

# Section 11

## Additional Regulations for Specific Uses

Whenever any of the following uses are permitted in any district pursuant to any provisions of this By-law, the following additional regulations shall apply unless other specified.

*[Note: The content in the right margin is for information purposes only and does not form part of this By-law.]*

Section	Term and Regulations	
<p><b>11.1</b></p>	<p><b>Adult Retail Store</b></p> <p>11.1.1 Premises used as an adult retail store shall not be issued a permit for an arcade and premises used as an arcade shall not be issued a permit for an adult retail store.</p> <p>11.1.2 Adult retail stores shall be restricted to a maximum floor area of 278 m<sup>2</sup> and a maximum premise frontage of 7.6 m.</p> <p>11.1.3 Any development permit issued for an adult retail store shall be limited in time to three years.</p>	<p>Formerly 10.29</p>
<p><b>11.2</b></p>	<p><b>Artist Studio and Residential Unit Associated with an Artist Studio</b></p> <p>11.2.1 Where an artist studio is combined with a residential unit, the studio may only be used by the individuals residing in the residential unit associated with and forming an integral part of the artist studio.</p> <p>11.2.2 The total minimum and maximum size of an artist studio when combined with a residential unit associated with and forming an integral part of an artist studio shall be 47 m<sup>2</sup> and 500 m<sup>2</sup>, respectively.</p>	<p>Formerly 11.18 and 11.19</p>
<p><b>11.3</b></p>	<p><b>Arts and Culture Indoor Event</b></p> <p>11.3.1 An arts and culture indoor event is not a permitted use in a dwelling unit.</p>	<p>Formerly 10.37</p>
<p><b>11.4</b></p>	<p><b>Bed and Breakfast Accommodation</b></p> <p>11.4.1 A maximum of two bedrooms accommodating a maximum of four bed and breakfast guests may be permitted in a dwelling unit.</p> <p style="text-align: right;"><i>[continued on the next page...]</i></p>	<p>Formerly 11.4</p>

	<p>11.4.2 The provision of bed and breakfast accommodation shall not be permitted coincidentally with the keeping of boarders and lodgers.</p> <p>11.4.3 The operator of the bed and breakfast accommodation shall reside in the dwelling unit.</p>	
<b>11.5</b>	<p><b>Body-rub Parlour</b></p> <p>11.5.1 Wherever “commercial”, “commercial uses”, or “service uses” appear in this By-law or in any by-law passed pursuant to this By-law, such permitted use shall not, unless otherwise specifically provided by this By-law, include a body rub parlour.</p>	Formerly 10.26.1
<b>11.6</b>	<p><b>Cannabis Store</b></p> <p>11.6.1 Before granting a development permit, the Director of Planning shall:</p> <ul style="list-style-type: none"> <li>(a) notify surrounding property owners and residents and have regard to their opinions;</li> <li>(b) have regard to the liveability of neighbouring residents; and</li> <li>(c) consider all applicable Council policies and guidelines.</li> </ul> <p>11.6.2 A cannabis store is not permitted:</p> <ul style="list-style-type: none"> <li>(a) within 300 m of the nearest property line of a site containing another cannabis store;</li> <li>(b) within 300 m of the nearest property line of a site containing a school – elementary or secondary, or community centre or neighbourhood house;</li> <li>(c) within the area outlined on the map attached to this section 11 as Figure 1, except for sites with a property line on Hastings Street or Main Street;</li> <li>(d) on any site with a property line on Granville Street between Robson Street and Pacific Boulevard;</li> <li>(e) on any site other than a site located on a block where all or part of the street in that block has a painted centre line;</li> <li>(f) in conjunction with any other use; or</li> <li>(g) in conjunction with an automated banking machine.</li> </ul>	Formerly 11.28
<b>11.7</b>	<p><b>Casino and Bingo Halls</b></p> <p>11.7.1 Wherever the words “commercial”, “commercial uses”, “social, recreational and cultural” and “cultural and recreational uses” appear in this By-law or any other by-law passed pursuant to this By-law, such permitted use shall not, unless otherwise specifically provided by this By-law or any other by-law passed pursuant to this By-law, include a casino – class 1 or a bingo hall.</p> <p>11.7.2 No person shall use or occupy land for the purpose of and no development permit shall be issued for a casino – class 2 except as expressly allowed under this By-law.</p>	Formerly 10.31

<p><b>11.8</b></p>	<p><b>Church</b></p> <p>11.8.1 The site shall have a minimum frontage of 20.1 m.</p> <p>11.8.2 The Director of Planning may permit a greater height than permitted by the applicable district schedule, provided the Director of Planning first considers the effect of the additional height on the amenity of the neighbourhood.</p> <p>11.8.3 Yards shall be provided in accordance with the applicable district schedule except that interior side yards shall have a minimum width of 4.5 m plus an additional 0.3 m for every 0.6 m by which the height of the building exceeds 10.7 m.</p>
<p><b>11.9</b></p>	<p><b>Community Care Facility – Class B; or Group Residence; or Seniors Supportive or Assisted Housing</b></p> <p>11.9.1 Before granting a development permit, the Director of Planning shall:</p> <ul style="list-style-type: none"> <li>(a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development;</li> <li>(b) have due regard to the effect of the design of all buildings and the provision and location of off-street parking and loading on the amenity of the neighbourhood;</li> <li>(c) notify adjacent property owners and any others that the Director of Planning deems necessary; and</li> <li>(d) consider all applicable policies and guidelines adopted by Council.</li> </ul> <p>11.9.2 In the case of a specifically designed facility not being a conversion, the Director of Planning shall establish the minimum site area, having particular regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the proposed facility in terms of type of service being provided and number of residents; and</li> <li>(b) the character of development within the adjacent neighbourhood.</li> </ul> <p>11.9.3 In the case of a community care facility – class B, group residence, or seniors supportive or assisted housing resulting from the conversion of an existing building, the Director of Planning before granting a development permit shall be satisfied that the building is suitable for the conversion, having regard to the size of the site and building, open space on the site and the proximity of adjacent buildings.</p>
<p><b>11.10</b></p>	<p><b>Dwelling Units</b></p> <p>11.10.1 Except when used for short term rental accommodation in accordance with section 11.32 of this By-law, no dwelling unit shall be used or occupied by more than one family, but it may also be used to keep a maximum of two boarders or lodgers, or a maximum of five foster or eight daycare children.</p> <p style="text-align: right;"><i>[continued on the next page...]</i></p>

