

## RM-6 District Schedule

### 1 Intent

The intent of this Schedule is to permit high density residential development and some compatible retail, cultural, recreational, service and institutional uses. Emphasis is placed on achieving development which recognizes the formal character of Georgia Street and is compatible with the West End residential character along Alberni Street.

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

2.2.C [Cultural and Recreational]

- Park or Playground.

2.2.I [Institutional]

- Child Day Care Facility.

2.2.R [Retail]

- Neighbourhood Grocery Store.
- Retail Store on the first storey of a building, provided that the floor space ratio of all retail uses does not exceed 0.50.

#### **2.3 Conditions of Use**

2.3.1 All commercial 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;
- (c) child day care facility.

### 3 Conditional Approval Uses

**3.1** Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, 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 Uses

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

#### 3.2.AG [Agricultural]

- Urban Farm - Class A.

#### 3.2.C [Cultural and Recreational]

- Bowling Alley. *compatibility with nearby sites, traffic, noise, hours of operation*
- Club. *compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity, size of facility*
- Community Centre or Neighbourhood House. *compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity, size of facility*
- Fitness Centre. *compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity, size of facility*
- Library in conjunction with a Community Centre.
- Museum or Archives. *compatibility with nearby sites, parking, proximity to major streets, size of facility*
- Theatre. *compatibility with nearby sites, traffic, hours of operation.*

#### 3.2.DW [Dwelling]

- Dwelling Units, in conjunction with any of the other uses set out in this Schedule.
- Multiple Dwelling, in accordance with section 3.3.2 of this Schedule.
- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing.

#### 3.2.I [Institutional]

- Ambulance Station. *compatibility with nearby sites, vehicular ingress and egress, proximity to major streets*
- 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*
- 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.O [Office]

- Financial Institution. *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.P [Parking]

- Parking Area. *pedestrian amenity, vehicle ingress and egress, compatibility with nearby sites*

## 3.2.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
- Gasoline Station - Split Island existing as of September 26, 1989.
- Grocery or Drug Store. *parking, size of facility, pedestrian amenity*
- Public Bike Share.
- Retail Store. *parking, size of facility, pedestrian amenity*
- Small-scale Pharmacy.

## 3.2.S [Service]

- Animal Clinic. *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.
- Bed and Breakfast Accommodation. *compatibility with nearby sites*
- Hotel. *suitability of site, traffic, access, parking, size of facility, compatibility with nearby sites*
- Laundromat or Dry Cleaning Establishment. *compatibility with surrounding uses, hours of operation, parking, noise*
- Photofinishing or Photography Studio. *parking*
- Print Shop. *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. *parking, size of facility, noise, hours of operation*
- School - Business. *parking, size and category of facility, hours of operation*
- School - Vocation or Trade. *parking, size of facility, noise, hours of operation*
- Short Term Rental Accommodation.
- Wedding Chapel.

## 3.2.U [Utilities and Communication]

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

**3.3. Conditions of Use**

3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- parking and loading facilities;
- display of flowers, plants, fruits and vegetables;
- split island gasoline station, except that section 11.10.2 of this By-law continues to apply;
- restaurant;
- farmers' market; and
- public bike share.

3.3.2 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 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 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 be 12.2 m.

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 64.0 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.

### 4.4 Front Yard

4.4.1 A front yard with a minimum depth of 3.0 m shall be provided for buildings exceeding 12.2 m in height. A front yard with a minimum depth of 12.2 m shall be provided for buildings 12.2 m or less in height. For the purpose of this section, front yard shall mean that portion of a site which abuts Georgia Street.

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.

### 4.5 Side Yards

4.5.1 An interior side yard with a minimum width of 2.1 m shall be provided on each side of the principal building. For the purpose of this section, interior side yard shall mean those portions of a site which abut an interior property line.

4.5.2 No exterior side yard shall be required except that portions of buildings which exceed 12.2 m in height shall be set back from property lines as follows:

- (a) on the west side of Cardero Street, Bidwell Street or Gilford Street a minimum depth of 7.6 m and a maximum depth of 12.2 m;
- (b) on the east side of Bidwell Street or Gilford Street a minimum depth of 7.6 m and a maximum depth of 18.3 m;
- (c) on the east side of Denman Street a minimum depth of 12.2 m and a maximum depth of 24.4 m;
- (d) on the west side of Denman Street a minimum depth of 12.2 m and a maximum depth of 30.5 m; and
- (e) on the east side of Chilco no setback is required.

### 4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 3.7 m shall be provided. For the purpose of this section, rear yard shall mean that portion of a site which abuts Alberni Street.

- 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, as the case may be, may permit, provided that it first considers all applicable policies and guidelines adopted by Council, the projection of porches, entrance lobbies, and supported canopies up to 1.8 m into the required rear yard setback and the projection of porte cocheres up to the rear property line, provided that none of the foregoing exceed a width of 6.1 m.

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

- 4.7.1 The floor space ratio shall not exceed 1.00 except that the Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the floor space ratio to any figure up to and including 2.50 provided that it first considers:
- the intent of this Schedule and all applicable policies and guidelines adopted by Council;
  - the submission of any advisory group, property owner or tenant; and
  - the height, bulk, location and overall design of the development and its effects on nearby sites, streets and public open spaces.
- 4.7.2 The following shall be included in the computation of floor space ratio:
- all floors, including earthen floor, to be measured to the extreme outer limits of the building; and
  - 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
  - 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:
- open residential balconies, sundecks, porches 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 provided residential floor area;
  - patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
  - 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:
    - are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
  - amenity areas accessory to a residential use, including day care facilities, recreation facilities, and meeting rooms provided that:
    - 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
    - the total area being excluded for amenity areas shall not exceed the lesser of 10 percent of the permitted floor space or 1 000 m<sup>2</sup>, with an additional 10 percent of the permitted floor space or 500 m<sup>2</sup>, 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 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;
- (h) bicycle storage at or below 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; and
- (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 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.

4.7.5 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 increase 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.

**4.8 Site Coverage -- Not applicable.**

**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 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 m<sup>2</sup>.

**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.

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

**4.16 (Reserved)**

**4.17 External Design**

- 4.17.1 All opening windows in residential units shall be located a minimum of 4.5 m from any lane measured in a straight line from the closest point of the window to the rear property line at grade.
- 4.17.2 A covered storage area shall be provided for garbage containers and shall be screened from view from adjacent sidewalks and dwelling units.
- 4.17.3 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.
- 4.17.4 All developments fronting Denman Street shall provide no setback from the property line for the first and second storeys and shall provide any one or a combination of display windows, individualized tenancy unit design, building articulation, pedestrian entrance definition via a recess or projecting canopy or any other architectural features which facilitate pedestrian interest to the satisfaction of the Director of Planning.