

## RS-5 District Schedule

### 1 Intent

The intent of this Schedule is generally to maintain the existing residential character of the RS-5 District in the form of one-family dwellings, secondary suites, and laneway houses, by encouraging new development that is compatible with the form and design of existing development, and by encouraging the retention and renovation of existing development. Two-family dwellings with secondary suites on larger lots and with lock-off units on smaller lots, and infill and multiple conversion dwellings in conjunction with retention of character houses may also be permitted. Emphasis is placed on design compatibility with the established streetscape. Neighbourhood amenity is intended to be enhanced through the maintenance and addition of healthy trees and plants.

### 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:
    - (i) located within 7.9 m of the ultimate rear property line or located within the permitted building depth as regulated by Section 4.16 of this Schedule; and
    - (ii) in no case less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than 1.5 m from a flanking street, subject also to the provisions of Section 10.27 of this By-law;
  - (c) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than the area given by the following formula except:
    - (i) this area need not be less than 48 m<sup>2</sup>, and
    - (ii) the floor area of a laneway house shall be deducted from the total allowable accessory building floor area:
 
$$[\text{site width in metres} \times 3.0 \text{ m}] + 20 \text{ m}^2;$$
  - (d) for two-family dwellings and two-family dwellings with secondary suite, the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 48 m<sup>2</sup>;
  - (e) accessory buildings occupy not more than 40% of the site width plus 4.2 m;
  - (f) for the purpose of Section 2.2.A, site width shall be the average width of the portion of the site located within 7.9 m of the ultimate rear property line;
  - (g) roof gardens and sun decks are not located on an accessory building located beyond the permitted building depth as regulated by Section 4.16.2 of this Schedule.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that accessory parking spaces shall be located within 7.9 m of the ultimate rear property line.

#### 2.2.DW [Dwelling]

- One-Family Dwelling.
- Two-Family Dwelling, on lots less than 511 m<sup>2</sup> in area.

#### 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, the Director of Planning may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning first considers:

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

#### 3.2 Uses

3.2.1 The uses listed in Section 3.2.1 may be permitted in the RS-5 District.

- 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, except that for buildings accessory to dwelling uses the total floor area shall not exceed the total floor area permitted in Section 2.2.A of this Schedule.
  - Accessory Uses customarily ancillary to any of the uses listed in this section.

#### 3.2.1.AG [Agricultural]

- Urban Farm - Class A.

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

- Community Centre or Neighbourhood House.
- Golf Course or Driving Range.
- Library in conjunction with a Community Centre.
- Marina.
- Park or Playground.
- Stadium or Arena.
- Zoo or Botanical Garden.

3.2.1.D • Deposition or extraction of material so as to alter the configuration of the land.

#### 3.2.1.DW [Dwelling]

- Dwelling Unit in conjunction with a neighbourhood grocery store existing as of July 29, 1980.
- Infill in conjunction with retention of a character house existing on the site as of January 16, 2018.
- Infill One-Family Dwelling, provided that:

- (a) it shall be for a caretaker;
  - (b) it shall be subject to the provisions of Section 2.2.A regulating Accessory Buildings except that:
    - (i) clause (a) thereof shall not apply to any portion not located within 7.9 m of the ultimate rear property line;
    - (ii) clause (c) thereof shall not apply;
    - (iii) clause (b) of Section 10.27 of this By-law shall not apply; and
  - (c) its floor area shall not exceed 75 m<sup>2</sup> and shall be also counted in the accessory building area.
- One-Family Dwelling with Secondary Suite.
  - Laneway House.
  - Multiple Conversion Dwelling, in conjunction with retention of a character house existing on the site as of January 16, 2018, that contains no housekeeping or sleeping units.
  - Lock-off Unit in conjunction with a Two-Family Dwelling, provided that there is no more than one Lock-off Unit for each dwelling unit.
  - Two-Family Dwelling with Secondary Suite, provided that there is no more than one secondary suite for each dwelling unit.
  - Seniors Supportive or Assisted Housing.

#### 3.2.1.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Hospital.
- Public Authority Use essential in this District.
- School - Elementary or Secondary.
- Social Service Centre.
- Community Care Facility – Class B.
- Group Residence.

#### 3.2.1.O [Office]

- Temporary Sales Office.

#### 3.2.1.P [Parking]

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

#### 3.2.1.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
- Neighbourhood Grocery Store existing as of July 29, 1980.
- Public Bike Share.

