, the maximum building depth must not exceed 22.8 m.
- 4.16.3 The maximum building width of any building must not exceed 45.7 m.
- 4.16.4 The Director of Planning may increase the maximum building depth and width requirements if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.17 External Design

- 4.17.1 No portion of underground parking is permitted to project into any required yard except for an access ramp.

- 4.17.2 Where apartment in combination with a townhouse is permitted, the minimum separation between:
- (a) apartment and townhouse buildings must be 7.3 m; and
 - (b) townhouse buildings must be 3.1 m,
- measured from the closest portion of the exterior walls of the buildings.
- 4.17.3 Where more than one apartment building is located on a site frontage, the minimum separation between the buildings must be 7.3 m, measured from the closest portion of the exterior side wall of any other apartment on the site.

Diagram: Building placement – courtyard configuration.



- 4.17.4 For apartment in the RR-2C district, all exterior walls of the 6th storey must be set back a minimum of 2.4 m from the exterior face of the wall of the storey below, except for social housing.
- 4.17.5 The following features are permitted in the courtyard:
- (a) the features permitted in section 10.32 of this by-law; and
 - (b) entries, porches and verandahs complying with section 4.7.2(h) of this schedule.
- 4.17.6 The maximum floor-to-floor height is 3.1 m.
- 4.17.7 The minimum width of a dwelling unit in a townhouse is 4.2 m measured between finished wall surfaces.
- 4.17.8 The Director of Planning may vary the requirements of this section 4.17 if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.18 [Reserved]

4.19 Number of Buildings on a Site

- 4.19.1 The Director of Planning may permit more than one principal building on a site if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

RR-3A and RR-3B**Districts Schedule****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 RR-3A developments are permitted up to 4 storeys. In RR-3B 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.

Without limitation, applicable Council policies and guidelines for consideration include the Rental District Schedules Design Guidelines.

The table below provides an overview of permitted uses in the RR-3A and RR-3B districts, categorized by the minimum site area required.

Minimum Site Area	Use
920 m ²	Mixed-use residential, up to 4-storeys in the RR-3A district
	Mixed-use residential, up to 6-storeys in the RR-3B district

2 Outright Approval Uses

2.1 Subject to all other provisions of this by-law, and to compliance with section 2.3 and the regulations of this schedule, the uses noted in section 2.2 are permitted in this District and shall be issued a permit.

2.2 **Uses** – None.

2.3 **Conditions of Use** – Not applicable.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this by-law, compliance with section 3.3 and the provisions and regulations of this schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this schedule, with or without conditions, if the Director of Planning or the Development Permit Board first considers:

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

3.2 Uses

- 3.2.A • Accessory Uses customarily ancillary to any of the uses listed in this section.

3.2.DW Dwelling

- Mixed-Use Residential Building. For the purposes of this schedule, “mixed-use residential building” means a building containing at least one principal dwelling unit and at least one non-dwelling use.

3.3 Conditions of Use

- 3.3.1 All dwelling units must be secured as residential rental tenure.

- 3.3.2 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 3.2.2 and having regard to the intent of this schedule.

- 3.3.3 At least 35% of the dwelling units must have 2 or more bedrooms.

- 3.3.4 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.

- 3.3.5 In the RR-3A district, the second storey and above, measured from the front property line, is limited to residential use only.

- 3.3.6 In the RR-3B district, the third storey and above, measured from the front property line, is limited to residential use only.

- 3.3.7 For the purposes of this schedule, “below market rental dwelling units” 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.

- 3.3.8 In the RR-3B district, a minimum of 20% of the residential floor area must be secured as below-market rental dwelling units.

4 Regulations

All uses approved under sections 2 and 3 of this schedule are subject to the following regulations.

4.1 Floor Area and Density

4.1.1 The maximum floor space ratio is:

- (a) 2.4 in the RR-3A district; and
- (b) 3.4 in the RR-3B district,

if the floor space ratio for non-dwelling uses must be at least 0.35.