Formerly 11.7

Formerly 11.17

Formerly 10.21

- 11.10.2 Subject to the provisions of section 11.10.7, the floor area of each:
  - (a) dwelling unit, except for a lock-off unit, must be at least 37 m<sup>2</sup>; and
  - (b) lock-off unit must be at least 26 m<sup>2</sup>, measured from the inside of all outer walls, except that if the Director of Planning is satisfied that the design and location of the unit provides satisfactory living accommodation, having regard to the type of occupancy proposed, the Director of Planning may permit a floor area no less than:
    - (c) 29.7 m<sup>2</sup> for dwelling units except lock-off units; and
    - (d) 19 m<sup>2</sup> for lock-off units.
- 11.10.3 The maximum floor area of a lock-off unit is 29.7 m<sup>2</sup>.
- 11.10.4 There shall not be less than one complete bathroom unit, comprising one water closet, one hand wash basin and one bathtub or shower, contained within each dwelling unit.
- 11.10.5 There shall not be more than one kitchen contained within a dwelling unit.
- 11.10.6 All rooms of a dwelling unit shall remain accessible from within that dwelling unit.
- 11.10.7 No person shall use or permit to be used any dwelling unit for a period of less than 30 days unless such unit forms part of a hotel, or is used for bed and breakfast accommodation or short term rental accommodation.
- 11.10.8 The minimum requirements regarding floor area in section 11.10.2 do not apply to the conversion or demolition of a room designated under the Single Room Accommodation By-law, if the conversion or demolition adds bathroom and cooking facilities to the designated room.
- 11.10.9 The minimum requirements regarding floor area in section 11.10.2 do not apply to a dwelling unit contained in temporary modular housing that complies with the provisions of section 11.34.

<b>11.11</b>	<p><b>Farmers' Market</b></p> <p>11.11.1 A farmers' market must be in:</p> <ul style="list-style-type: none"> <li>(a) open air stalls or booths;</li> <li>(b) stalls or booths partially or totally covered by tents or similar temporary structures; or</li> <li>(c) stalls or booths in a building approved for use as a farmers' market.</li> </ul> <p>11.11.2 A farmers' market must have at least 11 stalls or booths, except that the Director of Planning may permit a lesser number of stalls or booths, if the Director of Planning first considers all applicable policies and guidelines adopted by Council.</p> <p style="text-align: right;"><i>[continued on the next page...]</i></p>
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Formerly 11.21

	<p>11.11.3 The site area of a farmers’ market must not exceed 2 323 m<sup>2</sup>, except that the Director of Planning may permit an increase in site area, if the Director of Planning first considers all applicable policies and guidelines adopted by Council.</p> <p>11.11.4 A vendor at a farmers’ market must only sell: local fresh, dried or frozen fruit and vegetables; local dried or frozen meat and seafood; local eggs; local dairy products; local plants; local prepared foods; local ready-to-eat foods; local artisan crafts; or local wine, cider, beer or spirits.</p> <p>11.11.5 No more than 40% of the total number of stalls or booths in a farmers’ market may be used for the sale of local ready-to-eat foods and local artisan crafts.</p> <p>11.11.6 There must be no more than three vendors selling or providing samples of local wine, cider, beer or spirits at a farmers’ market.</p>
<p><b>11.12</b></p>	<p><b>Freehold Rowhouses</b></p> <p>11.12.1 Computation of floor area, floor space ratio, yards, site coverage, impermeability, number of buildings on site and dwelling unit density must be based on the site width and area at the time of development, prior to any subdivision into individual freehold rowhouse parcels.</p> <p>11.12.2 For the purpose of fee simple subdivision, the minimum site width and frontage for each freehold rowhouse parcel is 5 m.</p>
<p><b>11.13</b></p>	<p><b>Gasoline Stations – Full Serve and Split Island</b></p> <p>11.13.1 In the case of a gasoline station – full serve or split island located in a C-1 District, notwithstanding section 10.27 of this By-law and the front, side and rear yard regulations as set out in the C-1 District Schedule:</p> <ul style="list-style-type: none"> <li>(a) the minimum width of the side yard on a street which flanks a corner site shall be 4.5 m;</li> <li>(b) a rear yard with a minimum depth of 4.5 m shall be provided, except that where the rear property line of the site adjoins a dedicated lane, the minimum depth of the rear yard may be reduced by the width of that portion of the lane equal to the distance from the ultimate centre line of the lane to the rear line of the site;</li> <li>(c) pump islands shall be permitted in the front yard provided that they are set back a minimum distance of 4.5 m from the front property line; and</li> <li>(d) canopies over the pump islands may be located to the satisfaction of the Director of Planning in the front and side yards as long as all such canopies are set back at least 1.5 m from the front or side property line of the site, as the case may be, and no canopy is longer than 33% of the length of the street boundary of the yard in which it is located, to a maximum of 12.2 m.</li> </ul> <p style="text-align: right;"><i>[continued on the next page...]</i></p>

