

BY-LAW NO. 4951

A By-law to amend By-law No. 3575, being  
the Zoning and Development By-law.

THE COUNCIL OF THE CITY OF VANCOUVER in open meeting  
 assembled enacts as follows:

1. The plan attached to and forming an integral part of By-law No. 3575 and designated as the "Zoning District Plan" and marked as Schedule "D" to said By-law is hereby amended according to the plan marginally numbered Z-182 annexed to this By-law and marked as Schedule "D" hereto, and in accordance with the explanatory legend, notations, references and boundaries designated, described, delimited and specified in particularity shown upon said plan annexed hereto; and the various boundaries and districts shown upon the plan hereto annexed respectively are an amendment of and in substitution for the respective districts, designated and marked on said Schedule "D" of said By-law No. 3575 insofar as the same are changed, modified or varied thereby, and the said Schedule "D" annexed to said By-law No. 3575 shall be deemed to be and is hereby declared to be amended accordingly, and the said Schedule "D" attached to this By-law is hereby declared to be and shall form an integral part of said plan marked as Schedule "D" to said By-law No. 3575, as if originally incorporated therein, and shall be interpreted accordingly.

2. Section 2 of By-law No. 3575 is amended by inserting the following immediately after the definition of "Height of Building":

" "Infill" shall mean a building or group of buildings containing any number of dwellings that is built on any site and includes the retention of existing buildings. "

3. Subsection (9) of section 3 is amended by adding the following as clause (d):

" (d) The Director of Planning may, in his discretion, relax the following provisions of subsection (2) of Section 10, namely:

- paragraph (b) of sub-clause (iv) of clauses (a) and (b);
- paragraph (b) of sub-clause (v) of clause (c);
- paragraph (b) of sub-clause (iii) of clause (d);
- paragraph (b) of sub-clause (ii) of clause (e).

"

4. The said By-law is further amended by inserting immediately before the (RM-3A) Multiple Dwelling District Schedule the District Schedule hereunto annexed and marked "Schedule A" to this By-law.

5. The said By-law is further amended by inserting immediately after the (RM-3A) Multiple Dwelling District Schedule the District Schedule hereunto annexed and marked "Schedule B" to this By-law.

6. The said By-law is further amended by inserting immediately after the (C-2A) Commercial District Schedule the District Schedule hereunto annexed and marked "Schedule C" to this By-law.

7. The said By-law is further amended by inserting immediately after the (M-1) Industrial District Schedule the District Schedule hereunto annexed and marked "Schedule D" to this By-law.

8. Subsection (1) of Section 9 is amended as follows:

(a) By inserting immediately before "(RM-3A) Multiple Dwelling District" the following:

"(RM-3B) Multiple Dwelling District".

(b) By inserting immediately after "(RM-3A) Multiple Dwelling District" the following:

"(RM-3A1) Multiple Dwelling District".

(c) By inserting immediately after "(C-2A) Commercial District" the following:

"(C-2B) Commercial District".

(d) By inserting immediately after "(M-1 Industrial District" the following:

"(M-1A) Industrial District".

9. This By-law shall come into force and take effect on and after the date of the passing hereof.

DONE AND PASSED in open Council this 16th day of March 1976.

*A. Phillips*

MAYOR

*B. A. Little*

CITY CLERK

## SCHEDULE A

(RM-3B) Multiple Dwelling District Schedule:  
 (Medium Density--Inner Urban Neighbourhood)

1. Uses Permitted and Regulations:

Subject to all the provisions of this by-law on any site within any district defined, designated or described in this by-law as an (RM-3B) District the only uses permitted, and the only uses for which development permits may be issued are those contained in Sections 1, 2 and 3 hereof.

A. Uses:

- (1) One-Family dwelling but subject to the same regulations as required in the (RS-1) schedule.
- (2) Two-family dwelling but subject to the same regulations as required in the (RT-2) schedule.
- (3) Apartment building.
- (4) Townhouse, subject to the (RM-1) schedule.
- (5) Dwelling units in basements, subject to the provisions of Section 11(3), in any building:
  - (a) in respect of which the building permit is dated on or after January 1, 1951, and
  - (b) which is designed or erected exclusively for use as an apartment building and is not a building converted to such use.
- (6) The keeping of not more than two boarders or lodgers or not more than five foster or day-care children in each dwelling unit.
- (7) Boarding or rooming house.
- (8) Fraternity or sorority house.
- (9) A building or use customarily accessory to the above uses (except for another dwelling unit), provided that:
  - (a) all accessory buildings are located in the rear yard and in no case are located closer to the flanking street than the width of the side yard required for the principal building;
  - (b) the total accessory buildings do not occupy an area greater than 25 percent of the minimum rear yard prescribed in this schedule, or 460 square feet, whichever is the greater;

- (c) no accessory building shall exceed 10 feet in height;
- (d) no more than two-thirds of the width of the rear yard of any lot shall be occupied by accessory buildings;
- (e) no accessory building shall be closer than 12 feet to any dwelling on the property;
- (f) no accessory building shall obstruct the daylight access as required by this by-law for any residential use.

B. Height:

On any site the height of a building shall not exceed 40 feet nor four storeys. The configuration of the building height will be such that in no case shall the height on the northerly property line exceed 24 feet and at the southerly property line 40 feet, and a 30° angle of sunlight containing the total height.

The height of a building shall be the vertical distance between the finished grades of the site and a hypothetical surface which is parallel to the finished grades of the site. It shall be assumed that the finished grades within the outer walls of the building are formed by straight lines joining contours on the finished grades at the outer wall of the building.