#### 3.2.1.S [Service]

- Bed and Breakfast Accommodation.
- Short Term Rental Accommodation.

## 3.2.1.U [Utility and Communication]

- Public Utility.

## 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 and Width

- 4.1.1 The minimum site area for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite, is 334 m<sup>2</sup>, and the minimum site width for a one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite, is 7.3 m.
- 4.1.2 Where the site is less than 9.8 m in width or less than 334 m<sup>2</sup> in area, the design of any new dwelling shall first require the approval of the Director of Planning.
- 4.1.3 The minimum site area for a dwelling unit for a caretaker shall be 3 000 m<sup>2</sup>.
- 4.1.4 The maximum site area for a two-family dwelling, including a lock-off unit in conjunction with a two-family dwelling, is less than 511 m<sup>2</sup>.

### 4.2 Frontage - Not Applicable.

### 4.3 Height

- 4.3.1 Height shall not exceed:
- for all uses other than two-family dwelling or two-family dwelling with secondary suite, 9.2 m in height and 2½ storeys,
  - for two-family dwelling or two-family dwelling with secondary suite, 10.7 m and 2 ½ storeys.
- 4.3.2 For all uses other than two-family dwelling or two-family dwelling with secondary suite, the height of the building may be increased from 9.2 m to a maximum of 10.7 m providing all roofs, except roofs covering only the first storey, have no flat portions, have a minimum slope of 7:12 ratio over the whole roof area and are limited to gable, hip or gambrel roofs.
- 4.3.3 Notwithstanding the requirements permitting an increase in height in Section 4.3.2, dormer roofs may have a minimum slope of 4:12 ratio.
- 4.3.4 As an exception to the provisions of Section 4.3.2, the Director of Planning may permit an increase in the maximum height to 10.7 m provided that the Director of Planning considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.
- 4.3.5 Height shall be measured from a hypothetical surface determined by joining the existing grades at the intersections of the hypothetical lines defining the front and rear yards and the side property lines, except that if the Director of Planning is of the opinion that the hypothetical surface determined by joining the existing grades is not compatible with the existing grades of adjoining sites or general topography of the area, the Director of Planning may instead require that height be measured from base surface.

#### 4.4 Front Yard

- 4.4.1 A front yard shall be provided with a depth of the average depth of the two adjacent sites on each side of the site, subject to the following:
- (a) where an adjacent site is vacant, it shall be deemed to have a front yard depth of 20 percent of the depth of the site;
  - (b) if one or more of the adjacent sites front on a street other than that of the development site or the adjacent sites are separated by a street or lane, then such adjacent sites shall not be used in computing the average; and
  - (c) where the site is adjacent to a flanking street or lane, the average depth shall be computed using the remainder of the adjacent sites.
- 4.4.2 If the provisions of Section 4.4.1 and Section 4.6.1 of this Schedule result in a distance between the front yard and the rear yard which is less than 40 percent of the depth of the site, and provided that the principal building is sited so that it abuts the required rear yard, the depth of the required front yard may be reduced so that the distance between the front yard and the rear yard is equal to 40 percent of the depth of the site.
- 4.4.3 If the depth of the required front yard is greater than 20 percent of the depth of the site, the Director of Planning may permit a reduction in the depth of the required front yard prescribed by Section 4.4.1 by an amount not exceeding 60 percent of the difference between the depth of the required front yard and 20 percent of the depth of the site, provided that such a reduction shall not exceed 1.5 m.
- 4.4.4 The Director of Planning may vary the front yard requirement on a double fronting site or a site where a building line has been established pursuant to section 14.1 of this By-law.
- 4.4.5 Covered porches complying with the conditions of Section 4.7.3(g) shall be permitted to project into the required front yard a maximum of 1.8 m provided that such a projection is limited to 30 percent of the width of the building.
- 4.4.6 Notwithstanding the provisions of Section 10.32.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into the required front yard to a maximum of 1.0 m, measured horizontally.