Formerly 11.25

Formerly 11.10

- 11.13.2 Notwithstanding any other provisions of this By-law, no merchandise shall be displayed outdoors on any gasoline station – full serve or split island site except for the following:
- (a) if located at a pump island, the small sample display of new tires, lubricating oils and automotive accessories;
  - (b) if located adjacent to the principal building, tires and vending machines; and
  - (c) if located within an accessory building approved by the Director of Planning, other merchandise including fireplace logs, garden equipment, garden furniture and similar items.
- 11.13.3 No truck, bus, utility or camper trailer, camper or similar vehicle shall be stored or parked at any time, other than the necessary waiting period for service, on a gasoline station – full serve or split island site in a C district except for the following:
- (a) in the C-1 District, trucks with a registered gross vehicle weight not exceeding 4 550 kg;
  - (b) in all other C districts, trucks and small buses with a registered gross vehicle weight not exceeding 6 825 kg;
  - (c) five utility trailers, provided that they do not exceed 1.5 m in width and 3.1 m in length and are located in the rear or side yards;
  - (d) one service truck operated by the gasoline station – full serve or split island; and
  - (e) trucks or equipment temporarily required for the construction, repair, servicing or maintenance of the premises.
- 11.13.4 Gasoline stations – full serve or split island in all districts shall be subject to the following:
- (a) except for points of access to and from the perimeter, every gasoline station – full serve or split island site shall be screened to the satisfaction of the Director of Planning along those boundaries which adjoin or are across the lane from any R district or any residence in a C, M or I district; and
  - (b) the site of every gasoline station – full serve or split island shall be properly landscaped and maintained with lawns, shrubs, trees or other suitable landscaping of a type and location to the satisfaction of the Director of Planning, such landscaping to constitute a minimum of 5% of the site subject to such minor variations as the Director of Planning may approve.
- 11.13.5 The total width of vehicular access to a gasoline station – full serve or split island from a lane in a C, M or I district shall not exceed an amount equal to 15% of the total length of the lane abutting the site; except that in no case shall the total width of vehicular access be restricted to less than 3.7 m.

<p><b>11.14</b></p>	<p><b>Homecraft</b></p> <p>11.14.1 No person other than one resident member of the family occupying the dwelling shall be engaged in the homecraft on the premises.</p> <p>11.14.2 Where located in an R district, there shall be nothing to indicate from the exterior of the dwelling unit or building that it is being used for any purpose other than its principal or approved use.</p> <p>11.14.3 No products or material shall be sold from or within the dwelling unit.</p> <p>11.14.4 No products or materials shall be stored outside of the dwelling unit, building or accessory building.</p> <p>11.14.5 No offensive noise, odour, vibration, smoke, heat or other objectionable effect shall be produced.</p>
<p><b>11.15</b></p>	<p><b>Hospital</b></p> <p>11.15.1 Before granting a development permit, the Director of Planning shall:</p> <ul style="list-style-type: none"> <li>(a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development;</li> <li>(b) have due regard to the design of all buildings, to the location and provision of off-street parking and loading, and to their effect on the amenity of the neighbourhood; and</li> <li>(c) prior to final consideration, notify adjacent property owners and any others that the Director of Planning deems necessary.</li> </ul> <p>11.15.2 In the case of a specifically designed facility not being a conversion:</p> <ul style="list-style-type: none"> <li>(a) the site area shall not be less than 3 700 m<sup>2</sup> except as provided in clause (b) below;</li> <li>(b) the Director of Planning may permit a greater height than permitted by the applicable district schedule, provided the Director of Planning first considers the effect of the additional height on the amenity of the neighbourhood, and the Director of Planning may therefor require a site area of larger than 3 700 m<sup>2</sup>; and</li> <li>(c) the floor space ratio shall not exceed the maximum permitted for any residential use in the particular district schedule.</li> </ul> <p>11.15.3 In the case of a hospital resulting from the conversion of an existing building, the Director of Planning before granting a development permit shall be satisfied that the building is suitable for the conversion, having regard to the size of the site and building, open space on the site and the proximity of adjacent buildings.</p>

Formerly 11.6

Formerly 11.9

<p><b>11.16</b></p>	<p><b>Housekeeping Units</b></p> <p>11.16.1 No housekeeping unit shall be used or occupied by more than one family.</p> <p>11.16.2 Every housekeeping unit shall have a floor area of not less than 13.4 m<sup>2</sup>, or a floor area of not less than 11.1 m<sup>2</sup> if the unit is occupied by not more than one person only and adequate lounge facilities are provided on the premises.</p> <p>11.16.3 There shall be provided within the housekeeping unit a separate and properly ventilated kitchen or kitchenette equipped with a sink and cooking facilities.</p> <p>11.16.4 There shall not be less than one complete bathroom unit for every three housekeeping units, provided that where the housekeeping units have single occupancy the provisions of section 11.33.3 shall apply.</p> <p>11.16.5 No person shall use or permit to be used any housekeeping unit for a period of less than one month unless such unit forms part of a hotel.</p>
<p><b>11.17</b></p>	<p><b>Laneway House</b></p> <p>11.17.1 In this section 11.17, “footprint” means the projected area of the extreme outer limits of a laneway house including carports, entries and porches, and enclosed or covered accessory building areas but excluding steps, eaves, and such other projections as section 10.31 of this By-law may allow.</p> <p>11.17.2 In this section 11.17, height is measured from the horizontal datum plane, which is the plane created by the average of the existing site elevations as measured at the intersections of the required setback lines from the ultimate rear property line, with the side property lines.</p> <p>11.17.3 A laneway house is not permissible except in conjunction with a one-family dwelling or one-family dwelling with secondary suite on:</p> <ul style="list-style-type: none"> <li>(a) a site served by an open lane;</li> <li>(b) a site located on a corner served by an open or dedicated lane; or</li> <li>(c) a double-fronting site served by a street at both the front and rear of the site.</li> </ul> <p>11.17.4 The width of a site on which a laneway house is situated must be at least 9.8 m, except that the Director of Planning may approve a laneway house on a site which is less than 9.8 m in width, if:</p> <ul style="list-style-type: none"> <li>(a) the site is at least 7.3 m in width; or</li> <li>(b) the Director of Planning first considers massing, overlook and impact on neighbourhood privacy and all applicable Council policies and guidelines.</li> </ul> <p>11.17.5 A laneway house may have a basement.</p> <p style="text-align: right;"><i>[continued on the next page...]</i></p>

