

File No.: 04-1000-20-2022-011

February 18, 2022

s.22(1)

Dear s.22(1)

Re: **Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of January 7, 2022 under the ***Freedom of Information and Protection of Privacy Act, (the Act)***, for:

Latest version or superseded version of the internal Planning document titled "The Big Book of Porches and Decks" (draft version released May 9, 2006). Date range: May 10, 2006 to January 6, 2022

All responsive records are attached.

Please note that much of the document provided has been superseded by a publicly available bulletin, which can be found on the City of Vancouver's website here:

<https://bylaws.vancouver.ca/bulletin/bulletin-balconies-decks-entries.pdf>

Under section 52 of the Act, and within 30 business days of receipt of this letter, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (#04-1000-20-2022-011); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,

Kevin Tuerlings, Acting FOI Case Manager, for

[Signed by Kevin Tuerlings]

Cobi Falconer, MAS, MLIS, CIPP/C
Director, Access to Information & Privacy
cobi.falconer@vancouver.ca

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If you have any questions, please email us at foi@vancouver.ca and we will respond to you as soon as possible. Or you can call the Acting FOI Case Manager at 604-873-7407.

Encl. (Response package)

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Last updated: 2006/05/09 (minor changes to accessory height)

"THE BIG BOOK OF PORCHES AND DECKS"

ROUGH DRAFT

Preface:

- *Change any reference of roof "pitch" to roof "slope";*
- *Reference to zones such as RS-1 means reference to the relevant district schedule unless noted otherwise;*
- *Does not include any notes in specific reference to RS-1B or RS-1A*
- *"Director of Planning" also means staff empowered to make decisions on behalf, such as certain development planners, HRC, etc.*

Table of Contents to follow

ACCESSORY BUILDINGS – GENERAL – RS DISTRICTS

- Accessory buildings may only be approved where there is a principal building- either existing or proposed as part of the same application. An accessory building on a parcel formed by a subdivision approval which requires the demolition of a principal building as a condition of subdivision, must also be demolished;
- Unless otherwise prohibited, there is no limit to the number of accessory buildings on a site provided in aggregate they comply;
- Where an accessory building is required to be located "...in the rear yard.", this means up to the rear yard of the principal building, existing or proposed, not the "required" rear yard

[added 2004/11/26]

ACCESSORY BUILDINGS - HEIGHTS AND GRADES - RS DISTRICTS

- As building grades are not a submission requirement of most RS District Schedules, the existing grades at the four corners of the property are used as the "base surface". If the grades at the four corners are not compatible in a manner described in Section 10.10, existing grades around the building may be used, but this requires the approval of the Director of Planning. If existing grades are used around a building, the height must comply at all points around the perimeter.

- The mean height is always taken to the top of the top plate of the exterior wall, not the elevation of the fascia.
- Accessory buildings are typically one storey with an undeveloped attic. Grades should not be lowered around an accessory building (nor should a parking slab be lowered) so as to create a two storey massing or a full height attic area.
- Reasonable dormers may be proposed on an accessory building (to compliment the principal building, etc.) but must comply with the accessory building height provisions. The area in the dormer is either attic with hatch access only or vaulted area. A gable ended dormer without eaves (fascias only) set in from the exterior face of an accessory building can be hypothetically projected out to the exterior face of the building and then tested to see if it complies with the height provisions.
- Or, another way to look at it is if it is a primary roof form, allow one “wing” at full height, but not a full 4 gable ends. Keep the one wing constrained. If there are a series of smaller dormers, then keep under 12 feet. The main thing is to have it look like a one storey building- if it looks like a one and a half or two storey building, don’t approve.
- The following applies for the roof types noted:
 - In the case of gambrel roofs, treat as a normal gable roof except if the upper roof portion is shallower than 7:12 in slope, or the lower portion is steeper than 24:12, the proposal should be referred to the Director of Planning. Care should be taken to preclude access to attics in gambrel roof garages.
 - Flat roofs are limited to a maximum height of 3.7 metres, but parapets can be approved up to a height of 4.6 metres.
 - Mansard roofs are treated as flat roofs.
 - Curved or barrel roofs are treated as normal pitched roofs.
- Undeveloped attics and skylights use the same provisions and policies which apply to undeveloped attics in principal buildings- but we can allow one 12 sf skylight “per bay” or side in a garage.