#### 4.5 Side Yard

- 4.5.1 A side yard shall be provided on each side of the building with a minimum width of not less than the site width multiplied by the percent of site width given by the following formula, except that this percent shall never be less than 12 percent and need never be more than 15 percent:

$$\% \text{ of site width} = \text{site width in metres} + 2.$$

- 4.5.2 A side yard on one side of a building may be decreased to 10 percent of the site width in the case of sites 13.0 m or wider provided that the portion of the building abutting the decreased side yard is limited to 65 percent of the allowable building depth, is set back a minimum of 1.0 m from the required front yard, is limited in height to one storey and does not include a roof deck.
- 4.5.3 The Director of Planning may permit a roof deck on the portion of building permitted in section 4.5.2 provided the Director of Planning takes into account the effect of the roof deck on the privacy of the adjacent property.
- 4.5.4 In the case of a corner site which has located at its rear, with or without the intervention of a lane, a site which fronts on the street flanking the corner site, the exterior side yard shall be regulated by the provisions of Section 10.27 of this By-law.
- 4.5.5 Notwithstanding the provisions of Section 10.27 of this By-law, the exterior side yard prescribed in Section 4.5.4 may be reduced to 10 percent of the site width provided that the portion of building abutting the decreased side yard is limited to 65 percent of the allowable building depth, is set back a minimum of 1.0 m from the required front yard and is limited in height to one storey.
- 4.5.6 Notwithstanding the provisions of Section 10.32.1(b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into a required side yard to a maximum of 1.0 m, measured horizontally, except that they must not be closer than 0.7 m from a side property line.

#### **4.6 Rear Yard**

- 4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, measured from the rear property line.
- 4.6.2 For the purposes of calculating the rear yard to be provided, where the rear property line does not abut a lane or abuts a lane that is only partially dedicated, the rear yard to be provided shall be calculated and measured from the ultimate rear property line.
- 4.6.3 Notwithstanding the provisions of Section 10.32.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into a required rear yard to a maximum of 1.0 m, measured horizontally.

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

- 4.7.1 The floor space ratio for all uses except for two-family dwelling or two-family dwelling with secondary suite shall not exceed 0.60, subject to the following:
- (a) for buildings existing prior to April 12, 1988 the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 2.0 m or more above finished grade shall not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>;
  - (b) in all other cases, the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 1.8 m or more above finished grade shall not exceed a floor space ratio of 0.16 plus 130 m<sup>2</sup>;
  - (c) the Director of Planning may permit an increase in the maximum floor space ratio to 0.70 and may permit an increase in the area of all floors described in clause (a) or (b) to a floor space ratio not exceeding 0.24 plus 130 m<sup>2</sup> provided that the Director of Planning considers the intent of this Schedule and all applicable policies and guidelines adopted by Council;

- (d) if:
  - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.45, and the floor space ratio determined under subsection (a) or (b) of section 4.7.1,
  - (ii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
  - (iii) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including covered porches,
 an increase in the floor space ratio to 0.70 is permissible;
- (e) for buildings existing prior to July 7, 2009, if:
  - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.50 and the existing floor space ratio,
  - (ii) the area of all floors at, above or below finished grade, after the addition of a basement or cellar, does not exceed a floor space ratio of 0.75,
  - (iii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
  - (iv) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including covered porches,
 a basement or cellar is permissible;
- (f) the Director of Planning may increase the maximum permitted floor space ratio to 0.75 to facilitate an addition to a character house, if the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (g) the Director of Planning may increase the maximum permitted floor space ratio to 0.85 for infill in conjunction with retention of a character house, if the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council;

4.7.1A The floor space ratio for two-family dwellings and two-family dwellings with secondary suite must not exceed 0.70, except that the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 1.8 m or more above finished grade, all of which floors are located within the building depth as defined by section 4.16.1 of this Schedule, shall not exceed 371 m<sup>2</sup>.

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

- (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;
- (c) where the distance from a floor to the floor above, or where there is no floor above, to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height; and
- (d) 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 and floor area:

- (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 in multiple conversion dwellings containing 3 or more units or in multiple dwellings or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used which:
  - (i) are located in an accessory building located within 7.9 m of the ultimate rear property line, or
  - (ii) where a site has no developed secondary access, are attached to a principal building, or in an accessory building located within the building depth regulated by the provisions of Section 4.16, up to a maximum of 42 m<sup>2</sup>;
- (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) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) covered porches, provided that:
  - (i) for all uses except for two-family dwellings and two-family dwellings with secondary suite, they face a street or a rear property line and are located at the basement or first storey,
  - (ii) for two-family dwellings and two-family dwellings with secondary suite, they face a street or rear property line,
  - (iii) that portion facing the street or rear property line shall be open or protected by guard rails the height of which shall not exceed the minimum specified in the Building By-law,
  - (iv) for all uses except for two-family dwellings and two-family dwellings with secondary suite, the total area being excluded does not exceed 5 percent of the permitted floor area,
  - (v) for two-family dwellings and two-family dwellings with secondary suite, the total area being excluded, when combined with the balcony and deck exclusions under subsection 4.7.3(a), does not exceed 13 percent of the permitted floor area,
  - (vi) for two-family dwellings and two-family dwellings with secondary suite, the depth of the total area being excluded for covered porches above the first storey does not exceed 1.83 m, and
  - (vii) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the porch floor;
- (h) areas of floors existing, proposed or as may be extended over open-to-below space located directly below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:
  - (i) the distance from the floor to any part of the ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically; and
  - (ii) the excluded floor area does not exceed 10 percent of the permitted floor area above finished grade; and
- (i) the floor area of a laneway house.