C. Front Yard:

A front yard shall be provided having a depth of not less than 20 feet.

D. Side Yards:

- (1) Side yards shall be provided on each side of the building such that the outer walls of the building be contained within 135 degrees horizontal angles subtended from all points along the side property lines, provided however, in no case shall the side yard be less than 7 feet.
- (2) In the case of a corner site where the side yard adjoins a flanking street, the above containing angle is not applicable but the side yard shall be 20 percent of the width of the site, but in no case shall it be less than 10 feet nor need it be more than 20 feet.

E. Rear Yard:

A rear yard shall be provided the minimum depth of which shall be not less than 35 feet, provided however, this amount may be reduced to 25 feet in the following cases:

- (1) Where the building abutting the rear yard is not more than 30 feet wide nor less than 25 feet from any adjoining site.
- (2) Where the average distance from the rear line of the site to the rear of the building taken over the full width of the site is not less than 35 feet and provided further that no portion of such building, abutting such rear yard so reduced, shall have a width of more than 50 feet nor be less than 25 feet from any adjoining site.

Provided that where the rear of the site abuts a fully or partially dedicated lane the minimum depth of the rear yard or the average depth of the rear yard, as the case may be, may be decreased by the width of that portion of the lane lying between the rear of the site and the ultimate centre line of the lane.

F. Daylight Access:

- (1) From the outside of the mid-point of the exterior wall (walls) of every habitable room there shall be an unobstructed view for distance of not less than 80 feet, measured horizontally 3 feet above the floor of the habitable room. Such view shall extend through either a continuous horizontal arc of not less than 50 degrees, or through two or more horizontal arcs which in the aggregate contain not less than 70 degrees. For the purpose of this subsection the following shall be considered as obstructions:
  - (a) The theoretically equivalent buildings located on any adjoining sites in any R district in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property lines of the proposed site;
  - (b) Part of the same building including permitted projections;
  - (c) Accessory buildings located on the same site as the principal building;
  - (d) The maximum size building permitted under the appropriate C or M schedule if the site adjoins a C or M site.
- (2) For the purpose of this subsection, a kitchen shall not be counted as a habitable room unless its area is greater than 10 percent of the total floor area of the dwelling unit in which it is situated, or 70 square feet, whichever is the greater.

G. Floor Space Ratio:

The maximum Floor Space Ratio shall be 0.75.

In computing the floor space ratio, all floors, whether earth floors or otherwise, (with ceilings of more than 4 feet in height) of all buildings, shall be included, both above and below ground (measured to the extreme outer limits of the buildings) except for parking areas the floor of which is at or below the highest point of the finished grade around the building. For the purpose of this section the gross cross-sectional areas of stairways, fire escapes, elevator shafts, chimneys and any other services which, in the opinion of the Director of Planning, are similar to the foregoing, shall be included as floor area at each floor at which they are located; balconies, canopies, sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing may be excluded from floor area measurement.

Patios and roof gardens also may be excluded from floor area measurement provided that any sunroofs or walls forming part thereof are approved by the Director of Planning.

Floor area included within an amenity area or included within any proposed building may be excluded from floor area measurement, subject to approval by the Director of Planning. Items such as day-care, recreation facilities, meeting rooms or a similar use are considered amenity areas. In no case, however, will this exceed 10% of the total building floor area.

For purposes of this section site coverage shall be based on the projected area of the outside of the outermost walls of all buildings.

In the case of a sloping site where the structure is located in or beneath a yard, such structure may be excluded from the site coverage calculation provided that the top of such structure (excluding required earth cover, permitted fence, etc.) is located beneath the average elevation of the portions of the streets, lanes or adjacent sites, located adjacent to such structure provided in no case shall the top of any portion of such structure extend more than three feet above the adjoining streets, lanes or adjacent sites.

H. Site Area:

A site for a new apartment building, boarding or rooming house or fraternity or sorority house, or the relocation of an existing such building shall have an area of not less than 6,000 square feet except in the case of a lot of not less than 5,400 square feet on record in the Land Registry Office for the Vancouver Land Registration District prior to March 9, 1976 .

I. Off-Street Parking Spaces:

Off-street parking spaces for certain uses in this district shall be provided and maintained in accordance with the provisions of Section 12 of this By-Law.

J. Off-Street Loading Spaces:

Loading and unloading spaces for certain uses in this district shall be provided and maintained in accordance with the provisions of Section 13 of this By-Law.

2. Uses which may be permitted subject to approval by the Director of Planning:

With the approval of the Director of Planning, development permits may be issued for the following uses. If the development permit is granted, it shall be subject to such conditions and regulations as the Director of Planning may decide.

- (1) A new apartment building, boarding or rooming house or fraternity or sorority house, or the relocation of an existing such building, on a site of less than 6,000 square feet.
- (2) The conversion into dwelling units of a building other than one granted a development permit in accordance with Section 1 of this schedule; before granting a development permit for such conversion the Director of Planning shall have regard to the regulations of Section 1 of this schedule and also to the amenity of the neighbourhood.
- (3) The conversion of a building into housekeeping or sleeping units in any case where such existing building, by reason of its age and size, is deemed to be unsuitable for its present use; before granting a development permit for such conversion the Director of Planning shall have regard to the regulations of Section 1 of this schedule and also to the amenity of the neighbourhood.
- (4) A dwelling unit or housekeeping or sleeping unit other than one granted a development permit in accordance with this schedule which has been installed or used prior to June 18th, 1956, with or without one or more of the required City permits, may be granted a development permit limited in time.
- (5) The conversion into a boarding or rooming house of a building, other than one granted a development permit in accordance with Section 1 of this schedule; before granting a development permit for such conversion the Director of Planning shall have regard to the regulations of Section 1 of this schedule and also to the amenity of the neighbourhood.
- (6) A building which has been altered or used for a boarding or rooming house, other than one granted a development permit in accordance with clause (5) above, which has been installed or used prior to June 18th, 1956, with or without one or more of the required City permits, may be granted a development permit limited in time.

