

## RS-5 District Schedule

### 1 Intent

The intent of this Schedule is generally to maintain the existing single-family residential character of the RS-5 District by encouraging new development that is compatible with the form and design of existing development, and by encouraging the retention and renovation of existing development but also to permit conditionally one-family dwellings with secondary suites and laneway houses. Emphasis is placed on design compatibility with the established streetscape. Neighbourhood amenity is intended to be enhanced through the maintenance and addition of healthy trees and plants.

### 2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with the regulations of this Schedule, the uses listed in Section 2.2 shall be permitted in this District and shall be issued a permit.

#### 2.2 Uses

2.2.A • Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, provided that:

- (a) no accessory building exceeds 3.7 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may exceed 4.6 m in height;
- (b) all accessory buildings are:
  - (i) located within 7.9 m of the ultimate rear property line or located within the permitted building depth as regulated by Section 4.16 of this Schedule; and
  - (ii) in no case less than 3.1 m from the ultimate centre line of any rear or flanking lane and less than 1.5 m from a flanking street, subject also to the provisions of Section 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 the area given by the following formula except:
  - (i) this area need not be less than 48 m<sup>2</sup>, and
  - (ii) the floor area of a laneway house shall be deducted from the total allowable accessory building floor area:

$$[\text{site width in metres} \times 3.0 \text{ m}] + 20 \text{ m}^2;$$

- (d) accessory buildings occupy not more than 40% of the site width plus 4.2 m;
- (e) for the purpose of Section 2.2.A, site width shall be the average width of the portion of the site located within 7.9 m of the ultimate rear property line;
- (f) roof gardens and sundecks are not located on an accessory building located beyond the permitted building depth as regulated by Section 4.16.2 of this Schedule.

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

2.2.DW [Dwelling]

- One-Family Dwelling.

## 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 any of the uses listed in Section 3.2 including such conditions as it may decide, provided that it first considers:

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

**3.2 Uses**

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

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

## 3.2.1.C [Cultural and Recreational]

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

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

## 3.2.1.DW [Dwelling]

- Dwelling Unit in conjunction with a neighbourhood grocery store existing as of July 29, 1980, subject to the provisions of Section 11.16 of this By-law.
- Infill One-Family Dwelling, provided that:
  - it shall be for a caretaker;
  - it shall be subject to the provisions of Section 2.2.A regulating Accessory Buildings except that:
    - clause (a) thereof shall not apply to any portion not located within 7.9 m of the ultimate rear property line;
    - clause (c) thereof shall not apply;
    - clause (b) of Section 11.1 of this By-law shall not apply; and
  - its floor area shall not exceed 75 m<sup>2</sup> and shall be also counted in the accessory building area.

- One-Family Dwelling with Secondary Suite.
- Laneway House, subject to the provisions of section 11.24 of this By-law.
- Seniors Supportive or Assisted Housing, subject to section 11.17 of this By-law.

#### 3.2.1.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 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.

#### 3.2.1.P [Parking]

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

#### 3.2.1.R [Retail]

- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
- Neighbourhood Grocery Store existing as of July 29, 1980, subject to the provisions of Section 11.16 of this By-law.

#### 3.2.1.S [Service]

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

#### 3.2.1.U [Utility and Communication]

- Public Utility.

## 4 Regulations

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

### 4.1 Site Area and Width

4.1.1 The minimum site area for a one-family dwelling or one-family dwelling with secondary suite is 334 m<sup>2</sup>, and the minimum site width for a one-family dwelling or one-family dwelling with secondary suite is 7.3 m.

4.1.2 Where the site is less than 9.8 m in width or less than 334 m<sup>2</sup> in area, the design of any new dwelling shall first require the approval of the Director of Planning or the Development Permit Board, as the case may be.