4.7.4 Notwithstanding the provisions of Section 2 of this By-law, the maximum permitted floor area contained in a half-storey shall not include floor areas excluded in Section 4.7.3(h).

#### 4.8 Site Coverage



- 4.8.1 The maximum site coverage for buildings shall be:
- (a) 40 percent of the site area for all uses except for two-family dwellings and two-family dwellings with secondary suite; and
  - (b) 45 percent of the site area for two-family dwellings and two-family dwellings with secondary suite.
- 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, 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 The area of impermeable materials, including building coverage, shall not exceed 60 percent of the total site area except that where developed secondary vehicular access to a site is not available, the Director of Planning may exclude from the area of impermeable materials an amount not exceeding:
- (a) for the first parking space, the product of the distance, in metres as measured along the driveway centre line, from the point where the driveway crosses the property boundary to the point where it meets the nearest side of the approvable parking space times 3.1 m; and
  - (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.
- 4.8.5 For the purposes of Section 4.8.4, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings, including carports, covered porches and entries; asphalt; concrete; brick; stone; and wood.
- 4.8.6 Notwithstanding section 4.8.5, gravel, river rock less than 5 cm in size, wood chips, bark mulch, and other materials which, in the opinion of the Director of Planning, have fully permeable characteristics when in place installed on grade with no associated layer of impermeable material (such as plastic sheeting) that would impede the movement of water directly into the soil below, are excluded from the area of impermeable materials.
- 4.9 to 4.15 (Reserved)**
- 4.16 Building Depth**
- 4.16.1 For the purpose of this section, building depth shall mean the distance from the required front yard, measured in a straight line to a point directly opposite thereto along the exterior wall, including projections, facing the rear yard, except that where an existing building encroaches into the required front yard, the distance shall be measured from the front exterior wall rather than the required front yard.
- 4.16.2 The maximum building depth shall not exceed 40 percent of the depth of the site for all uses.
- 4.16.3 Projections into front and rear yards permitted under Sections 4.4.5, 4.4.6 and 4.6.3 shall not be included in the calculation of building depth.

#### 4.17 External Design

- 4.17.1 For the purpose of Section 4.17, a front entrance means a door facing the front yard and located at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means and a side entrance means a door facing a side yard and located at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means.
- 4.17.2 There shall be no more than:
- (a) one separate and distinct front entrance to a one-family dwelling; and
  - (b) two separate and distinct front entrances to a one-family dwelling with secondary suite.
- 4.17.3 A side entrance to a one-family dwelling or one-family dwelling with secondary suite shall face a street or lane, or be located no less than 5.0 m from the side property line, except that there shall be no more than one side entrance facing each side property line.
- 4.17.4 The surface of the ground adjoining a building can be lowered only for the purpose of providing:
- (a) a window well for a basement or a cellar, provided that the lowered surface does not extend more than 1.0 m from the surface of a wall;
  - (b) a sunken entrance for a basement, provided that:
    - (i) the portion of the building abutting the lowered surface faces either the front street or the rear property line,
    - (ii) the lowered surface does not extend more than 3.1 m into the required front or rear yard, measured from the street-facing wall and including stair runs or vertical change in grade between the basement and the existing grade, and
    - (iii) the sum of the widths of all lowered surfaces abutting the building is not greater than half the width of the building or 4.6 m, whichever is the lesser; or
  - (c) a sunken entrance for a cellar in buildings existing prior to June 23, 2020, provided that:
    - (i) it complies with sections 4.17.4(b)(i) through (iii), and
    - (ii) the depth of the lowered surface does not exceed 1.83 m below the average finished grade.
- 4.17.5 Notwithstanding section 4.17.2 or section 4.17.3, the Director of Planning may, on the advice of the Chief Building Official, permit one additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989.
- 4.17.6 In two-family dwellings and two-family dwellings with secondary suite, there must be two main entrances, one to each principal dwelling unit.
- 4.17.7 In two-family dwellings and two-family dwellings with secondary suite on a corner site, one main entrance must face the front street and one main entrance must face the flanking street.
- 4.17.8 In two-family dwellings and two-family dwellings with secondary suite, there must be a covered entry at each main entrance, with a minimum width and depth of 1.8 m.
- 4.17.9 In two-family dwellings and two-family dwellings with secondary suite, roof design must comply with the following provisions:

