

RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule

1 Intent

The intent of this Schedule is to permit a variety of residential developments and some compatible retail, office, service and institutional uses. Emphasis is placed on achieving development which is compatible with neighbouring development with respect to streetscape character, open spaces, view retention, sunlight access and privacy. The RM-5A, RM-5B, RM-5C and RM-5D Districts permit greater densities than RM-5.

The RM-5 District also encourages developments suited to families with children. The RM-5C District permits a greater range of uses. The RM-5D District supports the development of social housing.

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 listed in section 2.2 shall be permitted in the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts and shall be issued a permit.

2.2 Uses

2.2.A • Accessory Buildings customarily ancillary to any of the uses listed in this Section, 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 % of the rear yard to be provided, or 48 m², whichever is the lesser;
- (d) not more than 66⅔ % of the width of the rear yard of any lot is occupied by accessory buildings;
- (e) no accessory building is closer than 3.7 m to any residential building;
- (f) no accessory building obstructs the daylight access prescribed in this Schedule.

• Accessory Uses customarily ancillary to any of the uses listed in this section, except hotel.

2.2.C [Cultural and Recreational]

- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

2.2.DW [Dwelling]

- Dwelling Units in conjunction with a Neighbourhood Grocery Store.
- Dwelling Units in conjunction with a Laundromat or Dry Cleaning Establishment existing as of September 26, 1989.
- Multiple Conversion Dwelling consisting of two dwelling units.
- Rooming House.

- 2.2.I [Institutional]
- Child Day Care Facility.
 - Community Care Facility – Class A, subject to the regulations, variations, and relaxations that apply to a one-family dwelling.
- 2.2.R [Retail]
- Neighbourhood Grocery Store.
- 2.2.S [Service]
- Hotel existing as of September 26, 1989.
 - Laundromat or Dry Cleaning Establishment existing as of September 26, 1989.

2.3 Conditions of Use

- 2.3.1 All uses other than dwelling uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:
- (a) parking and loading facilities;
 - (b) display of flowers, plants, fruits and vegetables; and
 - (c) child day care facility.
- 2.3.2
- In the RM-5 District, a minimum of 20 % of total dwelling units within any multiple dwelling, except in the case of buildings designed solely for use as senior citizens' housing under the provisions of the National Housing Act or other similar use, shall:
 - (a) contain 2 or more bedrooms;
 - (b) possess private open space directly accessible from the unit and which is a minimum of 5.6 m² in area, and with a minimum dimension of 1.8 m; and
 - (c) be located within three storeys of grade.
- 2.3.3
- In the RM-5 District, all multiple dwellings shall include an outdoor area with a minimum area of 37 m², in an appropriate location, that could be developed as a children's play area.
- 2.3.4
- In the RM-5D District, the maximum allowable floor space ratio for all permitted uses other than dwelling uses is 0.65.

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 as specified in sections 3.2.1 and 3.2.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:
- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council
 - (b) the submission of any advisory group, property owner or tenant; and
 - (c) the appropriateness of the use with respect to the items which are shown in italics following the use.

3.2.1 Uses

- 3.2.1.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 hotel or any of the uses listed in this section.

3.2.1.AG [Agricultural]

- Urban Farm - Class A.

3.2.1.C [Cultural and Recreational]

- Museum or Archives. *compatibility with nearby sites, parking, proximity to major streets, size of facility*

3.2.1.DW [Dwelling]

- Infill, in accordance with section 3.3.4 of this Schedule.
- Dwelling Units, in conjunction with any of the other uses set out in this Schedule.
- Multiple Conversion Dwelling, in accordance with section 3.3.4 of this Schedule.
- Multiple Dwelling, in accordance with section 3.3.4 of this Schedule.
- One-Family Dwelling.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.
- Two-Family Dwelling.