4.1.3 The minimum site area for a dwelling unit for a caretaker shall be 3 000 m<sup>2</sup>.

### 4.2 Frontage -- Not Applicable.

### 4.3 Height

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

### 4.4 Front Yard

- 4.4.1 A front yard shall be provided with a depth of the average depth of the two adjacent sites on each side of the site, subject to the following:
- where an adjacent site is vacant, it shall be deemed to have a front yard depth of 20 percent of the depth of the site;
  - if one or more of the adjacent sites front on a street other than that of the development site or the adjacent sites are separated by a street or lane, then such adjacent sites shall not be used in computing the average; and
  - where the site is adjacent to a flanking street or lane, the average depth shall be computed using the remainder of the adjacent sites.
- 4.4.2 If the provisions of Section 4.4.1 and Section 4.6.1 of this Schedule result in a distance between the front yard and the rear yard which is less than 40 percent of the depth of the site, and provided that the principal building is sited so that it abuts the required rear yard, the depth of the required front yard may be reduced so that the distance between the front yard and the rear yard is equal to 40 percent of the depth of the site.
- 4.4.3 If the depth of the required front yard is greater than 20 percent of the depth of the site, the Director of Planning may permit a reduction in the depth of the required front yard prescribed by Section 4.4.1 by an amount not exceeding 60 percent of the difference between the depth of the required front yard and 20 percent of the depth of the site, provided that such a reduction shall not exceed 1.5 m.
- 4.4.4 The Director of Planning may vary the front yard requirement on a double fronting site or a site where a building line has been established pursuant to section 14.1 of this By-law.

- 4.4.5 Covered porches complying with the conditions of Section 4.7.3(g) shall be permitted to project into the required front yard a maximum of 1.8 m provided that such a projection is limited to 30 percent of the width of the building.
- 4.4.6 Notwithstanding the provisions of Section 10.7.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into the required front yard to a maximum of 1.0 m, measured horizontally.

#### **4.5 Side Yard**

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

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

- 4.5.2 A side yard on one side of a building may be decreased to 10 percent of the site width in the case of sites 13.0 m or wider provided that the portion of the building abutting the decreased side yard is limited to 65 percent of the allowable building depth, is set back a minimum of 1.0 m from the required front yard, is limited in height to one storey and does not include a roof deck.
- 4.5.3 The Director of Planning may permit a roof deck on the portion of building permitted in section 4.5.2 provided he takes into account the effect of the roof deck on the privacy of the adjacent property.
- 4.5.4 In the case of a corner site which has located at its rear, with or without the intervention of a lane, a site which fronts on the street flanking the corner site, the exterior side yard shall be regulated by the provisions of Section 11.1 of this By-law.
- 4.5.5 Notwithstanding the provisions of Section 11.1 of this By-law, the exterior side yard prescribed in Section 4.5.4 may be reduced to 10 percent of the site width provided that the portion of building abutting the decreased side yard is limited to 65 percent of the allowable building depth, is set back a minimum of 1.0 m from the required front yard and is limited in height to one storey.
- 4.5.6 Notwithstanding the provisions of Section 10.7.1(b) of this By-law, eaves and gutters or other similar projections as determined by the Director of Planning may project into a required side yard to a maximum of 1.0 m, measured horizontally, except that they must not be closer than 0.7 m from a side property line.

#### **4.6 Rear Yard**

- 4.6.1 A rear yard with a minimum depth of 10.7 m shall be provided, measured from the rear property line.
- 4.6.2 For the purposes of calculating the rear yard to be provided, where the rear property line does not abut a lane or abuts a lane that is only partially dedicated, the rear yard to be provided shall be calculated and measured from the ultimate rear property line.
- 4.6.3 Notwithstanding the provisions of Section 10.7.1(b) of this By-law, eaves, gutters or other similar projections as determined by the Director of Planning may project into a required rear yard to a maximum of 1.0 m, measured horizontally.