- (7) School (public or private), kindergarten, day-care school, creche or day nursery.
- (8) Park or playground.
- (9) Truck gardens, nurseries and greenhouses, for propagating and cultivating.
- (10) The deposit or extraction of material so as to alter the configuration of the land.
- (11) Home craft or occupation, provided that there is nothing to indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling, that there is no commodity sold upon the premises and that no person other than one member of the immediate family residing there is engaged in such craft or occupation on the premises.
- (12) Club or Lodge (fraternal), provided that no commercial activities are carried on.
- (13) Community Centre.
- (14) Church, subject to the provisions of Section 11(7) of this by-law.
- (15) A new building specifically designed for hospital or Personal Care Home, excluding a mental hospital or hospital for the treatment of animals; in granting a development permit the Director of Planning shall have regard to the amenity of the neighbourhood.
- (16) The conversion of an existing building into a Hospital or Personal Care Home, excluding a mental hospital or hospital for the treatment of animals; before granting the development permit for such conversion, the Director of Planning shall be satisfied that the existing building is suitable for such use, having particular regard to the size of the site and building, open spaces on the site, proximity of adjacent buildings and the amenity of the neighbourhood and shall notify adjacent property owners.
- (17) Institution of a religious, philanthropic or charitable character.
- (18) Public utility.
- (19) Building or use essential in this district required by a public authority.
- (20) Building or use customarily accessory to the above uses and accessory buildings or uses to dwelling other than those provided for in Section 1 of this schedule.
- (21) Local area activity centre.



3. Uses which may be permitted subject to special approval by the Director of Planning:

In order to encourage the retention of existing buildings and to accomplish a number of social and community goals, having due regard to adequate open space and overall design, the Director of Planning may, in his discretion, permit a building at variance with the regulations set out in Sections 1 and 2 of this District Schedule. In the exercise of his discretion, the Director of Planning shall also have due regard to the following:

A. (Other Uses):

- (1) One-family dwelling or two-family dwellings
  - (a) The floor space ratio shall in no case exceed 1.0.
- (2) Townhouses, provided that:
  - (a) The floor space ratio of the new buildings shall in no case exceed 1.0.
- (3) Additions to existing buildings or the building of new structures of the "infill" type, provided that:
  - (a) The floor space ratio of all buildings shall in no case exceed 1.45.
- (4) Apartment buildings, provided that:
  - (a) All required parking spaces be provided underground or within the outermost walls of a building (but in no case with the floor of the parking area above the highest point of the finished grade around the building) except in the case of lots of 6,000 square feet or less.
  - (b) The maximum building length of any building shall in no case exceed 200 feet.
  - (c) Usable-on-site open space be provided.
  - (d) A minimum of twenty percent of total units within any building contain two or more bedrooms, except in the case of buildings designed specifically for use as senior citizens housing or other similar use.
  - (e) In no case shall the site coverage exceed 65%.
  - (f) The maximum floor space ratio shall be 1.45; however, this amount may be increased as follows:
    - (i) Where units of size and character of other units within the building are provided for the purpose of senior citizen housing, handicapped housing, or units for individuals or families of low and average income, an amount may be added so that 20 percent of the total units are for this purpose. In no case shall the floor space ratio exceed 1.9.

## SCHEDULE B

(RM-3A1) Multiple Dwelling District Schedule:  
(Medium Density-Inner Urban Neighbourhood)

1. Uses permitted and regulations:

Subject to all the provisions of this by-law on any site within any district defined, designated or described in this by-law as an (RM-3A1) District the only uses permitted and the only uses for which development permits may be issued are those contained in Sections 1, 2 and 3 hereof:

A. Uses:

- (1) One-family dwelling but subject to the same regulations as required in the (RS-1) schedule.
- (2) Two-family dwelling but subject to the same regulations as required in the (RT-2) schedule.
- (3) Apartment building.
- (4) Townhouses, subject to the (RM-1) Schedule.
- (5) Dwelling units in basements, subject to the provisions of Section 11(3), in any building:
  - (a) in respect of which the building permit is dated on or after January 1st, 1951, and
  - (b) which is designed or erected exclusively for use as an apartment building and is not a building converted to such use.
- (6) The keeping of not more than two boarders or lodgers or not more than five foster or day-care children in each dwelling unit.
- (7) Boarding or rooming house.
- (8) Fraternity or sorority house.
- (9) A building or use customarily accessory to the above uses (except for another dwelling unit), provided that:
  - (a) all accessory buildings are located in the rear yard and in no case are located closer to the flanking street than the width of the side yard required for the principal building;
  - (b) the total accessory buildings do not occupy an area greater than 25 percent of the minimum rear yard prescribed in this schedule, or 460 square feet, whichever is the greater;
  - (c) no accessory building shall exceed 10 feet in height;

- (d) no more than two-thirds of the width of the rear yard of any lot shall be occupied by accessory buildings;
- (e) no accessory building shall be closer than 12 feet to any dwelling on the property;
- (f) no accessory building shall obstruct the daylight access as required by this by-law for any residential use.