3.2.1.I [Institutional]

- Ambulance Station. *compatibility with nearby sites, vehicular ingress and egress, proximity to major street*
- Church. *compatibility with nearby sites, parking, size of facility*
- Hospital. *compatibility with nearby sites, vehicular ingress and egress, category of facility*
- Public Authority Use essential in this District. *compatibility with nearby sites, proximity to major streets, vehicular ingress and egress*
- School - Elementary or Secondary. *compatibility with nearby sites, category of facility*
- Social Service Centre. *compatibility with nearby sites, category of facility*
- Community Care Facility – Class B. *compatibility with nearby sites*
- Group Residence. *compatibility with nearby sites*

3.2.1.O [Office]

- General Office, in a building which is protected by a heritage designation by-law. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Care Office, in a building which is protected by a heritage designation by-law. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Enhancement Centre, in a building which is protected by a heritage designation by-law. *compatibility with nearby sites, parking, traffic, noise, hours of operation*

3.2.1.R [Retail]

- Retail Store, in a building which is protected by a heritage designation by-law. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Farmers' Market. *compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
- Public Bike Share.

3.2.1.S [Service]

- Bed and Breakfast Accommodation. *compatibility with nearby sites*
- Restaurant - Class 1, in a building which is protected by a heritage designation by-law. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Short Term Rental Accommodation.

3.2.1.U [Utility and Communication]

- Public Utility. *compatibility with nearby sites, category of facility*

3.2.2 Uses

Uses listed in this section may be permitted in the RM-5C and RM-5D districts subject to the provisions of this section.

3.2.2.C [Cultural and Recreational]

- Bowling Alley, only in the RM-5C district. *compatibility with nearby sites, parking, proximity to major streets, size of facility*
- Club, only in the RM-5C district. *compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity, size of facility*
- Fitness Centre, only in the RM-5C district. *compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity, size of facility*
- Theatre, only in the RM-5C district. *compatibility with nearby sites, traffic, hours of operation*

3.2.2.O [Office]

- Financial Institution, only in the RM-5C district. *parking, size of facility*
- General Office. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Care Office. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Enhancement Centre. *compatibility with nearby sites, parking, traffic, noise, hours of operation.*

3.2.2.R [Retail]

- Grocery or Drug Store, only in the RM-5C district. *parking, pedestrian amenity, size of facility*
- Retail Store. *compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*
- Small-scale Pharmacy, only in the RM-5C district.

3.2.2.S [Service]

- Animal Clinic, only in the RM-5C district. *compatibility with nearby sites, noise, hours of operation*
- Barber Shop or Beauty Salon. *compatibility with surrounding uses, hours of operation; parking*
- Beauty and Wellness Centre, only in the RM-5C district, *only in the RM-5C District*
- Hotel, only in the RM-5C district. *traffic, compatibility with nearby sites*
- Laundromat or Dry Cleaning Establishment, only in the RM-5C district. *compatibility with surrounding uses, hours of operation, noise, parking*
- Photofinishing or Photography Studio. *parking*
- Print Shop, only in the RM-5C district. *compatibility with surrounding uses, hours of operation, parking*
- Restaurant - Class 1. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- School - Arts or Self Improvement, only in the RM-5C district. *parking, size of facility, noise, hours of operation*
- School - Business, only in the RM-5C district. *compatibility with nearby sites, category of facility, size of facility, hours of operation*
- School - Vocational or Trade, only in the RM-5C district. *parking, size of facility, noise, hours of operation.*

3.3 Conditions of Use

- 3.3.1 All uses other than dwelling uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:
- (a) parking and loading facilities;
 - (b) the display of flowers, plants, fruits and vegetables;
 - (c) restaurant;
 - (d) farmers’ market; and
 - (e) public bike share.
- 3.3.2 • In the RM-5 District, a minimum of 20 % of total dwelling units within any multiple dwelling, except in the case of buildings designed solely for use as senior citizens’ housing under the provisions of the National Housing Act or other similar use, shall:
- (a) contain 2 or more bedrooms;
 - (b) possess private open space directly accessible from the unit and which is a minimum of 5.6 m² in area, and with a minimum dimension of 1.8 m; and
 - (c) be located within three storeys of grade.
- 3.3.3 • In the RM-5 District, all multiple dwellings shall include an outdoor area with a minimum area of 37 m², in an appropriate location, that could be developed as a children’s play area.
- 3.3.4 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Infill Multiple Dwellings, or 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 on another site that was subject to the RHS ODP before it was rezoned to allow for replacement housing, and is adjacent to the contiguous area of the zoning district of the site that requires the replacement housing, 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 Schedule shall be subject to the following regulations:

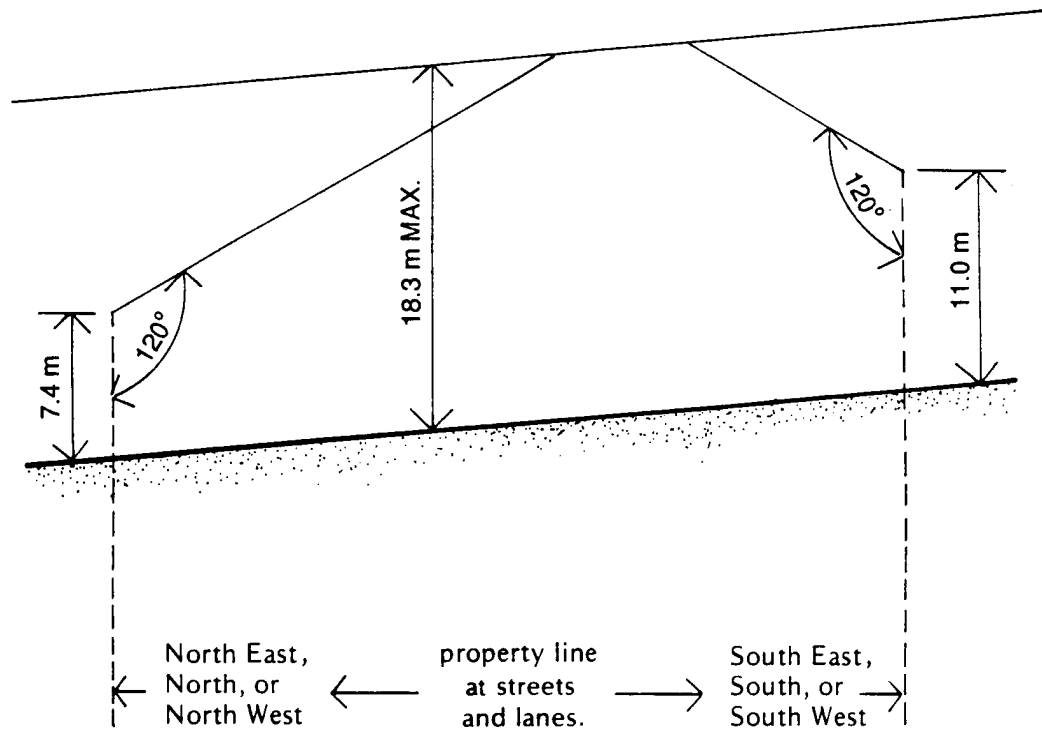
4.1 Site Area -- Not applicable.

4.2 Frontage -- Not applicable.

4.3 Height

4.3.1 The maximum height of a building shall not exceed 18.3 m, but no portion of the building shall extend above the envelope illustrated and described in Figure 1. Height shall be determined by a line parallel to a line joining the official established building grades at the property lines. Angles shall be measured from vertical lines at the property line.

Figure 1. Building Envelope



- 4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 58.0 m provided that the livability and environmental quality of the surrounding neighbourhood is not unduly harmed, and provided that it first considers:
- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
 - (b) the submission of any advisory group, property owner or tenant; and
 - (c) the effects on public and private views, sunshine, privacy and open spaces.
- 4.3.3 The Director of Planning or the Development Permit Board may vary the regulations in the RM-5D district regarding permitted height for multiple dwelling, or for dwelling units, in conjunction with any of the other uses set out in this Schedule, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5D district schedule, and all applicable Council policies and guidelines, and:
- (a) a minimum of 20% of the floor area included in the calculation of floor space ratio is used for social housing; and
 - (b) the maximum height does not exceed 58 m.

