

RM 4 and RM 4N Districts Schedule

1 Intent

The intent of this Schedule is to permit medium density residential development, including a variety of multiple dwelling types, to encourage the retention of existing buildings and good design, and to achieve a number of community and social objectives through permitted increases in floor area. The RM-4N District differs from the RM-4 District in that it requires evidence of noise mitigation for residential development.

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 the RM-4 and RM-4N Districts and shall be issued a permit.

2.2 Uses

2.2.A • Accessory Buildings customarily ancillary to any of the uses listed in this 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 located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than the width of the required side yard from a flanking street, subject also to the provisions of section 11.1 of this By-law;
- (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 35 percent of the minimum rear yard prescribed in this Schedule, or 48 m², whichever is the greater;
- (d) not more than 66⅔ percent of the width of the rear yard of any lot is occupied by accessory buildings;
- (e) no accessory building is closer than 3.7 m to any residential dwelling;
- (f) no accessory building obstructs the daylight access prescribed in this Schedule.

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

2.2.DW [Dwelling]

- Multiple Conversion Dwelling, provided that:
 - (a) no additions shall be permitted;
 - (b) no housekeeping or sleeping units shall be created;
 - (c) the number of dwelling units is limited to two; and
 - (d) no development permit shall be issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.
- Multiple Dwelling consisting of five or fewer dwelling units.
- One-Family Dwelling.
- Rooming House.
- Two-Family Dwelling.

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, including section 3.3.3, and the provisions and regulations of this Schedule, the Development Permit Board may approve, for the RM-4 or RM-4N District, any of the uses listed in section 3.2, including such conditions as it may decide, provided that it first considers:

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

3.2 Uses

- 3.2.A
- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.
 - Accessory Uses customarily ancillary to any of the uses listed in this section.

3.2.C [Cultural and Recreational]

- Club, provided that no commercial activities are carried on and the use does not adversely impact residential uses.
- Community Centre or Neighbourhood House.
- Library in conjunction with a Community Centre.
- Park or Playground.

- 3.2.D
- Deposition or extraction of material so as to alter the configuration of the land.

3.2.DW [Dwelling]

- Dwelling Units in conjunction with a neighbourhood grocery store existing as of July 29, 1980, subject to the provisions of section 11.16 of this By-law.
- Infill.
- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:
 - (a) before making a decision the Development Permit Board shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
 - (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building.
- Multiple Dwelling consisting of six or more dwelling units if:
 - (a) its development does not require the demolition or change of use or occupancy of one or more rental housing units;
 - (b) its development requires the demolition or change of use or occupancy of one or more rental housing units but does not exceed a rate of change of 0% within this District; or

- (c) its development requires the demolition or change of use or occupancy of one or more rental housing units, and exceeds the rate of change within the zoning district, and the registered owner of the site enters into a housing agreement with the city, under section 565.2 of the Vancouver Charter, in which the registered owner agrees with the city to:
 - (i) include in the new development on the site that number of rental housing units which equals or exceeds the number of rental housing units requiring demolition or change of use or occupancy, and to give the city security for the continued operation of such replacement rental housing units including a section 219 covenant for registration against title to the site, which housing agreement and security must be on terms and conditions satisfactory to Council, or
 - (ii) provide rental housing units, or to contribute to the provision of rental housing units, in another manner or at another location, or to provide another form of affordable housing, and to give the city security for the continued operation of such replacement rental housing units or other form of affordable housing including a section 219 covenant for registration against title to the subject real property, which housing agreement and security must be on terms and conditions satisfactory to Council;and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit for a multiple dwelling, a person has demolished or in respect of which has changed the use or occupancy.

- One-Family Dwelling with Secondary Suite.
- Seniors Supportive or Assisted Housing, subject to section 11.17 of this By-law.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church, subject to the provisions of section 11.7 of this By-law.
- Hospital, subject to the provisions of section 11.9.3 of this By-law.
- Public Authority Use essential in this District.
- School - Elementary or Secondary, subject to the provisions of section 11.8 of this By-law.
- Social Service Centre.
- Community Care Facility – Class B, subject to the provisions of section 11.17 of this By-law.
- Group Residence, subject to the provisions of section 11.17 of this By-law.

3.2.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, subject to the provisions of section 11.16 of this By-law.

3.2.S [Service]

- Bed and Breakfast Accommodation, subject to the provisions of section 11.4 of this By-law.

3.2.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, except section 4.15, which shall apply only in the RM-4N District.

4.1 Site Area

4.1.1 The minimum site area for a multiple dwelling or rooming house shall be 550 m².

4.2 Frontage

4.2.1 The maximum frontage for a site for a multiple dwelling shall be 45.8 m.

4.3 Height

4.3.1 The maximum height of a building shall be 10.7 m, but no portion of the building shall extend above an envelope formed by a vertical line measuring 7.3 m in height at the north property line and a plane formed by an angle of 30 degrees measured from the horizontal and having its vertex at the maximum building height permitted at the north property line.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 6.1 m shall be provided.