B. Height:

On any site the height of a building shall not exceed 35 feet. The configuration of the building height will be such that in no case shall the height of the northerly property line exceed 24 feet and at the southerly property line 35 feet and a 30° angle of sunlight containing the total height.

The height of a building shall be the vertical distance between the finished grades of the site and a hypothetical surface which is parallel to the finished grades of the site. It shall be assumed that the finished grades within the outer walls of the building are formed by straight lines joining contours on the finished grades at the outer wall of the building.

C. Front Yard:

A front yard shall be provided having a depth of not less than 20 feet.

D. Side Yards:

- (1) Side yards shall be provided on each side of the building such that the outer walls of the building be contained within 135 degrees horizontal angles subtended from all points along the side property lines, provided however, in no case shall the side yard be less than 7 feet.
- (2) In the case of a corner site where the side yard adjoins a flanking street, the above containing angle is not applicable but the side yard shall be 20 percent of the width of the site, but in no case shall it be less than 10 feet nor need it be more than 20 feet.

E. Rear Yard:

A rear yard shall be provided the minimum depth of which shall be not less than 35 feet, provided however, this amount may be reduced to 25 feet in the following cases:

- (1) Where the building abutting the rear yard is not more than 30 feet wide nor less than 25 feet from any adjoining site.

- (2) Where the average distance from the rear line of the site to the rear of the building taken over the full width of the site is not less than 35 feet and provided further that no portion of such building, abutting such rear yard so reduced, shall have a width of more than 50 feet nor be less than 25 feet from any adjoining site.

Provided that where the rear of the site abuts a fully or partially dedicated lane the minimum depth of the rear yard or the average depth of the rear yard, as the case may be, may be decreased by the width of that portion of the lane lying between the rear of the site and the ultimate centre line of the lane.

F. Daylight Access:

- (1) From the outside of the mid-point of the exterior wall (walls) of every habitable room there shall be an unobstructed view for distance of not less than 80 feet, measured horizontally 3 feet above the floor of the habitable room. Such view shall extend through either a continuous horizontal arc of not less than 50 degrees or through two or more horizontal arcs which in the aggregate contain not less than 70 degrees. For the purpose of this subsection the following shall be considered as obstructions:
  - (a) The theoretically equivalent buildings located on any adjoining sites in any R district in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property lines of the proposed site;
  - (b) Part of the same building including permitted projections;
  - (c) Accessory buildings located on the same site as the principal building;
  - (d) The maximum size building permitted under the appropriate C or M schedule if the site adjoins a C or M site.
- (2) For the purpose of this subsection, a kitchen shall not be counted as a habitable room unless its area is greater than 10 percent of the total floor area of the dwelling unit in which it is situated, or 70 square feet, whichever is the greater.

G. Floor Space Ratio:

The maximum Floor Space Ratio shall be 0.75.

In computing the floor space ratio, all floors, whether earth floors or otherwise, (with ceilings of more than 4 feet in height) of all buildings, shall be included, both above and below ground (measured to the extreme outer limits of the buildings) except for parking areas the floor of which is at or below the highest point of the finished grade around the building. For the purpose of this section the gross cross-sectional areas of stairways, fire escapes, elevator shafts, chimneys and any other services which, in the opinion of the Director of Planning, are similar to the foregoing, shall be included as floor area at each floor at which they are located; balconies, canopies, sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing may be excluded from floor area measurement.

Patios and roof gardens also may be excluded from floor area measurement provided that any sunroofs or walls forming part thereof are approved by the Director of Planning.

Floor area included within an amenity area or included within any proposed building may be excluded from floor area measurement, subject to approval by the Director of Planning. Items such as day-care, recreation facilities, meeting rooms or a similar use are considered amenity areas. In no case, however, will this exceed 10% of the total building floor area.

For purposes of this section site coverage shall be based on the projected area of the outside of the outermost walls of all buildings.

In the case of a sloping site where the structure is located in or beneath a yard, such structure may be excluded from the site coverage calculation provided that the top of such structure (excluding required earth cover, permitted fence, etc.) is located beneath the average elevation of the portions of the streets, lanes or adjacent sites, located adjacent to such structure provided in no case shall the top of any portion of such structure extend more than three feet above the adjoining streets, lanes or adjacent sites.

H. Site Area:

A site for a new apartment building, boarding or rooming house or fraternity or sorority house, or the relocation of an existing such building shall have an area of not less than 6,000 square feet except in the case of a lot of not less than 5,400 square feet on record in the Land Registry Office for the Vancouver Land Registration District prior to [ March 9, 1976 ].

I. Off-Street Parking Spaces:

Off-street parking spaces for certain uses in this district shall be provided and maintained in accordance with the provisions of Section 12 of this By-Law.

J. Off-Street Loading Spaces:

Loading and unloading spaces for certain uses in this district shall be provided and maintained in accordance with the provisions of Section 13 of this By-Law.