4.4 Front Yard

- 4.4.1 A front yard with a minimum depth of 3.7 m shall be provided.
- 4.4.2 The Director of Planning or the Development Permit Board, as the case may be, may vary the depth of the required front yard, provided that it first considers all applicable policies and guidelines adopted by Council.

- 4.4.3 The Director of Planning or the Development Permit Board, as the case may be, may permit, provided that it first considers all applicable policies and guidelines adopted by Council, the projection of entries, porches and verandahs, entrance lobbies, and canopies up to 1.8 m into the required front yard and the projection of porte cocheres up to the front property line, provided that none of the foregoing exceed a width of 6.1 m.
- 4.4.4 The Director of Planning or the Development Permit Board may vary the regulations in section 4.4 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:
- (a) the infill multiple dwelling must be used for secured market rental housing;
 - (b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;
 - (c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and
 - (d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

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.
- 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 % of the width of the site, 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 The Director of Planning or the Development Permit Board, as the case may be, may vary the side yard requirements, provided that it first considers all applicable policies and guidelines adopted by Council.
- 4.5.4 The Director of Planning or the Development Permit Board may vary the regulations in section 4.5 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:
- (a) the infill multiple dwelling must be used for secured market rental housing;
 - (b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;
 - (c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and
 - (d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

4.6 Rear Yard

- 4.6.1 A rear yard with a minimum depth of 2.1 m shall be provided.
- 4.6.2 The Director of Planning or the Development Permit Board, as the case may be, may vary the rear yard requirement, provided that it first considers all applicable policies and guidelines adopted by Council.

- 4.6.3 The Director of Planning or the Development Permit Board may vary the regulations in section 4.6 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:
- (a) the infill multiple dwelling must be used for secured market rental housing;
 - (b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;
 - (c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and
 - (d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

4.7 Floor Area and Density

4.7.1 Floor space ratio shall not exceed 1.00 except that:

- (a) the Director of Planning or the Development Permit Board may permit an increase in floor space ratio to 1.5 in the RM-5 district, 2.20 in the RM-5A, RM-5C and RM-5D districts, and 2.75 in the RM-5B district if the Director of Planning or the Development Permit Board first considers:
 - (i) the intent of this schedule,
 - (ii) all applicable Council policies and guidelines,
 - (iii) the submission of any advisory group, property owner or tenant,
 - (iv) the height, bulk, location and overall design of the development, and
 - (v) the effect of the development on nearby sites, street and public open spaces;
- (b) despite the provisions of subsection 4.7.1(a), the floor space ratio for sites located in the RM-5A, RM-5B, RM-5C and RM-5D districts which are 20.2 m or less in width shall not exceed:
 - (i) 2.0 on corner sites with a minimum site area of 800 m², and
 - (ii) 1.5 on all other sites;
- (c) despite the provisions of subsections 4.7.1 (a) and (b), the maximum allowable floor space ratio for all permitted uses, other than dwelling uses, in the RM-5D District, is 0.65; and
- (d) despite the provisions of subsections 4.7.1(a), (b) and (c), if the Director of Planning first considers the intent of this district schedule, all applicable Council policies and guidelines and the submissions of any advisory groups, property owners or tenants, and there is no heritage floor area available for transfer, the Director of Planning may permit an additional increase in permitted floor area of one m² for each amenity share provided to the city at no cost to the city, to a maximum increase of 10% above the maximum permitted floor space ratio.

4.7.2 In this district schedule, amenity means conservation of protected heritage property.

4.7.3 For the purposes of this district schedule, the cost of an amenity share is the amount specified per m² in the Heritage Amenity Share Cost Schedule G.

4.7.4 Notwithstanding the provisions of subsection 4.7.1, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this district schedule and this by-law.

4.7.5 The following shall be included in the computation of floor area:

- (a) all floors, including earthen floor, 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.

