

RM-5, RM-5A, RM-5B and RM-5C Districts Schedule

1 Intent

The intent of this Schedule is to permit a variety of residential developments and some compatible retail, office, service and institutional uses. Emphasis is placed on achieving development which is compatible with neighbouring development with respect to streetscape character, open spaces, view retention, sunlight access and privacy. The RM-5A, RM-5B and RM-5C Districts permit greater densities than RM-5.

The additional intent of the RM-5 District is to require developments suited to families with children. The additional intent of the RM-5C District is to permit a greater range of uses.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in the RM-5, RM-5A, RM-5B and RM-5C 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 Section, 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;
 - (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 rear yard to be provided, or 48 m², whichever is the lesser;
 - (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 building;
 - (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, except hotel.
- 2.2.C** [Cultural and Recreational]
- Community Centre or Neighbourhood House.
 - Library in conjunction with a Community Centre.
 - Park or Playground.
- 2.2.DW** [Dwelling]
- Dwelling Units in conjunction with a neighbourhood grocery store, subject to the provisions of section 11.16 of this By-law, or with a Laundromat or Dry Cleaning Establishment existing as of September 26, 1989.

- Infill.
- Multiple Conversion Dwelling.
- Multiple Dwelling consisting of five or fewer dwelling units.
- One-Family Dwelling.
- Rooming House.
- Two-Family Dwelling.

2.2.I [Institutional]

- Child Day Care Facility.
- Community Care Facility – Class A, subject to the regulations and relaxations that apply to a one-family dwelling.

2.2.R [Retail]

- Neighbourhood Grocery Store existing as of July 29, 1980, subject to the provisions of Section 11.16 of this By-law.

2.2.S [Service]

- Hotel existing as of September 26, 1989.
- Laundromat or Dry Cleaning Establishment existing as of September 26, 1989.

2.3 Conditions of Use

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

- (a) parking and loading facilities;
- (b) display of flowers, plants, fruits and vegetables; and
- (c) child day care facility.

2.3.2 • In the RM-5 District, a minimum of 20 percent of total dwelling units within any multiple dwelling, except in the case of buildings designed solely for use as senior citizens' housing under the provisions of the National Housing Act or other similar use, shall:

- (a) contain 2 or more bedrooms;
- (b) possess private open space directly accessible from the unit and which is a minimum of 5.6 m² in area, and with a minimum dimension of 1.8 m; and
- (c) be located within three storeys of grade.

2.3.3 • In the RM-5 District, all multiple dwellings shall include an outdoor area with a minimum area of 37 m², in an appropriate location, that could be developed as a children's play area.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Development Permit Board may approve for the RM-5, RM-5A, RM-5B and RM-5C Districts any of the uses listed in section 3.2.1, 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;
- (b) the submission of any advisory group, property owner or tenant; and

- (c) the appropriateness of the use with respect to the items which are shown in italics following the use.

3.2.1 Uses

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

3.2.1.C [Cultural and Recreational]

- Museum or Archives. *compatibility with nearby sites, parking, proximity to major streets, size of facility*

3.2.1.DW [Dwelling]

- Dwelling Units, in conjunction with any of the other uses set out in this Schedule.
- 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.

3.2.1.I [Institutional]

- Ambulance Station. *compatibility with nearby sites, vehicular ingress and egress, proximity to major street*
- Church, subject to the provisions of section 11.7 of this By-law. *compatibility with nearby sites, parking, size of facility*
- Hospital, subject to the provisions of section 11.9 of this By-law. *compatibility with nearby sites, vehicular ingress and egress, category of facility*
- Public Authority Use essential in this District. *compatibility with nearby sites, proximity to major streets, vehicular ingress and egress*
- School - Elementary or Secondary, subject to the provisions of section 11.8 of this By-law. *compatibility with nearby sites, category of facility*
- Social Service Centre. *compatibility with nearby sites, category of facility*
- Community Care Facility – Class B, subject to the provisions of section 11.17 of this By-law. *compatibility with nearby sites*
- Group Residence, subject to the provisions of section 11.17 of this By-law. *compatibility with nearby sites*

3.2.1.O [Office]

- General Office, in a building which has been designated as a Municipal Heritage Site. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Care Office, in a building which has been designated as a Municipal Heritage Site. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Enhancement Centre, in a building which has been designated as a Municipal Heritage Site. *compatibility with nearby sites, parking, traffic, noise, hours of operation*

3.2.1.R [Retail]

- Retail Store, in a building which has been designated as a Municipal Heritage Site. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Farmers' Market. *compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*

3.2.1.S [Service]

- Bed and Breakfast Accommodation, subject to the provisions of section 11.4 of this By-law. *compatibility with nearby sites*
- Restaurant - Class 1, in a building which has been designated as a Municipal Heritage Site. *compatibility with nearby sites, parking, traffic, noise, hours of operation*

3.2.1.U [Utility and Communication]

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

3.2.2 Uses

The uses listed in section 3.2.2 shall be permitted in the RM-5C District.