## 4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 0.60, subject to the following:

- (a) for buildings existing prior to April 12, 1988 the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 2.0 m or more above finished grade shall not exceed a floor space ratio of 0.20 plus 130 m<sup>2</sup>;
- (b) in all other cases, the area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has a floor surface located 1.8 m or more above finished grade shall not exceed a floor space ratio of 0.16 plus 130 m<sup>2</sup>;
- (c) the Director of Planning may permit an increase in the maximum floor space ratio to 0.70 and may permit an increase in the area of all floors described in clause (a) or (b) to a floor space ratio not exceeding 0.24 plus 130 m<sup>2</sup> provided that he considers the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (d) if:
  - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.45, and the floor space ratio determined under subsection (a) or (b) of section 4.7.1,
  - (ii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
  - (iii) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including covered porches,
 an increase in the floor space ratio to 0.70 is permissible;
- (e) for buildings existing prior to July 7, 2009, if:
  - (i) the area of all floors at or above finished grade does not exceed the lesser of a floor space ratio of 0.50 and the existing floor space ratio,
  - (ii) the area of all floors at, above or below finished grade, after the addition of a basement or cellar, does not exceed a floor space ratio of 0.75,
  - (iii) the area of any floor, including the basement or cellar, does not exceed a floor space ratio of 0.25, and
  - (iv) no portion of the basement or cellar projects horizontally beyond the perimeter of the first storey, including covered porches,
 a basement or cellar is permissible.

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

- (a) all floors, including earthen floor, to be measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
- (c) where the distance from a floor to the floor above, or where there is no floor above, to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude an area designed with venting skylights, opening clerestory windows or other similar features if:
  - (i) in the opinion of the Director of Planning, the area is designed to reduce energy consumption or improve natural light and ventilation, and
  - (ii) the area excluded does not exceed one percent of the permitted floor area; and
- (d) the floor area of bay windows, regardless of seat height, location on building or relationship to yard setbacks, in excess of the product of the total floor area permitted above the basement times 0.01.

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

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the permitted residential floor area;

- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage in multiple conversion dwellings containing 3 or more units or in multiple dwellings or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length so used which:
  - (i) are located in an accessory building located within 7.9 m of the ultimate rear property line, or
  - (ii) where a site has no developed secondary access, are attached to a principal building, or in an accessory building located within the building depth regulated by the provisions of Section 4.16, up to a maximum of 42 m<sup>2</sup>;
- (d) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) areas of undeveloped floors which are located
  - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m.
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) covered porches, provided that:
  - (i) they face a street or a rear property line and are located at the basement or first storey;
  - (ii) that portion facing the street or rear property line shall be open or protected by guard rails the height of which shall not exceed the minimum specified in the Building By-law;
  - (iii) the total area being excluded does not exceed 5 percent of the permitted floor area; and
  - (iv) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the porch floor;
- (h) areas of floors existing, proposed or as may be extended over open-to-below space located directly below space located directly below sloping roof rafters or a sloping ceiling where the ceiling is directly attached to the underside of sloping roof rafters, and where the roof joists have a minimum 7:12 pitch and the related ceiling maintains the same pitch as the roof joists, provided that:
  - (i) the distance from the floor to any part of the ceiling is no higher than 2.3 m and no lower than 1.2 m, both measured vertically; and
  - (ii) the excluded floor area does not exceed 10 percent of the permitted floor area above finished grade;
- (i) the floor area of a laneway house;
- (j) 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
- (k) above grade floor area:
  - (i) built as open to below,
  - (ii) to which subsections 4.7.2(c) and 4.7.3(h) do not apply,
  - (iii) 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, and
  - (iv) to a maximum exclusion of one percent of permitted floor area.

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

#### **4.8 Site Coverage**

- 4.8.1 The maximum site coverage for buildings shall be 40 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, balconies and sundecks.
- 4.8.3 Except where the principal use of the site is a parking area, the maximum site coverage for any portion of the site used as parking area shall be 30 percent.
- 4.8.4 The area of impermeable materials, including building coverage, shall not exceed 60 percent of the total site area except that where developed secondary vehicular access to a site is not available, the Director of Planning may exclude from the area of impermeable materials an amount not exceeding:
- (a) for the first parking space, the product of the distance, in metres as measured along the driveway centre line, from the point where the driveway crosses the property boundary to the point where it meets the nearest side of the approvable parking space times 3.1 m; and
  - (b) for each additional parking space, 67 m<sup>2</sup> to accommodate vehicular access and manoeuvring.
- 4.8.5 For the purposes of Section 4.8.4, the following materials shall be considered impermeable: the projected area of the outside of the outermost walls of all buildings, including carports, covered porches and entries; asphalt; concrete; brick; stone; and wood.
- 4.8.6 Notwithstanding section 4.8.5, gravel, river rock less than 5 cm in size, wood chips, bark mulch, and other materials which, in the opinion of the Director of Planning, have fully permeable characteristics when in place installed on grade with no associated layer of impermeable material (such as plastic sheeting) that would impede the movement of water directly into the soil below, are excluded from the area of impermeable materials.