4.1.2 Despite section 4.1.1 above, the Director of Planning may increase the permitted floor space ratio to a maximum of 2.5 in the RR-3A district and 3.5 in the RR-3B district, if:

- (a) is a corner site,
- (b) has a minimum site frontage of 40.2 m, and
- (c) has a minimum site area of 1,470 m²;

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

4.2 Site Area, Site Frontage and Building Height

	Regulation	RR-3A district	RR-3B district
4.2.1	Minimum Site Area	920 m ²	920 m ²
4.2.2	Minimum Site Frontage	30.1 m	30.1 m
4.2.3	Maximum Building Height	15.3 m; and 4 storeys	22.0 m; and 6 storeys

4.2.4 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

- (a) minimum site area;
- (b) minimum site frontage; and
- (c) maximum building height.

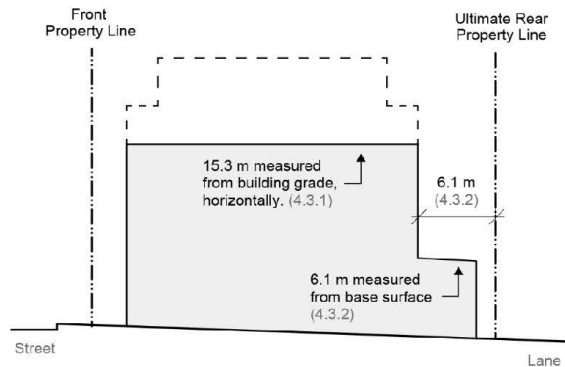
4.3 Building Height

4.3.1 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.

4.3.2 Despite the maximum building height in sections 4.2.3 and 4.3.1 of this schedule, portions of the 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 4.6.2 of this schedule.

Diagram: Measurement of maximum building height requirements.



- 4.3.3 The maximum building height excludes:
- (a) stairways and elevator shafts to roof decks, and guardrails; and
 - (b) common amenity rooms on roof decks, if the total floor area does not exceed 10% of the roof area.

4.4 Front Yard

- 4.4.1 The front yard must have a minimum depth of 2.5 m.
- 4.4.2 The Director of Planning may decrease the minimum front yard requirement if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

4.5 Side Yards

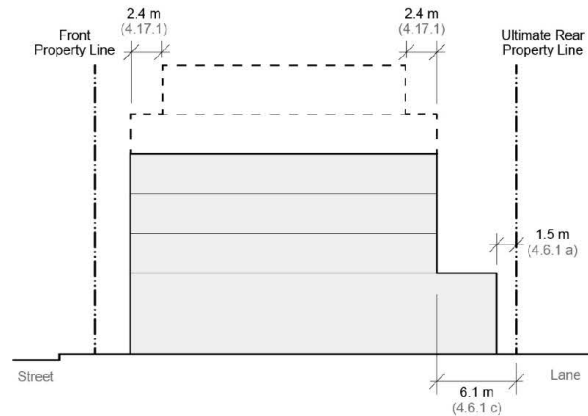
- 4.5.1 No side yard is required, except that if the side of the site adjoins the side yard of a site located in a R district, without the intervention of a lane, the side yard must have a minimum width of 3.7 m.
- 4.5.2 The Director of Planning may decrease the minimum side yard requirement if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.
- 4.5.3 Despite section 4.5.1 and 4.5.2 above, on a corner site, the front yard regulations in section 4.4 of this schedule apply to the exterior side yard.

4.6 Rear Yard

- 4.6.1 The rear yard and rear setback, measured from the ultimate rear property line, must be as follows:
- (a) for portions of a building not containing dwelling uses and under 6.1 m in building height, the minimum depth of the rear yard must be 1.5 m;

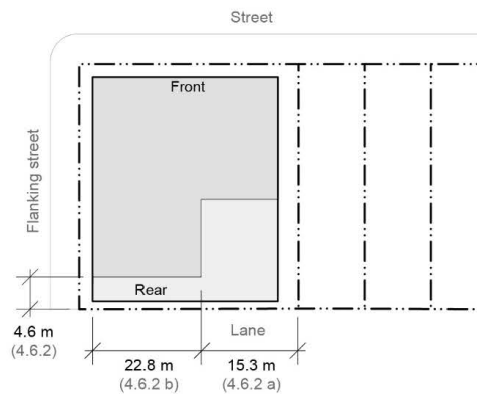
- (b) for portions of a building not containing dwelling uses and above 6.1 m in building height, the minimum depth of the rear setback must be 6.1 m; and
- (c) for portions of a building containing dwelling uses, the minimum depth of the rear setback must be 6.1 m, except that roof decks may project into the setback.