2. Uses which may be permitted subject to approval by the Director of Planning:

With the approval of the Director of Planning, development permits may be issued for the following uses. If the development permit is granted, it shall be subject to such conditions and regulations as the Director of Planning may decide:

- (1) A new apartment building, boarding or rooming house or fraternity or sorority house; or the relocation of an existing such building, on a site of less than 6,000 square feet.
- (2) The conversion into dwelling units of a building, other than one granted a development permit in accordance with Section 1 of this schedule; before granting a development permit for such conversion the Director of Planning shall have regard to the regulations of Section 1 of this schedule and also to the amenity of the neighbourhood.
- (3) The conversion of a building into housekeeping or sleeping units in any case where such existing building, by reason of its age and size, is deemed to be unsuitable for its present use; before granting a development permit for such conversion the Director of Planning shall have regard to the regulations of Section 1 of this schedule and also to the amenity of the neighbourhood.
- (4) A dwelling unit or housekeeping or sleeping unit other than one granted a development permit in accordance with this schedule which has been installed or used prior to June 18th, 1956, with or without one or more of the required City permits, may be granted a development permit limited in time.
- (5) The conversion into a boarding or rooming house of a building, other than one granted a development permit in accordance with Section 1 of this schedule; before granting a development permit for such conversion the Director of Planning shall have regard to the regulations of Section 1 of this schedule and also to the amenity of the neighbourhood.
- (6) A building which has been altered or used for a boarding or rooming house, other than one granted a development permit in accordance with Clause (5) above, which has been installed or used prior to June 18th, 1956, with or without one or more of the required City permits, may be granted a development permit limited in time.

- (7) School (public or private), kindergarten, day-care school, creche or day nursery.
- (8) Park or playground.
- (9) Truck gardens, nurseries and greenhouses, for propagating and cultivating.
- (10) The deposit or extraction of material so as to alter the configuration of the land.
- (11) Home craft or occupation, provided that there is nothing to indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling, that there is no commodity sold upon the premises and that no person other than one member of the immediate family residing there is engaged in such craft or occupation on the premises.
- (12) Club or Lodge (fraternal), provided that no commercial activities are carried on.
- (13) Community Centre.
- (14) Church, subject to the provisions of Section 11(7) of this By-Law.
- (15) A new building specifically designed for hospital or Personal Care Home, excluding a mental hospital or hospital for the treatment of animals; in granting a development permit the Director of Planning shall have regard to the amenity of the neighbourhood.
- (16) The conversion of an existing building into a Hospital or Personal Care Home, excluding a mental hospital or hospital for the treatment of animals; before granting the development permit for such conversion, the Director of Planning shall be satisfied that the existing building is suitable for such use, having particular regard to the size of the site and building, open spaces on the site, proximity of adjacent buildings and the amenity of the neighbourhood, and shall notify adjacent property owners.
- (17) Institution of a religious, philanthropic or charitable character.
- (18) Public utility.
- (19) Building or use essential in this district required by a public authority.
- (20) Building or use customarily accessory to the above uses and accessory buildings or uses to dwelling other than those provided for in Section 1 of this schedule.
- (21) Local area activity centre.

3. Uses which may be permitted subject to special approval by the Director of Planning:

In order to encourage the retention of existing buildings and to accomplish a number of social and community goals, having due regard to open space and overall design, the Director of Planning may, in his discretion, permit a building at variance with the regulations set out in Sections 1 and 2 of this District Schedule. In the exercise of his discretion, the Director of Planning shall also have due regard to the following:

A. (Other Uses)

- (1) One-family dwelling or two-family dwellings
  - (a) The floor space ratio shall in no case exceed 1.0.
- (2) Townhouses, provided that:
  - (a) The floor space ratio of the new buildings shall in no case exceed 1.0.
- (3) Additions to existing buildings or the building of new structures of the "infill" type, provided that:
  - (a) The floor space ratio of all buildings shall in no case exceed 1.45.
- (4) Apartment buildings, provided that:
  - (a) All required parking spaces be provided underground or within the outermost walls of a building (but in no case with the floor of the parking area above the highest point of the finished grade around the building) except in the case of lots of 6,000 square feet or less.
  - (b) The maximum building length of any building shall in no case exceed 200 feet.
  - (c) Usable on-site open space be provided.
  - (d) A minimum of twenty percent of total units within any building contain two or more bedrooms, except in the case of buildings designed specifically for the use of senior citizens housing or other similar use.
  - (e) In no case shall the site coverage exceed 65%.
  - (f) The maximum floor space ratio shall be 1.45; however, this amount may be increased as follows:
    - (i) Where units of size and character of other units within the building are provided for the purpose of senior citizen housing, handicapped housing or units for individuals or families of low and average income, an amount may be added so that 20 percent of the total units are for this purpose. In no case shall the floor space ratio exceed 1.9.



## SCHEDULE C

(C-2B) Commercial District Schedule (Suburban)

The intent of this zone is to encourage good design and proper utilization of the land in a community oriented shopping area.

1. Uses permitted, conditions and regulations:

Subject to all the provisions of this by-law on any site within any district defined, designated or described in this by-law as a C-2B District, the only uses permitted and the only uses for which development permits may be issued are those contained in Sections 1, 2 and 3 hereof.

A. Uses:

- (1) Retail stores, catering for the day-to-day needs of residents of the neighbourhoods, provided that:
  - (a) in no case shall an individual business exceed a total individual frontage of 50 feet at the property line;
  - (b) in all cases continuous business be located on the property line, except in the case where shopping or pedestrian courtyards or other features benefiting pedestrian character are provided.
- (2) The keeping of not more than two boarders or lodgers or not more than five foster or day-care children in each dwelling unit.
- (3) A building or use which is customarily accessory to the above principal building or uses, except for a building or use which is only listed as a principal use in the (M-1) or (M-2) Schedules, provided that:
  - (a) All accessory buildings are located in the rear yard;
  - (b) All accessory buildings shall occupy an area of not greater than ten percent of the area of the site;
  - (c) No accessory building shall exceed one storey or 12 feet in height;
  - (d) No accessory building shall obstruct the daylight access as required by this by-law for any residential use;
  - (e) All accessory uses of the type which would not be permitted as principal uses under Section 1 of this schedule shall occupy an area of not more than 25 percent of the gross floor area of the principal use, and shall be located within the principal building.