4.7.6 The following shall be excluded in the computation of floor area:

- (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the floor area being provided;
- (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;
- (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 parking space shall not exceed 7.3 m in length;
- (d) amenity areas accessory to a residential use, including day care facilities, recreation facilities and meeting rooms provided that:
 - (i) in the case of day care facilities, 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; and
 - (ii) the total area being excluded for amenity areas shall not exceed the lesser of 10 % of the permitted floor area or 1 000 m², with an additional 10 % of the permitted floor space or 500 m², whichever is lesser, for day care facilities where these are included;
- (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) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (h) bicycle storage at or below base surface, provided that a secured and separate bicycle room shall be provided and equipped with bicycle racks adequate for the storage of a minimum of one bicycle for every four dwelling units;
- (i) 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 % of permitted floor area;
- (j) entries, porches and verandahs, and covered porches above the first storey, provided that:
 - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and

- (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 16% of the floor area being provided; and
- (k) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with subsection 4.7.6(j), to which there is no access from the interior of the building.

4.7.7 The Development Permit Board may permit an increase above the permitted floor space ratio to a maximum of 10% where the increase results from a transfer of heritage floor area, except that this provision shall not apply to a development where there has been an increase in floor space ratio pursuant to subsection 4.7.1(d) or 5.2.

In this section “heritage floor area” means floor area which may be transferred from a heritage site to another site, in accordance with Council policies and guidelines.

4.7.8 The Director of Planning or the Development Permit Board may vary the regulations in the RM-5D district regarding permitted floor space ratio for multiple dwelling, or for dwelling units, in conjunction with any of the other uses set out in this Schedule, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5D district schedule, and all applicable Council policies and guidelines, and:

- (a) a minimum of 20% of the floor area included in the calculation of floor space ratio is used for social housing; and
- (b) the floor space ratio does not exceed 7.0.

4.7.9 The Director of Planning or the Development Permit Board may vary the regulations in section 4.7 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:

- (a) the infill multiple dwelling must be used for secured market rental housing;
- (b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;
- (c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and
- (d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

4.8 Site Coverage

4.8.1 The maximum site coverage for buildings shall be 50 % of the site area.

4.8.2 For the purpose of this section, site coverage for 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, cantilevered balconies and decks.

4.8.3 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in site coverage, provided that it first considers all applicable policies and guidelines adopted by Council.

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.

- 4.8.5 The Director of Planning or the Development Permit Board may vary the regulations in section 4.8 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:
- (a) the infill multiple dwelling must be used for secured market rental housing;
 - (b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;
 - (c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and
 - (d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

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 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 vary 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 6.1 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 m².
- 4.10.7 The Director of Planning or the Development Permit Board may vary the regulations in section 4.10 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:
- (a) the infill multiple dwelling must be used for secured market rental housing;
 - (b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;
 - (c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and

- (d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

4.11 - 4.14 (Reserved)