ACCESSORY BUILDINGS - SQUARE FOOTAGE RATIO AND BUILDING AREA - RS DISTRICTS

- Floor area in an accessory building which conforms with *the rear accessory building setback limit* is counted against the overall allowable square footage limit only, not an “above grade” limit. *While typically this interpretation has been applied to all accessory buildings regardless of their location, where an “above grade” square footage limit exists, any floors “at or above” finished grade of an accessory building located outside of the rear yard setback limit may be added into the above grade limit as well as the overall limit [added 2004/04/22]* All of the above applies to all RS district schedules, with the exception of the RS-3/ RS-3A district schedule. In RS-3 and RS-3A zones such areas are deducted from the allowable “above grade” square footage.

- In District Schedules which have both an outright and a conditional square footage limit, any area from the accessory building counted against the overall square footage must be kept under the outright limit if the intent is to apply for an outright approval.
- Vaulted areas in accessory buildings are treated in the same manner as those in principal buildings, except that if an area is excluded from square footage (i.e. for ancillary parking spaces) the vaulted area above this area is also always excluded; no gable end windows are allowed in vaulted areas in accessory buildings;
- “Total building area” and “square footage” are completely separate calculations. The total floor area of accessory buildings is the area of all floors of accessory buildings on site regardless as to whether certain areas are excluded from square footage or not. The excess building area of an “oversized” accessory building cannot be accommodated in the square footage of the principal building.
- The total floor area of accessory buildings is typically based on a percentage of the “minimum rear yard prescribed” in the district schedule. This is the minimum required rear yard, not the provided or existing rear yard or an *optional* reduced rear yard, except that in district schedules such as RS-2 the reduced rear yard (where there is a lane) is used because it is a required minimum as per Section 4.6.1. Note that where a lane dedication is sought, even if not taken, the area of a rear yard is based on the ultimate rear property line.
- Any areas of accessory buildings outside of the required accessory building setback limits are counted against the overall square footage allowed on the site even if the area could otherwise be excluded from square footage. Note that in some RS district schedules, the accessory building need only be located “in the rear yard”; in such cases, ancillary parking may (provided it otherwise complies) can be excluded in an accessory building which sits anywhere in the rear yard.
- Proposals to convert parking spaces to other allowable uses, whether the parking space is currently excluded from square footage or not (and regardless as to whether the square footage is increased or not), must comply with the square footage ratio limits, all required yards and setbacks, building depth, and cannot create a non-conformity under the Parking By-law. Typically, most attached carports and garages at the rear of a building cannot be converted to other uses. However, the Director of Planning may allow the conversion of an existing, legal carport where the square footage and new parking complies and the “in-filled” carport is compatible with adjoining properties
- Porches and covered open areas in accessory building are always counted in square footage. Eaves and Canopies complying with Section 10.7 are not counted in square footage.