Diagram: Minimum rear yard and rear setback requirements.



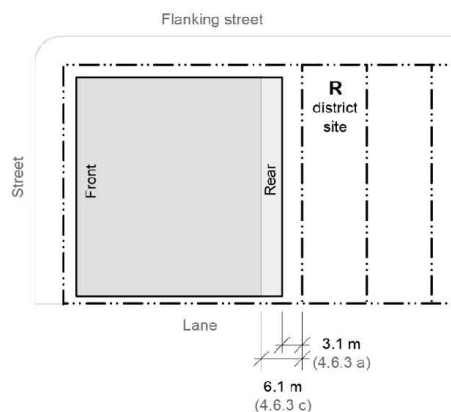
- 4.6.2 Despite section 4.6.1 above, in the case of a corner site, for portions of the building above 6.1 m in height, the rear setback may be decreased to a minimum depth of 4.6 m, if the portion of the building for which the rear yard is decreased:
- (a) is located a minimum distance of 15.3 m from an adjoining site; and
 - (b) does not exceed 22.8 m in width.

Diagram: Decreased minimum rear yard requirements on a corner site.



- 4.6.3 Despite sections 4.6.1 and 4.6.2 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:
- (a) for portions of a building not containing dwelling uses and under 6.1 m in height, the minimum depth of the rear yard must be 3.1 m;
 - (b) for portions of a building not containing dwelling uses and above 6.1 m in height, the minimum depth of the rear setback must be 6.1 m; and
 - (c) for portions of a building containing dwelling uses, the minimum depth of the rear setback must be 6.1 m, except that roof decks may intrude into the setback.

Diagram: Minimum rear yard requirements for a corner site adjacent to an R district site without the intervention of a lane.



- 4.6.4 The Director of Planning may decrease the minimum rear yard requirement if the Director of Planning first considers the intent of this schedule and all Council applicable policies and guidelines.

4.7 Computation of Floor Area

- 4.7.1 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; 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.
- 4.7.2 Computation of floor area must exclude:
- (a) balconies, decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, if the total area of all exclusions does not exceed 12% of the permitted floor area;

- (b) patios and roof decks, if the Director of Planning first considers the impact on privacy and overlook;
- (c) off-street parking and loading located at or below base surface, if the maximum exclusion for a parking space does exceed 7.3 m in length;
- (d) bicycle storage located in a principal building or contained in 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 m² per dwelling unit, there will be no exclusion for any of the residential storage area above surface for that unit; and
- (g) amenity areas, including recreation facilities and meeting rooms, accessory to a residential use, to a maximum total area of 10% of the total permitted floor area.

4.7 - 4.9 [Reserved]**4.10 Horizontal Angle of Daylight**

- 4.10.1 Each habitable room must have at least one window on an exterior wall of a building.
- 4.10.2 For the purposes of section 4.10.1 above, habitable room means any room except:
 - (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².
- 4.10.3 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 two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.10.4 The plane or planes referred to in section 4.10.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.10.5 An obstruction referred to in section 4.10.3 above means:
 - (a) any part of the same building except those in compliance with section 10.7.1 of this by-law; or
 - (b) the largest building permitted on any adjoining site.
- 4.10.6 The Director of Planning may vary the horizontal angle of daylight requirement, if:
 - (a) the Director of Planning first considers all the applicable Council policies and guidelines; and
 - (b) the minimum distance of unobstructed view is no less than 2.4 m.

4.11 - 4.16 [Reserved]

4.17 External Design

- 4.17.1 All exterior walls of the 6th storey must be set back a minimum of 2.4 m from the exterior face of the walls of the storey below.
- 4.17.2 For non-dwelling uses, the floor-to-floor height must be a minimum of 5.2 m.
- 4.17.3 The Director of Planning may vary the requirements of this section 4.17 if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.