Formerly 10.20

Formerly 11.24



- 11.17.6 For sites in the RS-3 and RS-3A Districts and the RS-6 District, and for sites 16.8 m or wider in the RS-5 District, the width of a laneway house, or a laneway house and an accessory building, must not exceed the permitted width for an accessory building under the applicable district schedule.
- 11.17.7 On east-west oriented sites, a laneway house must be located toward the south side of the site to reduce shadowing on the site to the north.
- 11.17.8 A laneway house may be one storey or one storey with a partial second storey.
- 11.17.9 Balconies, decks, and roof decks are not permitted:
- (a) on a one storey laneway house; or
  - (b) above the partial second storey of a laneway house with a partial second storey.
- 11.17.10 The height of a one storey laneway house must not exceed 4.3 m in height measured to the highest point of the roof if a flat roof, or to the mean height level between the eaves and the ridge of a gable or hip roof, except that no portion of a one storey laneway house may exceed 5.2 m in height.
- 11.17.11 The location of a one storey laneway house must be:
- (a) within 10.7 m of the ultimate rear property line;
  - (b) at least 4.9 m, measured across the width of the site, from the one-family dwelling or one-family dwelling with secondary suite on the site;
  - (c) at least 0.9 m from the ultimate rear property line, except that the Director of Planning may relax the location to 0.6 m from the ultimate rear property line on sites less than 30.5 m in depth; and
  - (d) a distance from each side property line equal to at least 10% of the lot width, except that the Director of Planning may relax the location to:
    - (i) 0.6 m from one side property line for interior lots, and
    - (ii) 0.6 m from the inside side property line for corner lots.
- 11.17.12 Notwithstanding 11.17.11(a), where a site is 39.6 m or more in depth, the Director of Planning may permit a one storey laneway house to extend into a site to a maximum of 26% of the lot depth measured from the ultimate rear property line.
- 11.17.13 Site coverage must not exceed the permitted site coverage under the applicable district schedule, except that, for a one storey laneway house, the Director of Planning may permit an increase in the permitted site coverage of up to 7% to a maximum of 47% of the site area.
- 11.17.14 The height of a laneway house with a partial second storey must not exceed:
- (a) 6.7 m to the ridge of a gable or hip roof, with a minimum pitch of 7:12; or
  - (b) 5.8 m to the highest point of a roof with a pitch less than 7:12.

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- 1.17.15 On a laneway house with a partial second storey and a roof pitch of:
- (a) at least 7:12, the height of the intersection of the exterior surface of the roof and the exterior wall surface of the building must not exceed 4 m from the horizontal datum plane; or
  - (b) less than 7:12, the walls of the partial second storey must be set back at least 0.6 m from the exterior walls of the floor below, except that there may be a single projection into the setback to a maximum of 35% of the width of the floor below.
- 11.17.16 The partial second storey of a laneway house must not exceed:
- (a) 60% of the footprint of the laneway house, if the roof has a minimum pitch of 3:12; or
  - (b) 50% of the footprint of the laneway house, if the roof has a pitch of less than 3:12, except that the calculation may exclude any floor area of the partial second storey that is not included in the calculation of floor area according to sections 11.17.24 and 11.17.25.
- 11.17.17 Dormers must be inset at least 0.6 m from the exterior walls of the floor below, except that there may be a single projection into the setback to a maximum of 35% of the width of the floor below.
- 11.17.18 The location of a laneway house with a partial second storey must be:
- (a) within 7.9 m of the ultimate rear property line;
  - (b) at least 4.9 m, measured across the width of the site, from the one-family dwelling or one-family dwelling with secondary suite on the site;
  - (c) at least 0.9 m from the ultimate rear property line, except that the Director of Planning may relax the location to 0.6 m from the ultimate rear property line:
    - (i) on sites less than 30.5 m in depth, or
    - (ii) for the width of an existing enclosed or covered parking area that forms part of the laneway house; and
  - (d) a distance from each side property line which is at least equal to the required side yards for the site as prescribed by the applicable district schedule.
- 11.17.19 Notwithstanding 11.17.18(a), where a site is 39.6 m or more in depth, the Director of Planning may permit a laneway house with a partial second storey to extend into a site to a maximum of 21% of the lot depth measured from the ultimate rear property line.
- 1.17.20 The floor area of a laneway house must not exceed the lesser of:
- (a) 0.16 multiplied by the site area; and
  - (b) 83.6 m<sup>2</sup>.

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- 1.17.21 Despite section 11.10, the floor area of a laneway house, excluding any floor area used for enclosed parking, must be at least 26 m<sup>2</sup>, except that the Director of Planning may allow a reduction to not less than 19 m<sup>2</sup> if the Director of Planning first considers the design of the laneway house and all applicable Council policies and guidelines.
- 11.17.22 Except for a laneway house with no separate bedrooms, a laneway house must have:
- (a) one main habitable room that is not a bedroom, with a minimum size of 16.7 m<sup>2</sup> and a minimum dimension of 2.1 m measured between finished wall surfaces; and
  - (b) at least one bedroom with a minimum size of 8.4 m<sup>2</sup> and a minimum dimension of 2.1 m measured between finished wall surfaces.
- 11.17.23 Computation of floor area for a laneway house must include:
- (a) all floors, including earthen floor, 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, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
  - (c) the floor area of a basement;
  - (d) floor area used for enclosed or covered parking; and
  - (e) if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 3.7 m, an additional amount equal to the area of the floor area below the excess.
- 11.17.24 Computation of floor area for a laneway house must exclude:
- (a) areas of floors 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;
  - (b) floors located at or below finished grade with a ceiling height of less than 1.2 m;
  - (c) entries and porches if:
    - (i) their location is at the level of the basement or first storey,
    - (ii) they are open on at least one side or protected by guard rails, the height of which must not exceed the minimum specified in the Building By-law,
    - (iii) the total excluded floor area does not exceed 3 m<sup>2</sup>, and
    - (iv) the ceiling height of the total excluded area does not exceed 2.75 m measured from the entry or porch floor; and

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- (d) 3% of the total area, where the exterior walls include a minimum of 175 mm of thermal insulation in total.

Where floor area is excluded under section 11.17.24(d), the Director of Planning may vary section 11.17.11(a) and 11.17.18(a) no more than 30 cm.