#### **4.9 to 4.15 (Reserved)**

#### **4.16 Building Depth**

- 4.16.1 For the purpose of this section, building depth shall mean the distance from the required front yard, measured in a straight line to a point directly opposite thereto along the exterior wall, including projections, facing the rear yard, except that where an existing building encroaches into the required front yard, the distance shall be measured from the front exterior wall rather than the required front yard.
- 4.16.2 The maximum building depth shall not exceed 40 percent of the depth of the site.
- 4.16.3 Projections into front and rear yards permitted under Sections 4.4.5, 4.4.6 and 4.6.3 shall not be included in the calculation of building depth.

#### **4.17 External Design**

- 4.17.1 For the purpose of Section 4.17, a front entrance means a door facing the front yard and located at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means and a side entrance means a door facing a side yard and located at or within 1.8 m of grade or connected to grade by stairs, a ramp or other means.
- 4.17.2 There shall be no more than one separate and distinct front entrance to a one-family dwelling or one-family dwelling with secondary suite.

- 4.17.3 A side entrance for a one-family dwelling or one-family dwelling with secondary suite shall only be permitted:
- (a) where the side yard faces a street; or
  - (b) where the side entrance is located a minimum of 5.0 m from the side property line.
- 4.17.4 For the purpose of providing light or access to a basement or cellar, the surface of the ground adjoining a building can be lowered without affecting the calculation of average elevation, provided that:
- (a) the lowered surface does not extend more than 3.1 m into the required front or rear yard; and
  - (b) that portion of the building abutting the lowered surface:
    - (i) faces either the front street or the rear property line; and
    - (ii) is not greater than half the width of the building, or 4.6 m, whichever is the lesser.
- 4.17.5 Notwithstanding Section 4.17.2 or Section 4.17.3, the Director of Planning, on the advice of the Director of Permits and Licenses, may permit one additional entrance facing a front yard or a side yard if it provides access to a building existing prior to March 14, 1989.

## **5 Relaxation of Regulations**

- 5.1** The Director of Planning may relax the minimum site area requirements (but not the minimum site width) of Section 4.1 with respect to any of the following developments on an existing lot of lesser site area on record in the Land Title Office for Vancouver:
- (a) one-family dwelling;
  - (b) one-family dwelling with secondary suite.
- 5.2** The Director of Planning may relax the provisions of Sections 4.4, 4.5, 4.6 and 4.16, and the floor space ratio exclusions for parking in accessory buildings of Section 4.7.3(c)(i) of this Schedule where, due to conditions peculiar either to the site or to the proposed development, literal enforcement would result in unnecessary hardship, provided that:
- (a) he first considers the submission of any advisory group, property owner or tenant;
  - (b) he considers the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
  - (c) in no case shall the yard requirements be reduced to less than 60 percent of the amount specified in this Schedule.
- 5.3** In the case of a corner site, where the rear property line of a site adjoins, without the intervention of a lane, the side yard of a site in an R District, the Director of Planning may relax the provisions of Section 4.7 of this Schedule to permit the exclusion of floor space used for off-street parking in the principal building up to a maximum of 42 m<sup>2</sup>.
- 5.4** The Director of Planning may relax Section 4.8.4 for buildings existing prior to October 8, 1996 to a maximum of 70 percent impermeable materials site coverage provided that:
- (a) the percentage of the site covered by existing impermeable materials is not increased by the proposed development;
  - (b) he considers the advice of the City Engineer; and
  - (c) he considers all applicable policies and guidelines adopted by Council.
- 5.5** The Director of Planning may relax the requirements of Section 4.8.4 where, due to the peculiarities of the site or special circumstances related to the use of the site, literal enforcement would result in unnecessary hardship, provided that:
- (a) he considers all applicable guidelines and policies adopted by Council; and
  - (b) he considers the advice of the City Engineer.