3.2.2.C [Cultural and Recreational]

- Bowling Alley. *compatibility with nearby sites, parking, proximity to major streets, size of facility*
- Club. *compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity, size of facility*
- Fitness Centre. *compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity, size of facility*
- Theatre. *compatibility with nearby sites, traffic, hours of operation*

3.2.2.O [Office]

- Financial Institution. *parking, size of facility*
- General Office. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Care Office. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- Health Enhancement Centre. *compatibility with nearby sites, parking, traffic, noise, hours of operation.*

3.2.2.R [Retail]

- Grocery or Drug Store. *parking, pedestrian amenity, size of facility*
- Retail Store. *compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity*
- Small-scale Pharmacy, subject to the provisions of section 11.22 of this By-law.

3.2.2.S [Service]

- Animal Clinic. *compatibility with nearby sites, noise, hours of operation*
- Barber Shop or Beauty Salon. *compatibility with surrounding uses, hours of operation; parking*
- Beauty and Wellness Centre, *but only in the RM-5C District*
- Hotel. *traffic, compatibility with nearby sites*
- Laundromat or Dry Cleaning Establishment. *compatibility with surrounding uses, hours of operation, noise, parking*
- Photofinishing or Photography Studio. *parking*
- Print Shop. *compatibility with surrounding uses, hours of operation, parking*
- Restaurant - Class 1. *compatibility with nearby sites, parking, traffic, noise, hours of operation*
- School - Arts or Self Improvement. *parking, size of facility, noise, hours of operation*
- School - Business. *compatibility with nearby sites, category of facility, size of facility, hours of operation*
- School - Vocational or Trade. *parking, size of facility, noise, hours of operation*

3.3 Conditions of Use

- 3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:
- (a) parking and loading facilities;
 - (b) the display of flowers, plants, fruits and vegetables;
 - (c) restaurant; and
 - (d) farmers' market.
- 3.3.2
- In the RM-5 District, a minimum of 20 percent of total dwelling units within any multiple dwelling, except in the case of buildings designed solely for use as senior citizens' housing under the provisions of the National Housing Act or other similar use, shall:
 - (a) contain 2 or more bedrooms;
 - (b) possess private open space directly accessible from the unit and which is a minimum of 5.6 m² in area, and with a minimum dimension of 1.8 m; and
 - (c) be located within three storeys of grade.
- 3.3.3
- In the RM-5 District, all multiple dwellings shall include an outdoor area with a minimum area of 37 m², in an appropriate location, that could be developed as a children's play area.

4 Regulations

All uses approved under sections 2 and 3 of this Schedule shall be subject to the following regulations:

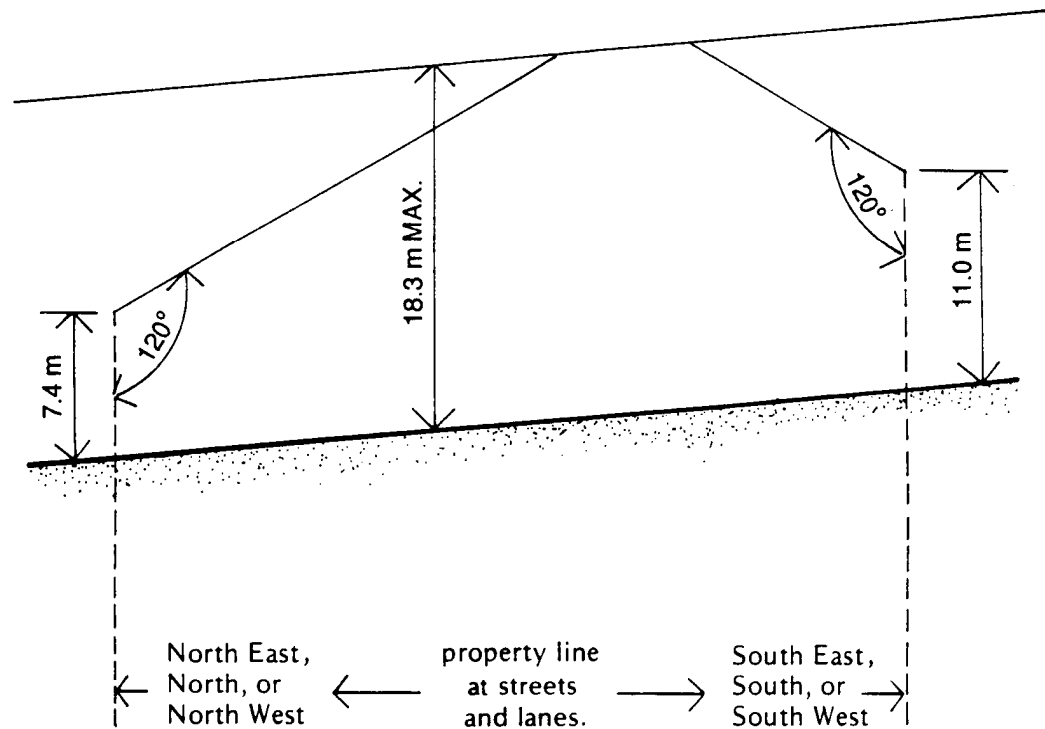
4.1 Site Area -- Not applicable.