11.17.25 Computation of floor area for a laneway house may exclude:

- (a) balconies, decks, roof decks, or any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, if the balconies, ecks, or roof decks face the lane or, in the case of a corner site, the lane and flanking street or either of them;
- (b) patios and green roofs if the Director of Planning first considers the effect on privacy and overlook;
- (c) despite section 11.17.23(e), open to below spaces or double height volumes under sloping roofs with a pitch of at least 3:12 if:
  - (i) the vertical distance from the floor level to the ceiling does not exceed 4.5 m,
  - (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope,
  - (iii) the excluded area does not exceed 25% of the maximum floor space under section 11.17.20, and
  - (iv) the excluded area, combined with the excluded area under subsection (d), does not exceed 25% of the maximum allowable floor area;
- (d) despite section 11.17.23(e), floor areas under sloping roofs with a pitch of at least 3:12 if:
  - (i) the vertical distance from the floor to any part of the ceiling is between 1.2 m and 2.1 m,
  - (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope,
  - (iii) the excluded floor area does not exceed 10% of the maximum floor area allowed under section 11.17.20, and
  - (iv) the excluded area, combined with the excluded area under subsection (c), does not exceed 25% of the maximum allowable floor area;
- (e) for units that have a partial second floor, an area not exceeding 2.75 m<sup>2</sup> for stairs, if the excluded area, combined with the excluded areas under subsections (c) and (d), does not exceed 25% of the maximum allowable floor area; and
- (f) an area not exceeding 3.7 m<sup>2</sup> for residential storage space, clothes closets and linen closets.

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- 11.17.26 Private outdoor space must be provided in the form of:
- (a) a balcony, deck, or roof deck; or
  - (b) a patio located at grade with a minimum size of 3.7 m<sup>2</sup> and a minimum dimension of 1.5 m.
- 11.17.27 The setback provided in accordance with sections 11.17.11(c) and 11.17.18(c) must be permeable and landscaped where not required for vehicle or fire access.
- 11.17.28 A laneway house must include:
- (a) a minimum 75 mm wide trim around all doors and windows, excluding door sill trim, except where a window or door is recessed no less than 100 mm behind the adjacent exterior wall faces; and
  - (b) a canopy over the main entry door.
- 11.17.29 A main entry door that faces the lane must be set back at least 1.5 m from the ultimate rear property line.
- 11.17.30 On a corner site, the main entry door of a laneway house must face the flanking street.
- 11.17.31 At least 10% of the building elevation facing the lane must contain windows no smaller than 1.1 m<sup>2</sup>.
- 11.17.32 Unless located at least 1.5 m above the floor of the partial upper storey, or facing the lane or a flanking street, windows with transparent glazing on a partial second storey must not exceed 1.1 m<sup>2</sup>.
- 11.17.33 Wall cladding materials on a building elevation facing a lane or street must be continued in equal proportions, no less than 2.0 m along adjacent side walls or 1.2 m where the discontinuation of a material occurs at a change in the building wall plane, such as at a bay or chimney projection.
- 11.17.34 The Director of Planning may relax the design provisions in section 11.17.15, 11.17.17, 11.17.28, 11.17.29, 11.17.30, 11.17.31, 11.17.32, or 11.17.33 if, in the opinion of the Director of Planning, the design of a laneway house meets the intent of the laneway house regulations for quality and durability of design and architectural expression and is not compatible with one or more of the design requirements in those sections.
- 11.17.35 If the Director of Planning first considers the effects on neighbouring properties with regard to overlook, massing and neighbourhood privacy, and the intent of this section 11.17 and all applicable Council policies and guidelines, the Director of Planning may relax the provisions of sections 11.17.6, 11.17.7, 11.17.10, 11.17.11(a), (c) and (d), 11.17.14, 11.17.18(a), (c) and (d), 11.17.22, and 11.17.26 if:
- (a) due to topography or other conditions peculiar to the site, literal enforcement would result in unnecessary hardship;
  - (b) the relaxation is necessary to retain a tree; or
  - (c) the relaxation is necessary to allow a green roof that does not have railings or stair access.

<p><b>11.18</b></p>	<p><b>Live-Work Use</b>          11.18.1 The size of a live-work unit must be at least 47 m<sup>2</sup>.</p>	<p>Formerly 11.23</p>
<p><b>11.19</b></p>	<p><b>Liquor Store</b>          11.19.1 Wherever the words “retail store”, “retail or business establishment”, “retailing”, “convenience commercial”, or similar use descriptions which imply the sale of merchandise as a permitted use, appear in this By-law or in any by-law passed pursuant to this By-law, such permitted use shall not include a liquor store without the approval of the Director of Planning or the Development Permit Board, as the case may be.          11.19.2 Wherever “commercial”, “commercial uses”, “retail”, “retail uses”, or “drive-through service” appear in this By-law or in any by-law passed pursuant to this By-law, such permitted use shall not, unless otherwise specifically provided by this By-law, include a liquor store.</p>	<p>Formerly 10.22.1 and 10.26.2</p>
<p><b>11.20</b></p>	<p><b>Lounge</b>          11.20.1 Wherever “restaurant” appears in this By-law or in any by-law passed pursuant to this By-law, such permitted use shall not, unless otherwise specifically provided by this By-law, include a lounge as defined in the Liquor Control and Licensing Regulation under the <i>Liquor Control and Licensing Act</i> (British Columbia).</p>	<p>Formerly 10.26.3</p>
<p><b>11.21</b></p>	<p><b>Lock-off Units and Secondary Suites</b>          11.21.1 Each lock-off unit or secondary suite must include at least one complete bathroom unit, comprising one water closet, one hand wash basin, and one bathtub or shower.          11.21.2 Each lock-off unit or secondary suite must include no more than one kitchen.</p>	<p>Formerly 10.34</p>
<p><b>11.22</b></p>	<p><b>Marine Terminal or Berth</b>          11.22.1 A marine terminal or berth must not be used for the bulk storage and handling and trans-shipment of coal.</p>	<p>Formerly 10.38</p>
<p><b>11.23</b></p>	<p><b>Micro Dwelling</b>          11.23.1 A micro dwelling must be part of a development which has a covenant or housing agreement registered against title restricting its use to secured market rental housing or social housing, for the longer of 60 years or the life of the building.          11.23.2 The floor area of a micro dwelling must be at least 29.7 m<sup>2</sup>, except that the Director of Planning or the Development Permit Board may relax the permitted floor area of a micro dwelling to a minimum of 23.2 m<sup>2</sup> if:          (a) the Director of Planning or the Development Permit Board first considers all applicable Council policies and guidelines; and</p> <p style="text-align: right;"><i>[continued on the next page...]</i></p>	<p>Formerly 11.27</p>