B. Conditions of Use:

Every business or undertaking shall be conducted wholly within a completely enclosed building except for parking and loading facilities, a gasoline service station or a restaurant, subject to the provision of Section 11(10) of this by-law

C. Front Yard:

No front yard shall be required.

D. Side Yard:

No side yard shall be required provided, however, that where a (C-2B) Commercial District adjoins any R District without the intervention of a street or lane, the following side yards shall be provided:

(a) Three feet in the case of an RA, RS or RT District.

(b) Five feet in the case of an RM District.

If a side yard in a (C-2B) District be provided where not required by the provisions of this By-Law, the said yard shall be not less than three feet in width.

E. Rear Yard:

A rear yard shall be provided of not less than 10 feet provided, however; that where a building contains residential uses the building shall be set back not less than 25 feet over its full width from the rear line of the site, but such setback need not extend below the lowest storey containing residential uses; and provided further that where the rear line of a site adjoins a dedicated lane the minimum depth of the rear yard or setback, as the case may be, may be reduced by an amount equal to the distance from the ultimate centre line of the lane to the rear line of the site.

F. Height:

The height of a building shall not exceed 40 feet nor three storeys.

The configuration of the building height will be such that in no case shall the height on the northerly property line exceed 24 feet and at the southerly property line 40 feet and a 30° angle of sunlight containing the total height.

The Director of Planning may, in his discretion, permit a building at variance with subsection F of Section 1 of this District Schedule after notifying the adjoining owners. In the exercise of his discretion, the Director of Planning shall also have due regard to:

(a) In no case shall the height of the building exceed four storeys;

(b) The height and bulk of the building and its location in relation to the site and surrounding streets and buildings;

- (c) The amount of open space, plazas, overall design and the general amenity of the area;
- (d) The effect on traffic;
- (e) The existing and permitted uses and the form and need of each (C-2B) zone including its relationship to any surrounding residential area.

G. Horizontal Light Angle for Residential Use:

Where part of a building is used for residential purposes:

- (1) The window of every habitable room shall be not less than 10 feet from the interior side boundary of the site onto which it faces.
- (2) Every window shall permit of an unobstructed view for a distance of not less than 80 feet, measured horizontally from its centre at sill level. Such view shall extend through either a continuous horizontal arc of not less than 50 degrees, or through two or more horizontal arcs which in the aggregate contain an arc of not less than 70 degrees; provided, however, the above arcs may be reduced from 50 degrees to 40 degrees and 70 degrees to 60 degrees respectively in the case of buildings of two storeys or less in height; for the purpose of this subsection, the following shall be considered as obstructions:
  - (a) The theoretically equivalent buildings if located on any adjoining sites in any R District in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property lines of the proposed site.
  - (b) Part of the same building including permitted projections.
  - (c) Accessory buildings located on the same site as the principal building.
  - (d) The maximum size building permitted under the appropriate C or M schedule if the site adjoins a C or M site.
- (3) Where a window is greater in area than the minimum required under the Building By-Law, the above conditions may be tested against the least restrictive portion of the window equal in area to the required minimum. For the purpose of this subsection, a kitchen shall not be counted as a habitable room unless its area is greater than ten percent of the total floor area of the dwelling unit in which it is situated or 70 square feet, whichever is the greater.

0186

H. Floor Space Ratio:

- (1) The floor space ratio shall in no case exceed 2.5 provided, however, that the configuration of floor space within the structure shall in no case exceed:
  - (a) 1.0 of uses listed in Section 1A and 2A (except for residential uses) on the ground or first floor;
  - (b) 0.5 of uses listed in Section 1A and 2A (except for residential uses on the second level;
  - (c) 1.0 of residential use on the second or higher levels, however, the floor space ratio for residential may be increased to 1.5 if uses in Section 1, Subsection H(b) are not included within the second level;
- (2) In the case of a site used for purely residential purposes, the floor space ratio shall not exceed 1.5.
- (3) For the purposes of this schedule, in computing the floor space ratio the floor area of the building shall include the total area of all the floors of all the buildings on the site, including accessory buildings (measured to the extreme outer limits of the building), except for areas of floors used for parking purposes and areas of cellars or basements which are not used as habitable accommodation or access to habitable accommodation.

In addition, patios, roof decks, balconies, canopies, sun-decks and other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, may be excluded from floor area measurement. Floor area included within an amenity area or included within any proposed building may be excluded from floor area measurement, subject to approval by the Director of Planning. Items such as day-care, recreation facilities, meeting rooms or a similar use are considered amenity areas. In no case, however, will this exceed 10% of the total building floor area.

I. Off-Street Parking Spaces:

Off-street parking spaces shall be provided and maintained as required by and in accordance with the provisions of Section 12 of this By-Law.

J. Off-Street Loading Spaces:

Loading and unloading spaces shall be provided and maintained as required by and in accordance with the provisions of Section 13 of this By-Law.

2. Uses which may be permitted subject to approval by the Director of Planning:

With the approval of the Director of Planning, development permits may be issued for the following uses. If the development permit is granted it shall be subject to such conditions and regulations as the Director of Planning may decide. In the exercise of his discretion, the Director of Planning will have due regard to the following:

- (a) provision of open space, plazas and landscaping;
- (b) pedestrian orientation and community character.

