

RR-3A and RR-3B

Districts Schedule

1 Intent

The intent of this schedule is to permit mixed-use residential buildings where all dwelling units are secured as residential rental tenure. In RR-3A developments are permitted up to 4 storeys. In RR-3B developments are permitted up to 6 storeys if a minimum of 20% of the residential floor area is secured as below-market rental dwelling units.

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

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

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

2 Outright Approval Uses

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

2.2 **Uses** – None.

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

3 Conditional Approval Uses

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

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

3.2 Uses

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

3.2.DW Dwelling

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

3.3 Conditions of Use

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

3.3.2 The only non-dwelling uses permitted in a mixed-use residential building are:

- (a) cultural and recreational uses;
- (b) institutional uses;
- (c) office uses;
- (d) retail uses;
- (e) service uses; or
- (f) any other use that the Director of Planning considers comparable in nature to the uses listed in this section 3.2.2 and having regard to the intent of this schedule.

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

3.3.4 In a mixed-use residential building, dwelling uses are not permitted within a depth of 10.7 m from the front wall of the first storey of a building, extending across the full width of the building, except for entrances to the portion containing dwelling uses.

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

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

3.3.7 For the purposes of this schedule, “below market rental dwelling units” means dwelling units where:

- (a) the maximum starting rents and rents at unit turnover are at least 20% less than the average rents for all private rental apartment units, city-wide as published by the Canada Mortgage and Housing Corporation in the Rental Market Report in the previous calendar year; and
- (b) the starting rent and turnover rent requirements are secured through a housing agreement.

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

4 Regulations

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

4.1 Floor Area and Density

4.1.1 The maximum floor space ratio is:

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

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

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

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

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

4.2 Site Area, Site Frontage and Building Height

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

4.2.4 If the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary the

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

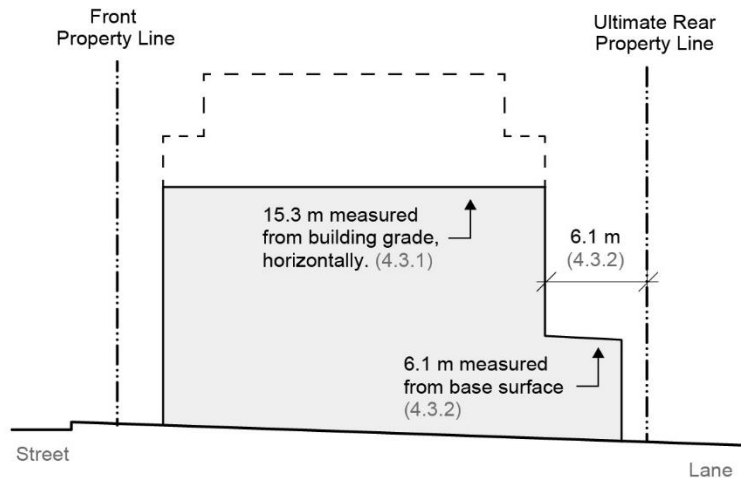
4.3 Building Height

4.3.1 The maximum height of a building is measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line.

4.3.2 Despite the maximum building height in sections 4.2.3 and 4.3.1 of this schedule, portions of the building located within 6.1 m of the ultimate rear property line must not exceed 6.1 m in building height

measured from base surface, except for portions of a building where the rear yard may be decreased under section 4.6.2 of this schedule.

Diagram: Measurement of maximum building height requirements.



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

4.4 Front Yard

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

4.5 Side Yards

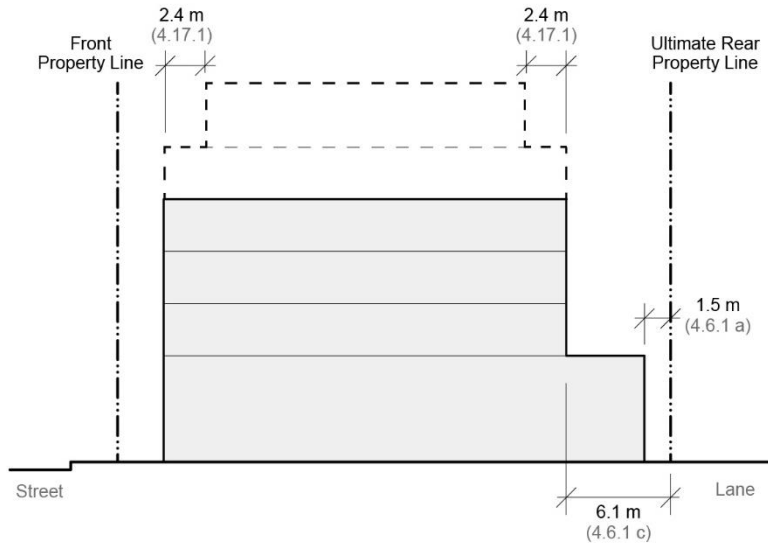
- 4.5.1 No side yard is required, except that if the side of the site adjoins the side yard of a site located in a R district, without the intervention of a lane, the side yard must have a minimum width of 3.7 m.
- 4.5.2 The Director of Planning may decrease the minimum side yard requirement if the Director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