	<ul style="list-style-type: none"> <li>(b) the micro dwelling is part of a development which has a covenant or housing agreement registered against title restricting its use to secured market rental housing or social housing, for the longer of 60 years or the life of the building.</li> </ul> <p>11.23.3 A micro dwelling is only permitted in:</p> <ul style="list-style-type: none"> <li>(a) the area of the FC-1 District north of National Avenue;</li> <li>(b) the area of the RT-3 and RM-3A Districts located north of Venables Street, Malkin Avenue and Prior Street, south of Hastings Street, east of Gore Avenue and west of Clark Drive;</li> <li>(c) the HA-1 and HA-1A Districts;</li> <li>(d) the HA-2 District;</li> <li>(e) the Downtown Eastside Oppenheimer District;</li> <li>(f) the area of the Downtown District denoted as C2 on Map 1 of the Downtown Official Development Plan;</li> <li>(g) the FC-2 District; and</li> <li>(h) the area of the IC-3 District north of 2nd Avenue.</li> </ul> <p>11.23.4 No more than one person shall occupy a micro dwelling.</p>
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<b>11.24</b>	<p><b>Neighbourhood Grocery Stores and Dwelling Units in Conjunction with Neighbourhood Grocery Stores</b></p> <p>11.24.1 Neighbourhood grocery stores existing as of July 29, 1980 are permitted in any R district except the FM-1 District.</p> <p>11.24.2 The maximum permitted frontage for a site is 15.3 m.</p> <p>11.24.3 The maximum permitted floor area for all retail and storage space is 110 m<sup>2</sup>.</p> <p>11.24.4 The maximum permitted number of indoor and outdoor seats is 16.</p> <p>11.24.5 Live entertainment is not permitted.</p> <p>11.24.6 Before granting a development permit, the Director of Planning must:</p> <ul style="list-style-type: none"> <li>(a) notify surrounding property owners and residents; and</li> <li>(b) consider:             <ul style="list-style-type: none"> <li>(i) the design of any proposed building addition,</li> <li>(ii) the proposed solid waste program for collecting, storing and disposal of garbage and recycling, and</li> <li>(iii) the impact on adjacent property owners and residents of a proposed building addition or solid waste program.</li> </ul> </li> </ul> <p>11.24.7 The Director of Planning may relax the provisions of this section 11.24 with regards to maximum frontage and the applicable zoning district regulations with regards to setbacks, floor space ratio or site coverage, in order to facilitate the rehabilitation of an existing neighbourhood grocery store or dwelling unit in conjunction with neighbourhood grocery store.</p>	Formerly 11.16
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<p><b>11.25</b></p>	<p><b>Pawnshop and Secondhand Store</b></p> <p>11.25.1 Any development permit issued for a pawnshop or secondhand store shall be limited in time to one year.</p>
<p><b>11.26</b></p>	<p><b>Public Bike Share</b></p> <p>11.26.1 Despite anything to the contrary in this By-law, public bike share is only a permitted use of lands that fall within the shaded area shown on the map attached to this section 11 as Figure 2.</p> <p>11.26.2 The Director of Planning may approve a public bike share use, including such conditions as the Director of Planning may decide, provided that the Director of Planning first considers:</p> <ul style="list-style-type: none"> <li>(a) all applicable policies and guidelines adopted by Council; and</li> <li>(b) the submission of any advisory group, property owner or tenant,</li> </ul> <p>but no development permit approving the use shall be required if the use complies with section 4.8.19 of this By-law.</p> <p>11.26.3 Floor space necessary for public bike share or a public bike share station shall be excluded from the calculation of floor space ratio on any site.</p>
<p><b>11.27</b></p>	<p><b>Retailing Used Merchandise</b></p> <p>11.27.1 Any retail store shall be permitted to use up to a maximum of 2.5 m<sup>2</sup> of floor area of premises for the retailing of:</p> <ul style="list-style-type: none"> <li>(a) used electronic equipment, including, but not limited to, audio or video equipment or accessories, computers, printers or fax machines; or</li> <li>(b) two or more of the following types of used merchandise: bicycles, sports equipment, luggage, jewellery, cameras, musical equipment or tools; provided that this floor area shall be clearly demarcated and readily visible and accessible to the public.</li> </ul>
<p><b>11.28</b></p>	<p><b>Riding Ring</b></p> <p>11.28.1 No riding ring shall be used for the sale, whether by auction or otherwise, of horses or other animals.</p> <p>11.28.2 In the granting of a development permit, the Director of Planning shall have regard to the size, siting and location of the proposed development, the type and hours of operation, whether operated privately or open to the public with or without payment, generation of traffic, parking facilities and any effect upon adjacent property and the amenity of the neighbourhood, and shall notify such owners of adjoining property as the Director of Planning deems necessary.</p>

