

## RM-3 District Schedule

### 1 Intent

The intent of this Schedule is to permit medium density residential development, including high-rise apartment buildings, and to secure a higher quality of parking, open space and daylight access through floor area bonus incentives.

### 2 Outright Approval Uses

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

#### **2.2 Uses**

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

- (a) no accessory building exceeds 3.7 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may exceed 4.6 m in height;
- (b) all accessory buildings are located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than the width of the required side yard from a flanking street;
- (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m<sup>2</sup>, whichever is the greater;
- (d) not more than 66⅔ percent of the width of the rear yard of any lot is occupied by accessory buildings;
- (e) no accessory building obstructs the horizontal daylight access prescribed in this Schedule.

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

**2.2.DW** [Dwelling]

- Multiple Conversion Dwelling, provided that:

- (a) no additions shall be permitted;
- (b) no housekeeping or sleeping units shall be created;
- (c) the number of dwelling units is limited to two; and
- (d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

- One-Family Dwelling.
- Rooming House.
- Two-Family Dwelling.

**2.2.I** [Institutional]

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

### 3 Conditional Approval Uses

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

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

### **3.2 Uses**

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

3.2.AG [Agricultural]

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

3.2.C [Cultural and Recreational]

- Club, provided that no commercial activities are carried on and the use does not adversely impact residential uses.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

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

3.2.DW [Dwelling]

- Dwelling Units in conjunction with a neighbourhood grocery store existing as of July 29, 1980, subject to the provisions of section 11.16 of this By-law.
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:
  - (a) before making a decision, the Development Permit Board shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
  - (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building,
 in accordance with section 3.3.1 of this Schedule.
- Multiple Dwelling, in accordance with section 3.3.1 of this Schedule.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing, subject to section 11.17 of this By-law.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.

- Church, subject to the provisions of section 11.7 of this By-law.
- Hospital, subject to the provisions of section 11.9.3 of this By-law.
- Public Authority Use essential in this District.
- School - Elementary or Secondary, subject to the provisions of section 11.8 of this By-law.
- Social Service Centre.
- Community Care Facility – Class B, subject to the provisions of section 11.17 of this By-law.
- Group Residence, subject to the provisions of section 11.17 of this By-law.

### 3.2.P [Parking]

- Parking Area ancillary to a principal use on an adjacent site.

### 3.2.R [Retail]

- Farmers' Market, subject to the provisions of Section 11.21 of this By-law. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
- Neighbourhood Grocery Store existing as of July 29, 1980, subject to the provisions of section 11.16 of this By-law.
- Public Bike Share.

### 3.2.S [Service]

- Bed and Breakfast Accommodation, subject to the provisions of section 11.4 of this By-law.
- Short Term Rental Accommodation, subject to the provisions of section 11.32 of this By-law.

### 3.2.U [Utility and Communication]

- Public Utility.

## 3.3 Conditions of Use

3.3.1 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Multiple Conversion Dwellings consisting of three or more dwelling units, or Multiple Dwellings, must:

- (a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:
  - (i) enter into a housing agreement, satisfactory to Council, that secures:
    - A. one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, or one for one replacement with another type of affordable housing if permitted under an applicable community plan, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and
    - B. a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable, and

- (ii) ensure that at least 35% of the total number of dwelling units include two or more bedrooms, except where the Director of Planning considers that such requirement would deter or prevent:
  - A. the conservation of a protected heritage property or a building on, or eligible for addition to, the Vancouver Heritage Register;
  - B. the renovation of a building where there are physical constraints due to light, access, and the form and structural elements of the existing building;
  - C. development of low-rise and midrise buildings on mid-block or unique sites with significant design challenges in meeting the requirement; or
  - D. development of projects on sites or in areas identified in Council-approved plans or policies as targeted to single and couple households,

or

- (b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it does not require major alterations or additions resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:
  - (i) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and
  - (ii) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy.

## 4 Regulations

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

### 4.1 Site Area

- 4.1.1 The minimum site area for a multiple dwelling or rooming house shall be 550 m<sup>2</sup>.

### 4.2 Frontage -- Not Applicable.

### 4.3 Height and Length

- 4.3.1 On any site the maximum height of a building shall be 36.6 m, provided however, that where any portion or portions of a building extend above a height of 10.7 m, the maximum length of any such portion or portions combined shall in no case exceed an amount equal to 25 percent of the sum of the average depth of the site and the average width of the site.

4.3.2 For the purposes of section 4.3, where it is proposed to erect a building in two or more parts (towers), a site may be interpreted as two or more sites as the case may be, provided that the area of each site created is 2 300 m<sup>2</sup> or more, and parts of the building (towers) are not less than 24.0 m apart.

#### **4.4 Front Yard**

4.4.1 A front yard with a minimum depth of 6.1 m shall be provided.

#### **4.5 Side Yards**

4.5.1 A side yard with a minimum width of 2.1 m shall be provided on each side of the principal building, but the minimum width shall be increased so that the outer walls of the building are contained within a 135 degree angle extended horizontally and measured inwardly from any and all points on the side property lines.