A. Uses - Group A

1. Ambulance headquarters
2. Animal Hospital
3. Auction Room
4. Automotive repair shop
5. Automobile & parts showroom
6. Bakery (manufacturing of bread, pies & confectionery)
7. Billboard & pool hall
8. Bowling alley
9. Building or use required by a public authority
  
10. Church
11. Club or Lodge (fraternal)
12. Cleaning & dyeing shop
13. Community Centre
14. Deposit or extraction of material so as to alter the configuration of the land
15. Frozen food lockers
16. Gasoline Service Station, subject to the provisions of Section 11(10)
17. Hall
18. Home craft or occupation
19. Hospital or Personal Care Home, excluding a mental hospital
20. Institution of a religious, philanthropic, charitable or philozoic character
21. Kennels or the keeping, breeding, raising, training or boarding of dogs or cats
22. Lithographing
23. Park or playground
24. Parking garage (Public)
25. Parking area (Public)
26. Pet Shop
27. Public Utility
28. Radio broadcasting and receiving station for motor vehicles, trains, watercraft and aircraft
29. Radio & television broadcasting & receiving masts & antennae (commercial)

- (30) Restaurant
- (31) Restaurant: Drive-In (self service)
- (32) Restaurant: Drive-In (car service)
- (33) School (business or commercial)
- (34) School (public or private), kindergarten, day-care school, creche or day nursery
- (35) School (trade)
- (36) Sign and showcard writing
- (37) Stadium, curling rink, ice rink, roller rink, race track, gymnasium or similar place of assembly.
- (38) Stamp shop (rubber and metal)
- (39) Steam baths
- (40) Swimming pool (commercial)
- (41) Theatre (excluding a drive-in)
- (42) Temporary parking area (public)
- (43) Tires (retreading and rebuilding)
- (44) Undertaking establishment
- (45) Wholesale business (only to serve local or district needs)
- (46) Any other building or use which is not specifically listed in any schedule of this By-Law and which is similar to the foregoing buildings or uses; before granting a development permit for such building or use the Director of Planning shall have regard to the types of buildings and uses which specifically may be permitted in this schedule.
- (47) The conversion into dwelling units of an existing building; before granting a development permit for such conversion the Director of Planning shall have regard to the regulations of Section 1 of this schedule and also to the amenity of the neighbourhood.
- (48) The conversion of an existing building into house-keeping or sleeping units in any case where such existing building, by reason of its age and size, is deemed to be unsuitable for its present use; before granting a development permit for such conversion the Director of Planning shall have regard to the regulations of Section 1 of this schedule and also to the amenity of the neighbourhood.
- (49) The conversion of an existing building into a boarding or rooming house in any case where such existing building, by reason of its age and size, is deemed to be unsuitable for its present use; before granting a development permit for such conversion the Director of Planning shall have regard to the regulations of the RM Schedules and also to the amenity of the neighbourhood.
- (50) A dwelling unit or housekeeping or sleeping unit other than one granted a development permit in accordance with this schedule which has been installed or used prior to June 18th, 1956, with or without one or more of the required City permits may be granted a development permit limited in time.
- (51) The use of a site for purely residential purposes, if the site has unusual peculiarities of location, such use to include one and two-family dwellings, apartments, boarding or rooming houses and fraternity or sorority houses.

0100

- (52) A building which has been altered or used for a boarding or rooming house, other than one granted a development permit in accordance with this schedule, which has been installed or used prior to June 18th, 1956, with or without one or more of the required City permits, may be granted a development permit limited in time.
- (53) Any building or use which can be considered as accessory to the above uses and to the uses listed in Section 1 of this schedule, other than those accessory buildings or uses for which provision is made in such Section, subject to:
  - (a) all accessory buildings occupying an area of not greater than ten percent of the area of the site
  - (b) all accessory uses occupying an area of not greater than one-third the total gross floor area of all the buildings on the site.

3. Uses which may be permitted subject to special approval by the Director of Planning:

The Director of Planning may, in his discretion, permit a building at variance with regulations set out in Section 1 of this District Schedule. In the exercise of his discretion, the Director of Planning shall also have due regard to the following:

- (a) usable resident open space provided by balconies, decks, roof gardens and courtyards;
- (b) landscaping;
- (c) quality of individual dwelling units
- (d) light and air available to individual dwelling units.

1. Office Buildings

- 2. Dwelling units in conjunction with and in addition to any of the above uses provided that no portion of the first storey of a building to a depth of 35 feet from the front wall of the building and extending across the full width of the building shall be used for residential purposes except for entrances to such residential part.

0190

SCHEDULE D

(M-1A) Industrial District Schedule:  
(Light - Residential Community)

1. Uses permitted, conditions and regulations:

Subject to all the provisions of this By-Law on any site within any district defined, designated or described in this By-Law as an (M-1A) District, the only uses permitted and the only uses for which development permits may be issued are those contained in Section 2 hereof, provided, however, that development of any land abutting the streets set forth in Schedule "C" to this By-Law shall be subject to the additional special regulations contained in Section 11(2) to this By-Law.

A. Front Yards:

No front yard shall be required, except where an (M-1A) Industrial District adjoins any R District, the front yard shall be 10 feet, with landscaping provided to the satisfaction of the Director of Planning.

B. Side Yard:

No side yard shall be required, except where an (M-1A) Industrial District adjoins any R District, the side yard shall be 10 feet, with landscaping provided to the satisfaction of the Director of Planning.