Formerly 10.30

Formerly 10.36

Formerly 10.22

Formerly 11.5



<p><b>11.29</b></p>	<p><b>Seniors Supportive or Assisted Housing</b></p> <p>11.29.1 All residential units shall contain a three piece bathroom.</p> <p>11.29.2 All housing projects shall provide meal service and 24 hour on-site emergency response assistance.</p> <p>11.29.3 For the purposes of calculating floor space ratio, common areas such as the communal dining room, and common areas on the main floor and residential floors are not excludable. Only common space provided in excess of what is required in the guidelines can be considered as an exclusion within the maximum 10% amenity exclusion.</p>
<p><b>11.30</b></p>	<p><b>School – Elementary or Secondary</b></p> <p>11.30.1 The site shall have a minimum frontage of 20.1 m.</p> <p>11.30.2 The Director of Planning may permit a greater height than permitted by the applicable district schedule, provided the Director of Planning first considers the effect of the additional height on the amenity of the neighbourhood.</p> <p>11.30.3 Yards shall be provided in accordance with the applicable district schedule except that side yards shall have a minimum width of 6.0 m plus an additional 0.3 m for every 0.6 m by which the height of the building exceeds 10.7 m.</p>
<p><b>11.31</b></p>	<p><b>Small-scale Pharmacy</b></p> <p>11.31.1 A small-scale pharmacy must include at least 25 m<sup>2</sup> of publicly accessible space except that if the Director of Planning first considers all applicable guidelines and policies adopted by Council and potential impacts on the site and the surrounding properties, the Director of Planning may allow a lesser amount of space.</p> <p>11.31.2 Any development permit for a small-scale pharmacy must be limited in time to two years from the date of issuance.</p>
<p><b>11.32</b></p>	<p><b>Short Term Rental Accommodation</b></p> <p>11.32.1 In this section 11.32,</p> <ul style="list-style-type: none"> <li>(a) “principal residence unit” means the dwelling where an individual lives, makes their home and conducts their daily affairs, including, without limitation, paying bills and receiving mail, and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver’s licenses, personal identification, vehicle registration and utility bills; and</li> <li>(b) “booking” means a confirmed reservation of the dwelling unit, or of one or more bedrooms, as short term rental accommodation.</li> </ul> <p style="text-align: right;"><i>[continued on the next page...]</i></p>

Formerly 10.32

Formerly 11.8

Formerly 11.22

Formerly 11.32

- 11.32.2 Short term rental accommodation is only permitted in a lawful dwelling unit, secondary suite, laneway house, or lock-off unit that is a principal residence unit.
- 11.32.3 Short term rental accommodation is not permitted in an accessory building or vehicle.
- 11.32.4 Short term rental accommodation is not permitted in a dwelling unit in combination with bed and breakfast accommodation.
- 11.32.5 No more than two adults may occupy each bedroom used as short term rental accommodation.
- 11.32.6 Short term rental accommodation is only permitted in dwelling units that comply with all applicable occupancy limits as set out in the Fire By-law.
- 11.32.7 No more than one booking may be permitted as short term rental accommodation in each dwelling unit at one time.
- 11.32.8 Subject to the provisions of this section 11.32, short term rental accommodation is permitted in all CD-1 districts where dwelling uses are permitted.
- 11.32.9 Any development permit or exemption from a development permit for a short term rental accommodation is time limited to two years.

<b>11.33</b>	<p><b>Sleeping Units</b></p> <ul style="list-style-type: none"> <li>11.33.1 No sleeping unit shall contain any sink or cooking facilities.</li> <li>11.33.2 Every sleeping unit shall include a main habitable room having a floor area of not less than 9.7 m<sup>2</sup>.</li> <li>11.33.3 There shall not be less than one hand basin provided for every three sleeping units, but in no case shall such basins be located in public hallways, at least one water closet for every ten sleeping units, and at least one bathing unit for every twelve sleeping units.</li> <li>11.33.4 No person shall use or permit to be used any sleeping unit for a period of less than one month unless such unit forms part of a hotel.</li> </ul>	Formerly 10.19
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<b>11.34</b>	<p><b>Temporary Modular Housing</b></p> <ul style="list-style-type: none"> <li>11.34.1 Temporary modular housing must be used as social housing.</li> <li>11.34.2 Before granting a development permit for temporary modular housing, the Director of Planning must:               <ul style="list-style-type: none"> <li>(a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development;</li> <li>(b) consider the impact on the livability of neighbouring residents;</li> <li>(c) notify adjacent property owners and any others that Director of Planning deems necessary; and</li> <li>(d) consider all applicable policies and guidelines adopted by Council.</li> </ul> </li> </ul> <p style="text-align: right;"><i>[continued on the next page...]</i></p>	Formerly 11.31
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11.34.3 A development permit for temporary modular housing must be time limited to a maximum of five years, unless otherwise extended in writing for up to an additional five years by the Director of Planning.

**11.35** **Temporary Sales Office**

11.35.1 The minimum site size shall be 2 000 m<sup>2</sup>, except that the Director of Planning may permit a smaller site provided that all parking required by the Parking By-law is provided on site.

11.35.2 The site must be within 100 m of the development project to which the temporary sales office relates.

11.35.3 The site must be located on an arterial or major street, which generally have two or more lanes of travel in each direction and are usually designated as truck and bus routes.

11.35.4 The site must be more than 800 m from a commercial district, except that the Director of Planning may permit the use closer to a commercial district if the applicant can demonstrate that suitable commercial vacancy opportunities are not available.

11.35.5 The Director of Planning must consider the submission of any advisory group, property owner or tenant and all applicable policies and guidelines adopted by Council.

11.35.6 The site must be fully restored to its original condition immediately following the expiration of a development permit.

Formerly 11.26

**11.36** **Urban Farm – Class A**

11.36.1 The planting area must not exceed 325 m<sup>2</sup> on any single parcel unless the primary use of the parcel is park or playground, or institutional, in which case the Director of Planning may permit an increase in planting area to a maximum of 7 000 m<sup>2</sup>.

11.36.2 If two or more parcels are operated jointly as an urban farm - class A, the combined planting area for all parcels must not exceed 7 000 m<sup>2</sup>.

11.36.3 No on-site processing of fruits and vegetables, or manufacturing of food products is permitted.

11.36.4 No mechanical equipment may be used other than that designed for household use including lawnmowers, rototillers, garden hoses and pruners.

11.36.5 No herbicides or pesticides are permitted.

11.36.6 No on-site sales are permitted, unless the primary use of the parcel is institutional.

11.36.7 No urban farm – class A operated on a single parcel may generate revenue exceeding \$9,999 in any calendar year, unless the primary use of the parcel is park or playground, or institutional.