4.5 Side Yard

4.5.1 A side yard with a minimum width of 2.1 m shall be provided on each side of the principal building, but the minimum width shall be increased so that the outer walls of the building are contained within a 135 degree angle extended horizontally and measured inwardly from any and all points on the side property lines.

4.5.2 In the case of a corner site, the exterior side yard shall not be regulated by section 4.5.1 above but shall be 20 percent of the width of the site, except that it shall not be less than 3.0 m and need not be more than 6.0 m in width.

4.5.3 In the case of a side yard for a one-family or two-family dwelling, the side yard shall not be regulated by subsections 4.5.1 and 4.5.2, but shall be a minimum width of 10 percent of the width of the site on each side of the building, except that a side yard need not exceed 1.5 m in width.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 Not applicable.

4.6.3 Where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard.

4.6.4 Where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site, and where the average distance from the building to the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.60 for one-family and two-family dwellings, nor 0.75 for all other uses.

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

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
- (c) the floor area of bay windows, regardless of seat height, location on building or relationship to yard setbacks, in excess of the product of the total floor area permitted above the basement times 0.01.

4.7.3 The following shall be excluded in the computation of floor space ratio:

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (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, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
 - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total permitted floor area;
- (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) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (g) portions of exterior walls contributing to thermal and building envelope performance, in accordance with the provisions of section 10.33 - Exterior Wall Exclusions, in Section 10 of the General Regulations of the Zoning & Development By-law; and
- (h) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area.

4.8 Site Coverage

4.8.1 Not Applicable.

4.8.2 Site coverage^[1] 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 In the case of a sloping site where a structure is located in or beneath a yard, the structure shall be excluded from the site coverage^[1] calculation provided that it does not, except for required earth cover, permitted fences and similar items, project above the average elevation of the portions of the streets, lanes or sites located adjacent to such structure, and does not, in any event, project more than 1.0 m above the actual elevation of adjoining streets, lanes and sites.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

4.10.1 All habitable rooms in buildings containing 3 or more dwelling units shall have at least 1 window on an exterior wall which complies with the following:

- (a) the window shall be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, shall be unobstructed over a distance of 24.0 m; and
- (b) the plane or planes shall be measured horizontally from the centre of the bottom of the window.

4.10.2 For the purpose of section 4.10.1, the following shall be considered as obstructions:

- (a) the theoretically equivalent buildings located on any adjoining sites in any R District in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property lines of the proposed site;
- (b) part of the same building including permitted projections;
- (c) accessory buildings located on the same site as the principal building; and
- (d) the maximum size building permitted under the appropriate C or M district schedule if the site adjoins a C or M site.

4.10.3 For the purposes of section 4.10.1, the following shall not be considered as habitable rooms:

- (a) bathrooms; and
- (b) kitchens, unless the floor area is greater than 10 percent of the total floor area of the dwelling unit, or 9.3 m², whichever is the greater.

4.11 - (Reserved)

4.14

4.15 Acoustics

^[1] [as provided for in section 5.3 of this Schedule]

4.15.1 A development permit application for dwelling uses in the RM-4N District shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements, demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

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

5 Relaxation of Regulations

5.1 The Development Permit Board or the Director of Planning, as the case may be, may relax the minimum site area requirements of section 4.1 with respect to any of the following developments if the lot was on record in the Land Title Office for Vancouver prior to March 9, 1976 and has an area of not less than the minimum noted:

- (a) multiple dwelling with a minimum lot area of 500 m²;
- (b) rooming house, with a minimum lot area of 500 m²; and
- (c) seniors supportive or assisted housing, with a minimum lot area of 500 m².

5.2 The Development Permit Board or the Director of Planning, as the case may be, may relax the minimum site area requirements of this Schedule with respect to any of the following developments where he considers the development site to consist of locked in lots and provided he also considers the intent of this Schedule and all applicable policies and guidelines adopted by Council:

- (a) multiple dwelling;
- (b) rooming house; and
- (c) seniors supportive or assisted housing, with a minimum lot area of 500 m².

5.3 The Development Permit Board or the Director of Planning, as the case may be, may relax any of the regulations of this Schedule for the following developments where he is satisfied that the relaxation will serve to accomplish certain social and community goals, including where possible the retention of existing buildings, having regard to the intent of this Schedule and all applicable policies and guidelines adopted by Council.

- (a) one-family dwelling, one-family dwelling with secondary suite, or two-family dwelling, provided that the floor space ratio shall in no case exceed 1.00;
- (b) infill or additions to existing buildings, provided that the floor space ratio shall in no case exceed 1.45;
- (c) multiple dwelling or seniors supportive or assisted housing, provided that:
 - (i) all required parking spaces shall be provided underground or within the outermost walls of a building (but in no case with the floor of the parking area above the highest point of the finished grade around the building), except in the case of lots of 560 m² or less;
 - (ii) useable on-site open space shall be provided;
 - (iii) a minimum of 20 percent of total units within any building shall contain 2 or more bedrooms, except in the case of buildings designed specifically for use as senior citizens' housing or other similar use;
 - (iv) in no case shall the site coverage exceed 65 percent;
 - (v) the maximum floor space ratio shall be 1.45.