If a side yard in an (M-1A) District be provided where not required by the provisions of this By-Law, the said side yard shall be not less than three feet in width.

C. Rear Yard:

A rear yard shall be provided the minimum depth of which shall be not less than 10 feet except as provided hereunder:

- (1) Where the rear line of a site adjoins a dedicated lane the minimum depth of the rear yard may be reduced by an amount equal to the distance from the ultimate centre line of the lane to the rear line of the site.
- (2) Where a site is sufficiently large and is located within an area where rear access to the site and adjacent sites is not likely to be required, the Director of Planning, in the exercise of his discretion, may waive the rear yard requirement.
- (3) Where an (M-1A) Industrial District adjoins any R District, the rear yard shall be 10 feet, with landscaping provided to the satisfaction of the Director of Planning.

D. Height:

The height of a building shall not exceed 60 feet.

E. Floor Space Ratio:

The floor space ratio shall in no case exceed 5.00.



For the purpose of this schedule, in computing the floor space ratio the floor area of the building shall include the total area of all the floors of all the buildings on the site, including accessory buildings (measured to the extreme outer limits of the building), except for areas of floors used for parking purposes and areas of cellars or basements which are not used as habitable accommodation or access to habitable accommodation.

In addition, balconies, canopies, sundecks and other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, may be excluded from floor area measurement, provided that the total floor area of all such excluded items does not exceed eight percent of the permitted floor area.

F. Off-Street Parking Spaces:

Off-street parking spaces shall be provided and maintained as required by and in accordance with the provisions of Section 12 of this By-Law.

G. Off-Street Loading Spaces:

Loading and unloading spaces shall be provided and maintained as required by and in accordance with the provisions of Section 13 of this By-Law.

2. Uses which may be permitted subject to approval by the Director of Planning:

With the approval of the Director of Planning, development permits may be issued for the following uses. If the development permit is granted, it shall be subject to such conditions and regulations as the Director of Planning may decide, with due regard to the following:

- (1) Provision of appropriate landscaping;
- (2) Design, character and choice of building material in relation to adjoining R zoned land.
- (3) Development of any land abutting the streets set forth in Schedule "C" to this By-Law shall be subject to the additional special regulations contained in Section 11(2) to this By-Law.

A. Uses (Group A)

1. Animal Hospital
2. Automotive repair shop
3. Automobile and parts salesroom
4. Bakery (manufacturing of bread, pies, confectionery)
5. Boat building (boats not to exceed 80 feet in length)
6. Book bindery
7. Brewery and distillery
8. Broom and brush manufacturing
9. Candy manufacturing
10. Cannery (fruit and vegetables only)
11. Cigarette and cigar manufacturing
12. Clothing and garment manufacturing

0192

13. Cold storage plant
14. Cosmetics manufacturing
15. Dairy products manufacturing
16. Electric equipment manufacturing
17. Electro-plating
18. Excelsior manufacturing or storage
19. Feed and seed storage
20. Food products manufacturing, processing and packaging  
(excluding fish and a cannery)
21. Frozen food lockers
22. Parking garage (public)
23. Gasoline service station, subject to the provisions  
of Section 11(10)
24. Hemp and jute products manufacturing
25. Ice manufacturing
26. Institution of a religious, philanthropic, charitable  
or philozoic character
27. Jewellery manufacturing
28. Kennels or the keeping, breeding, raising, training  
or boarding of dogs or cats
29. Laboratory
30. Laundry, cleaning and dyeing establishment
31. Lithographing
32. Mattress manufacturing
33. Motion picture and television studio
34. Musical instrument manufacturing
35. Novelty and toy manufacturing
36. Paper box and cardboard products manufacture
37. Parking area (public)
38. Poultry (dressed) wholesale and storage
39. Public utility on a site not less than 200 feet from  
any R District
40. Publishing plant
41. Radio and television broadcasting and receiving masts  
and antennae (commercial)
42. Radio broadcasting and receiving station for motor-  
vehicles, trains, watercraft and aircraft
43. Restaurant
44. Sausage manufacturing
45. School (business or commercial)
46. School (trade)
47. Shoe or boot manufacturing
48. Sign manufacturing
49. Stamp shop (rubber or metal)
50. Taxidermy
51. Tent and awning and allied products manufacturing
52. Textile manufacturing
53. Tires retreading or rebuilding
54. Tool (machine) manufacturing
55. Toy and novelty manufacturing
56. Warehouse (general)
57. Wax products manufacturing (for derivation of products,  
see processing of fats, bones, animal products)
58. Window shade manufacturing
59. Wholesale business
60. Ambulance headquarters
61. Auction Room (sale & storage)

62. Archery range, golf driving range and miniature rifle range (in the open)
63. Automotive manufacture and body building
64. Billiard & pool hall
65. Bottling plant (milk or carbonated beverages)
66. Bowling alley
67. Building or use required by a public authority
68. Cannery (meat, poultry & pickles only)
69. Car sales lot
70. Chemicals, manufacturing & mixing
71. Church
72. Clay & clay products manufacturing, excluding brick & tile
73. Cleaning & dyeing shop
74. Club or Lodge (fraternal)
75. Community Centre
76. Concrete mixing operations or concrete products manufacturing
77. Cooperage works
78. Deposit or extraction of material so as to alter the configuration of the land
79. Film exchange
80. Flour mill
81. Furniture manufacturing and storage
82. Gypsum products manufacturing
83. Hall
84. Home craft occupation
85. Machine shop or blacksmith shop
86. Monument or stone works