*[continued on the next page...]*

Formerly 11.29

	<p>11.36.8 If an urban farm – class A is operated, in whole or in part, by a person other than an owner or full-time resident of the parcel, the planting area must be subject to a lease authorizing the operation of the farm.</p> <p>11.36.9 No offensive noise, odour, light, smoke, or vibration or other objectionable effect may be produced.</p> <p>11.36.10 No mechanical equipment may be stored outside.</p> <p>11.36.11 Any development permit or waiver of a development permit for an urban farm – class A is time limited to one year.</p>
<p><b>11.37</b></p>	<p><b>Urban Farm – Class B</b></p> <p>11.37.1 The planting area for a single parcel or the combined planting area for all parcels operated jointly as an urban farm – class B, may not exceed 7 000 m<sup>2</sup>, unless relaxed by the Director of Planning due to unnecessary hardship associated with the location, shape or size of the parcel or parcels.</p> <p>11.37.2 If located within 30 m of a residential use, no mechanical equipment may be used other than that designed for household use including lawnmowers, rototillers, garden hoses and pruners.</p> <p>11.37.3 No herbicides or pesticides are permitted.</p> <p>11.37.4 No offensive noise, odour, light, smoke, or vibration or other objectionable effect may be produced.</p> <p>11.37.5 If an urban farm – class B is operated, in whole or in part, by a person other than an owner or full-time resident of the parcel during the farm operation, the planting area must be subject to a lease authorizing the operation of the farm.</p> <p>11.37.6 Any development permit for an urban farm – class B is time limited to one year.</p>
<p><b>11.38</b></p>	<p><b>Wedding Chapel</b></p> <p>11.38.1 Subject to section 11.38.2, the size of a wedding chapel must not exceed 140 m<sup>2</sup>.</p> <p>11.38.2 The Director of Planning may permit a wedding chapel of a larger size having regard to the siting and location of the proposed development, the type and hours of operation, generation of traffic, parking facilities, and any effect upon adjacent property and the amenity of the neighbourhood, and will notify such owners of adjoining property as the Director of Planning deems necessary.</p>

Formerly 11.30

Formerly 11.20

Figure 1

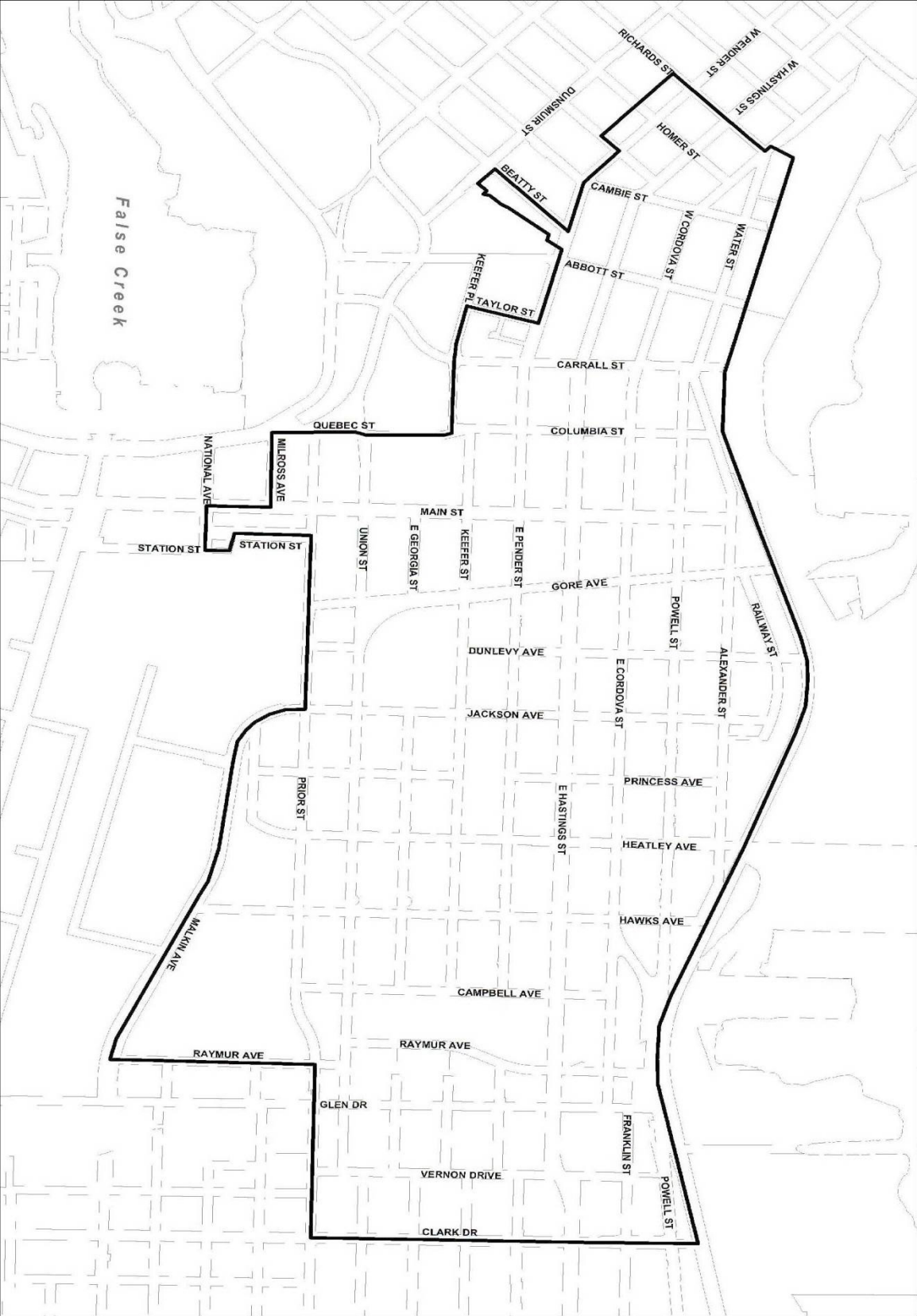


Figure 2