4.5.2 In the case of a corner site, the exterior side yard shall not be regulated by section 4.5.1 above but shall be 20 percent of the width of the site, for buildings not exceeding 12.2 m in height, with this amount increased by .3 m for every 1.5 m or fraction thereof by which a building exceeds 12.2 m in height, except that it shall not be less than 3.0 m and need not be more than 6.0 m in width.

4.5.3 In the case of a side yard for a one-family or two-family dwelling, the side yard shall not be regulated by sections 4.5.1 and 4.5.2, but shall be a minimum width of 10 percent of the width of the site on each side of the building, except that a side yard need not exceed 1.5 m in width.

#### **4.6 Rear Yard**

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 Not Applicable.

4.6.3 Where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard.

4.6.4 Where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site, and where the average distance from the building to the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.

#### **4.7 Floor Space Ratio**

4.7.1 The maximum floor space ratio shall be 0.60 for a one-family or a two-family dwelling. For all other uses the maximum floor space ratio shall be 1.00 provided, however, this amount may be increased as follows:

- (a) where the site coverage is 50 percent or less an amount equal to 0.012 may be added for each one percent or fraction thereof by which such coverage is reduced below 50 percent;
- (b) where the area of a site exceeds 837 m<sup>2</sup> and the frontage of such site is 22.8 m or more, an amount may be added equal to 0.002 multiplied by each 9.3 m<sup>2</sup> of site area in excess of 837 m<sup>2</sup>, but in no case shall this amount exceed 0.25;

- (c) where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest point of the finished grade around the building) an amount equal to 0.20 multiplied by the ratio of the number of parking spaces provided which are completely undercover to the total number of required parking spaces, may be added, but in no case shall this increase exceed a figure of 0.20.

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

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
- (c) the floor area of bay windows, regardless of seat height, location on building or relationship to yard setbacks, in excess of the product of the total floor area permitted above the basement times 0.01.

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

- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the permitted residential floor area;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
  - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
  - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.
- (d) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood.
- (e) areas of undeveloped floors which are located
  - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m.
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and
- (g) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:

- (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
- (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

#### **4.8 Site Coverage**

- 4.8.1 Not Applicable.
- 4.8.2 Site coverage of buildings shall be based on the projected area of the outside of the outermost walls of all buildings and includes carports, but excludes steps, eaves, balconies and sundecks.
- 4.8.3 Except where the principal use of the site is a parking area, the maximum site coverage for any portion of the site used as parking area shall be 30 percent.
- 4.8.4 In the case of a sloping site where a structure is located in or beneath a yard, the structure shall be excluded from the site coverage calculation provided that it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.

#### **4.9 [Deleted -- see Parking By-law.]**

#### **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 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.
- 4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.
- 4.10.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement, if:
  - (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
  - (b) the minimum distance of unobstructed view is not less than 3.7 m.
- 4.10.5 An obstruction referred to in section 4.10.2 means:
  - (a) any part of the same building including permitted projections; or
  - (b) the largest building permitted under the zoning on any adjoining site.
- 4.10.6 A habitable room referred to in section 4.10.1 does not mean:
  - (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 m<sup>2</sup>.

#### 4.11 Vertical Angle of Daylight

- 4.11.1 In the case of buildings of over 10.7 m in height no part thereof shall project above lines extending over the site at right angles from:
- (a) all points along the ultimate centre line of any street in front of the site and inclined at an average angle of 25 degrees to the horizontal;
  - (b) all points along the rear boundary line of the site or the ultimate centre line of the lane where one has been dedicated, and inclined at an average angle of 25 degrees to the horizontal;
  - (c) all points along any interior side boundary of the site at ground level and inclined at an average angle of 30 degrees to the horizontal;
  - (d) in the case of a corner site, all points along the ultimate centre line of the flanking street or lane and inclined at an average angle of 25 degrees to the horizontal.
- 4.11.2 For the purpose of computing the average angles of daylight on each side of the site, each angle shall be multiplied by the length of the applicable portion of the building or site over which such angle applies, and the sum of these products (angle times length applicable) shall be divided by the total length of the corresponding site boundary.

### 5 Relaxation of Regulations

- 5.1** The Development Permit Board or the Director of Planning, as the case may be, may relax the minimum site area requirements of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to September 7, 1965 and has an area of not less than the minimum noted:
- (a) multiple dwelling, with a minimum lot area of 500 m<sup>2</sup>;
  - (b) rooming house, with a minimum lot area of 500 m<sup>2</sup>; and
  - (c) seniors supportive or assisted housing, with a minimum lot area of 500 m<sup>2</sup>.
- 5.2** The Development Permit Board or the Director of Planning, as the case may be, may relax the minimum site area requirements of this Schedule with respect to any of the following developments where he considers the development site to consist of locked in lots and provided he also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:
- (a) multiple dwelling;
  - (b) rooming house;
  - (c) two-family dwelling.