4.2 Frontage -- Not applicable.

4.3 Height

- 4.3.1 The maximum height of a building shall not exceed 18.3 m, but no portion of the building shall extend above the envelope illustrated and described in Figure 1. Height shall be determined by a line parallel to a line joining the official established building grades at the property lines. Angles shall be measured from vertical lines at the property line.

Figure 1. Building Envelope



- 4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 58.0 m provided that the livability and environmental quality of the surrounding neighbourhood is not unduly harmed, and provided that it first considers:
- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
 - (b) the submission of any advisory group, property owner or tenant; and
 - (c) the effects on public and private views, sunshine, privacy and open spaces.

4.4 Front Yard

- 4.4.1 A front yard with a minimum depth of 3.7 m shall be provided.
- 4.4.2 The Director of Planning or the Development Permit Board, as the case may be, may vary the depth of the required front yard, provided that it first considers all applicable policies and guidelines adopted by Council.
- 4.4.3 The Director of Planning or the Development Permit Board, as the case may be, may permit, provided that it first considers all applicable policies and guidelines adopted by Council, the projection of porches, entrance lobbies, and supported canopies up to 1.8 m into the required front yard and the projection of porte cocheres up to the front property line, provided that none of the foregoing exceed a width of 6.1 m.

4.5 Side Yards

- 4.5.1 A side yard with a minimum width of 2.1 m shall be provided on each side of the principal building.
- 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 The Director of Planning or the Development Permit Board, as the case may be, may vary the side yard requirements, provided that it first considers all applicable policies and guidelines adopted by Council.

4.6 Rear Yard

- 4.6.1 A rear yard with a minimum depth of 2.1 m shall be provided.
- 4.6.2 The Director of Planning or the Development Permit Board, as the case may be, may vary the rear yard requirement, provided that it first considers all applicable policies and guidelines adopted by Council.

4.7 Floor Space Ratio

- 4.7.1 The floor space ratio shall not exceed 1.00 except that the Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the floor space ratio to any figure up to and including 1.5 in the RM-5, 2.20 in the RM-5A and RM-5C, and 2.75 in the RM-5B Districts, provided that it first considers:
- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
 - (b) the submission of any advisory group or property owner or tenant; and
 - (c) the height, bulk, location and overall design of the development and its effects on nearby sites, streets and public open spaces;

and provided further that in the RM-5A, RM-5B and RM-5C Districts the floor space ratio for sites 20.2 m or less in width does not exceed:

- (i) 2.0 on corner sites with a minimum site area of 800 m²; and
 - (ii) 1.5 on all other sites.
- 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; 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, sun decks, porches and any other appurtenances which, in the opinion of the Director of Planning are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the provided residential floor area;
- (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 parking space shall not exceed 7.3 m in length;
- (d) amenity areas accessory to a residential use, including day care facilities, recreation facilities and meeting rooms provided that:
 - (i) in the case of day care facilities, the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood; and
 - (ii) the total area being excluded for amenity areas shall not exceed the lesser of 10 percent of the permitted floor space or 1 000 m², with an additional 10 percent of the permitted floor space or 500 m², whichever is lesser, for day care facilities where these are included;
- (e) areas of undeveloped floors which are located
 - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m.
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (h) bicycle storage at or below base surface, provided that a secured and separate bicycle room shall be provided and equipped with bicycle racks adequate for the storage of a minimum of one bicycle for every four dwelling units;
- (i) 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
- (j) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation, to a maximum exclusion of one percent of permitted floor area.

- 4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:
- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

- 4.7.5 Where a need for any public facility of a social, cultural or recreational nature has been demonstrated to the satisfaction of the Development Permit Board, the Board may increase for any one building, which includes one or more of such facilities, the maximum floor space ratio and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

In determining the increase in floor area that may be permitted, the Development Permit Board shall consider:

- (a) the construction cost of the facility;
 - (b) any costs to the developer of continuing maintenance required for the facility;
 - (c) the rental value of the increased floor area;
 - (d) the value of any authorized relaxation of other restrictions;
 - (e) the opinion of City Council; and
 - (f) all applicable policies and guidelines adopted by Council.
- 4.7.6 The Development Permit Board may, for any development which includes the restoration of an existing building which is listed on the Vancouver Heritage Register permit an increase in the floor space ratio, subject to prior approval by City Council and designation of the building as a Municipal Heritage Site.