- (a) all roofs except for dormer roofs shall have a minimum slope of 7:12 and a maximum slope of 12:12 and shall be either hip or gable or a combination of both, and shall intersect at its lower portion with the exterior wall face of the building or the vertical projection thereof at a line no higher than the lesser of 7.9 m above the base surface or the floor level of a half-storey or attic above the second storey;
- (b) dormer roofs shall be gable, hip or shed in form and shall have a minimum slope of 4:12;
- (c) the maximum total width of dormers provided on a half storey above the second storey must not exceed 50% of the width of the elevation of the storey below;
- (d) all exterior dormer walls shall be set back a minimum of 0.6 m from the exterior face of the wall of the storey below; and
- (e) notwithstanding section 4.17.9(d), one dormer, which faces an interior side yard and which provides headroom over a stair and any intermediate and top landings which provide access from the second storey to the half-storey above may have its face wall flush or continuous with the second storey exterior wall face below.

4.17.10 Exterior windows in a secondary suite or lock off unit must have:

- (a) a minimum total glazing area of 10% of the total floor area of the room, in each of the kitchen, living room and dining room; and
- (b) a minimum total glazing area of 5% of the total floor area of the room, in all other rooms, except bathrooms and laundry rooms.

4.17.11 The Director of Planning may vary the requirements of section 4.17 for two-family dwellings and two-family dwellings with secondary suite if, in the opinion of the Director of Planning, the design meets the intent of the regulations for quality and durability of design and architectural expression.

## **5 Relaxation of Regulations**

**5.1** The Director of Planning may relax the minimum site area requirements (but not the minimum site width) of Section 4.1 with respect to any of the following developments on an existing lot of lesser site area on record in the Land Title Office for Vancouver:

- (a) one-family dwelling;
- (b) one-family dwelling with secondary suite;
- (c) one-family dwelling with laneway house;
- (d) one-family dwelling with secondary suite and laneway house;
- (e) two-family dwelling;
- (f) two-family dwelling with secondary suite; and
- (g) infill or multiple conversion dwelling in conjunction with retention of a character house.

**5.2** The Director of Planning may relax the provisions of Sections 4.4, 4.5, 4.6 and 4.16, and the floor space ratio exclusions for parking in accessory buildings of Section 4.7.3(c)(i) of this Schedule where, due to conditions peculiar either to the site or to the proposed development, literal enforcement would result in unnecessary hardship, provided that:

- (a) the Director of Planning first considers the submission of any advisory group, property owner or tenant;
- (b) the Director of Planning considers the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (c) in no case shall the yard requirements be reduced to less than 60 percent of the amount specified in this Schedule.

- 5.3** In the case of a corner site, where the rear property line of a site adjoins, without the intervention of a lane, the side yard of a site in an R District, the Director of Planning may relax the provisions of Section 4.7 of this Schedule to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m<sup>2</sup>
- 5.4** The Director of Planning may relax Section 4.8.4 for buildings existing prior to October 8, 1996 to a maximum of 70 percent impermeable materials site coverage provided that:
- (a) the percentage of the site covered by existing impermeable materials is not increased by the proposed development;
  - (b) the Director of Planning considers the advice of the City Engineer; and
  - (c) the Director of Planning considers all applicable policies and guidelines adopted by Council.
- 5.5** The Director of Planning may relax the requirements of Section 4.8.4 where, due to the peculiarities of the site or special circumstances related to the use of the site, literal enforcement would result in unnecessary hardship, provided that:
- (a) the Director of Planning considers all applicable guidelines and policies adopted by Council; and
  - (b) the Director of Planning considers the advice of the City Engineer.
- 5.6** The Director of Planning may relax the provisions of this District Schedule regarding, height, required yards, maximum site coverage, building depth, and external design when a character house is retained if the Director of Planning first considers the intent of this Schedule and all applicable Council policies and guidelines.