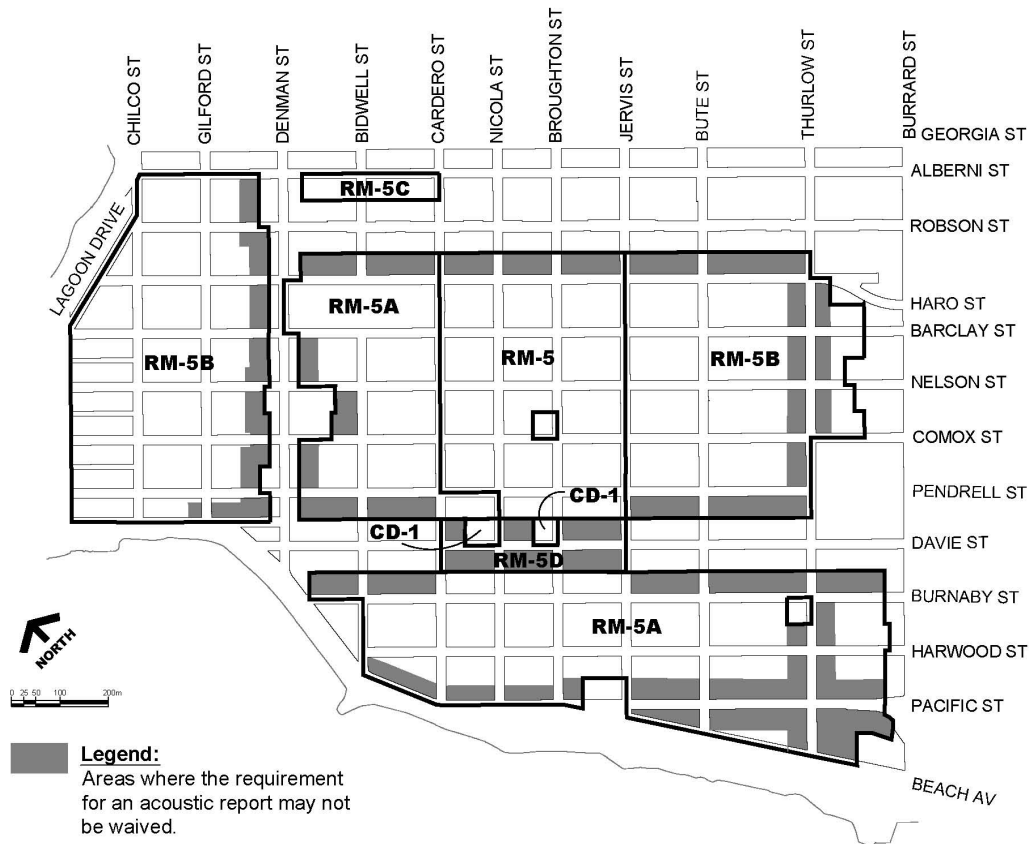
4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

4.15.2 The Director of Planning may waive the requirement for an acoustic report, except for those areas indicated on Map 1:

Map 1. Noise Mitigation



4.16 (Reserved)

4.17 External Design

- 4.17.1 A covered storage area shall be provided for garbage containers and shall be screened from view from adjacent sidewalks and dwelling units.
- 4.17.2 Mechanical equipment shall be enclosed and set back so as not to be visible from street level or may be architecturally treated by other means satisfactory to the Director of Planning. Duct work shall not be exposed.
- 4.17.3 The Director of Planning or the Development Permit Board may vary the regulations in section 4.17 of the RM-5, RM-5A and RM-5B districts for infill multiple dwelling, if the Director of Planning or the Development Permit Board first considers the intent of the RM-5, RM-5A and RM-5B districts schedule, and all applicable Council policies and guidelines, except that:
 - (a) the infill multiple dwelling must be used for secured market rental housing;
 - (b) in an infill multiple dwelling with four or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms;
 - (c) in an infill multiple dwelling with ten or more dwelling units, at least 50% of the dwelling units must contain two or more bedrooms and at least 10% of the dwelling units must contain three or more bedrooms; and
 - (d) existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.

5 Relaxation of Regulations

- 5.1 Where a need for any public facility of a social, cultural or recreational nature has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax for any one building, which includes one or more of such facilities, the maximum floor space ratio and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

In determining the increase in floor area that may be permitted, the Development Permit Board shall consider:

- (a) the construction cost of the facility;
 - (b) any costs to the developer of continuing maintenance required for the facility;
 - (c) the rental value of the increased floor area;
 - (d) the value of any authorized relaxation of other restrictions;
 - (e) the opinion of City Council; and
 - (f) all applicable policies and guidelines adopted by Council.
- 5.2 The Director of Planning or the Development Permit Board may relax the maximum floor space ratio for a development which includes the restoration of an existing building, site, landmark or feature, if the existing building, site, landmark or feature is listed in the Vancouver Heritage Register, if Council first approves a heritage designation by-law, and if the Director of Planning or the Development Permit Board first considers:
 - (a) all applicable Council policies and guidelines;
 - (b) the cost and extent of the heritage restoration;
 - (c) the value of the increased floor area; and
 - (d) the impact of the development upon neighbourhood livability and environmental quality.