In determining the increase in floor area that may be permitted, the Development Permit Board shall consider:

- (a) the cost of the heritage-related restoration;
 - (b) the value of the increased floor area;
 - (c) the impact upon livability and environmental quality of the neighbourhood; and
 - (d) all applicable policies and guidelines adopted by Council.
- 4.7.7 The Development Permit Board may permit an increase in floor space ratio where the increase results from a transfer of heritage floor space to a maximum of 10 percent over the total permitted floor space ratio, except that this increase shall not apply to any development where the floor space has already been increased resulting from the restoration of a heritage building pursuant to section 4.7.6.

For the purpose of this section, heritage floor space means floor space on a site where the site or a building or a structure is designated by the Heritage By-law and, according to the development limitation mechanism regulating land for that site, is available to be transferred to another site and is located within areas shown as transfer of density areas for heritage preservation illustrated in the Transfer of Density Policy and Procedure adopted by Council and in effect at the time of application for relaxation under this section.

4.8 Site Coverage

- 4.8.1 The maximum site coverage for buildings shall be 50 percent of the site area.

- 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, cantilevered balconies and sundecks.
- 4.8.3 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in site coverage, provided that it first considers all applicable policies and guidelines adopted by Council.
- 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 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 (Reserved)**
- 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; and
 - (c) the maximum size building permitted under the appropriate C, CD-1 or DD district schedule if the site adjoins a C, CD-1 or DD 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.
- 4.10.4 The Director of Planning or the Development Permit Board, as the case may be, may decrease the horizontal angle of daylight requirement of section 4.10.1, provided that it first considers the livability of the dwelling units and all applicable policies and guidelines adopted by Council and providing that a minimum distance of 6.1 m of unobstructed view is maintained.
- 4.11 -
4.14 (Reserved)**

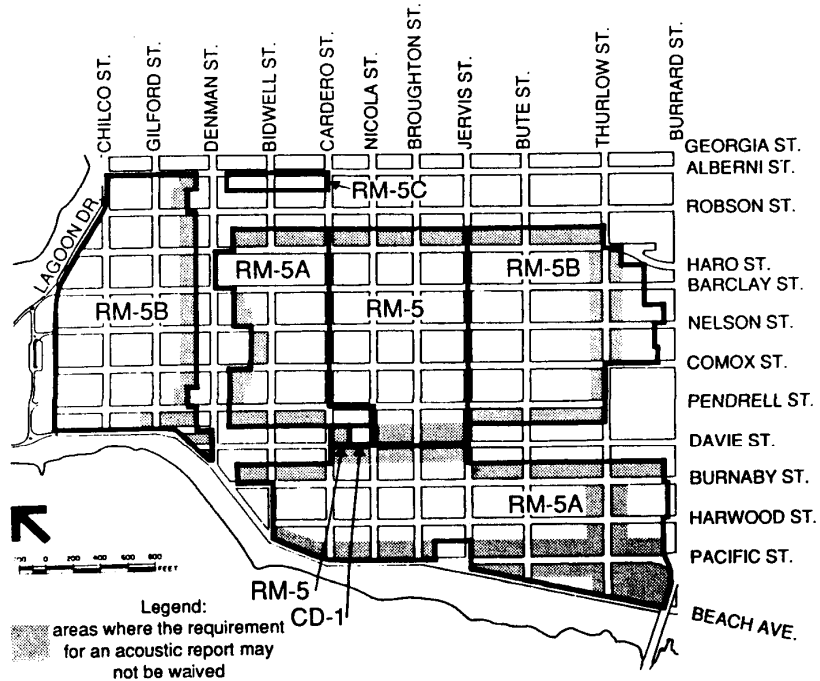
4.15 Acoustics

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

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

4.15.2 The Director of Planning may waive the requirement for an acoustic report, except for those areas indicated on Map 1:

Map 1. Noise Mitigation



4.16 (Reserved)

4.17 External Design

4.17.1 All opening windows in residential units shall be located a minimum of 4.5 m from any lane measured in a straight line from the closest point of the window to the rear property line at grade.

4.17.2 A covered storage area shall be provided for garbage containers and shall be screened from view from adjacent sidewalks and dwelling units.

- 4.17.3 Mechanical equipment shall be enclosed and set back so as not to be visible from street level or may be architecturally treated by other means satisfactory to the Director of Planning. Duct work shall not be exposed.