4.6 Rear Yard

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

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

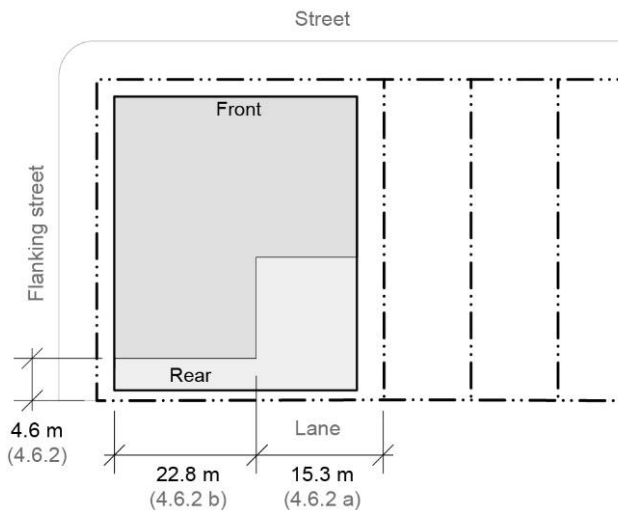
Diagram: Minimum rear yard and rear setback requirements.



4.6.2 Despite section 4.6.1 above, in the case of a corner site, for portions of the building above 6.1 m in height, the rear setback may be decreased to a minimum depth of 4.6 m, if the portion of the building for which the rear yard is decreased:

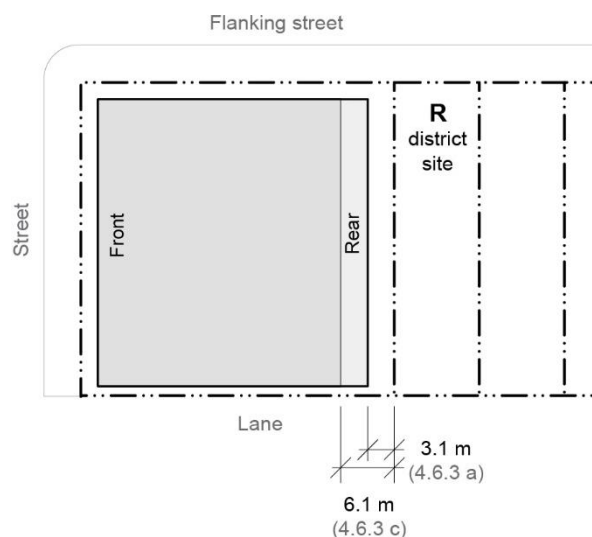
- (a) is located a minimum distance of 15.3 m from an adjoining site; and
- (b) does not exceed 22.8 m in width.

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



- 4.6.3 Despite sections 4.6.1 and 4.6.2 above, in the case of a corner site where the rear of the site adjoins with the side yard of a site located in an R district, without the intervention of a lane:
- (a) for portions of a building not containing dwelling uses and under 6.1 m in height, the minimum depth of the rear yard must be 3.1 m;
 - (b) for portions of a building not containing dwelling uses and above 6.1 m in height, the minimum depth of the rear setback must be 6.1 m; and
 - (c) for portions of a building containing dwelling uses, the minimum depth of the rear setback must be 6.1 m, except that roof decks may intrude into the setback.

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



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

4.7 Computation of Floor Area

4.7.1 Computation of floor area must include:

- (a) all floors, including earthen floor, to be measured to the extreme outer limits of the building including accessory buildings; and
- (b) stairways, fire escapes, elevator shafts, and other features that the Director of Planning considers similar to the forgoing, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

4.7.2 Computation of floor area must exclude:

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

- (b) patios and roof decks, if the Director of Planning first considers the impact on privacy and overlook;
- (c) off-street parking and loading located at or below base surface, if the maximum exclusion for a parking space does exceed 7.3 m in length;
- (d) bicycle storage located in a principal building or contained in an accessory building;
- (e) heating and mechanical equipment or uses that the Director of Planning considers similar to the foregoing;
- (f) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above surface for that unit; and
- (g) amenity areas, including recreation facilities and meeting rooms, accessory to a residential use, to a maximum total area of 10% of the total permitted floor area.

4.7 - 4.9 [Reserved]

4.10 Horizontal Angle of Daylight

- 4.10.1 Each habitable room must have at least one window on an exterior wall of a building.
- 4.10.2 For the purposes of section 4.10.1 above, habitable room means any room except:
 - (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².
- 4.10.3 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.10.4 The plane or planes referred to in section 4.10.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.10.5 An obstruction referred to in section 4.10.3 above means:
 - (a) any part of the same building except those in compliance with section 10.7.1 of this by-law; or
 - (b) the largest building permitted on any adjoining site.
- 4.10.6 The Director of Planning may vary the horizontal angle of daylight requirement, if:
 - (a) the Director of Planning first considers all the applicable Council policies and guidelines; and
 - (b) the minimum distance of unobstructed view is no less than 2.4 m.

4.11 - 4.16 [Reserved]

4.17 External Design

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