- *The following may be excluded from square footage in accessory buildings including within conforming parking spaces provided they do not have the effect of reducing a parking space to less than the required minimum parking space size, keeping in my that the area within a parking space also accommodates access around the vehicle:*
 - *Steps joining split slabs where split slabs are required.*
 - *A single utility sink and/ or a small counter or workbench at the head or side of a parking space. The sink should be a utility sink.*
 - *A minimum sized interior landing to address grade or slab elevation differences.*
 - *guards separating two spaces in a split slab situation.*
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- *The following will be included in square footage:*
 - *Any areas not used for conforming parking spaces, unless a separate provision or policy exists.*
 - *Any closets or storage units. Workbenches larger than described above, and any shelving, for hobby or workshop ancillary uses should be reviewed by the Director of Planning.*
 - *Any steps or landings not meeting the above requirements for exclusion.*
 - *The portion of a parking space which is larger then 3.7 m. by 7.4 m. (12 ft. x 24 ft., measured to the outside of any walls or posts/ beams containing the space)*
 - *Areas of parking spaces which are greater than 0.6 metres (2 feet) away from the edge or jamb of the wall at the garage door opening, or vehicular access opening, measured to the outside of an exterior wall or the centerline of a wall or open area separating two excluded parking spaces, and measured along the entire length of the parking space.*

ACCESSORY BUILDINGS - PROJECTIONS AND EXTERNAL DESIGN - RS DISTRICTS

- X The following elements are allowed to project beyond an accessory setback limit:
 - (1) eaves to a maximum of 540 mm (21 inches);
 - (2) steps
 - (3) a maximum of one 4 x 4 landing
 - (4) canopies complying with Section 10.7.1(d)

- X Chimneys and fireplaces are never allowed on or in an accessory. Bays are not allowed to project beyond an accessory building setback and are counted in accessory building width, accessory building area, and square footage.

- X Where an accessory building contains a parking spaces, it should not have double doors, a bank of doors, or be opened up in such a way that it would appear that the intended use is anything other than parking. *[added 2004/1//25]* . A side man-door entrance for a

detached garage is NOT considered a side entrance for External Design restrictions applying to a principal building.

- X Large doors and openings are not allowed on the inside face of a garage (facing into the rear yard) in accessory building approved for parking spaces; however, in an outright application, if a driveway is allowed to extend from the front street to the rear of the property, doors may be approved to allow “drive through” opportunity for the parking spaces- such access should not be encouraged or approved on conditional applications. *[added 2004/ 11 25]*

ACCESSORY BUILDINGS - USES AND INTERIOR LAYOUT - RS DISTRICTS

- X Workshops and art or hobby areas in an accessory may be considered customarily ancillary to residential uses but cannot be used as places of business or for commercial purposes. If concern exists, appropriate notes should be added directly to the drawings and the permit. All workshops should be noted as “not to be used as a place of business”. Work benches should be limited in size (roughly 8 feet). A single utility sink (one per site) is allowed (no double sink), ideally not located in a counter-top.
- X For workshops, hobby rooms, pool change rooms and similar ancillary uses, a single (one per site) two piece washroom (sink and toilet) may be allowed but no tub is ever allowed. Showers for a pool change room may be allowed but must be in a separate room from the washroom, ideally not interconnected. Bedroom type closets are never allowed nor kitchen counters and cabinets. Applications for the ancillary uses noted above should be reviewed by the Director of Planning.
- X Where accessory uses other than parking are allowed, the accessory building may have doors and windows in such a manner as to support that accessory use within reason. A garage containing parking spaces only should not be “opened up” in a such a manner.
- X An exterior shower on an accessory building related to an adjoining pool may be approved provided it is oriented away from neighbouring properties, ideally being located near the middle of the site. Attached sports equipment if shown should be reviewed by the Director of Planning

ACCESSORY BUILDINGS - SITING, ACCESS, DEDICATIONS - RS DISTRICTS

- X Where Engineering Services is requiring a 10 x 10 foot dedication at a rear lane junction, or where the dedication has already been taken, the following apply:
 - o where the dedication has already been taken, the width and area is based on the dedicated lot, at any point under consideration.

- where the dedication is to be taken as part of a current permit issuance, the original lot configuration is used for both width and area calculations (as well as site coverage calculations).
 - No part (including eaves) of a building may project over the dedication portion (whether taken or not) as it forms the ultimate rear property line.
- X In a conditional application, where Engineering Services is seeking a lane dedication, it is the Director of Planning's policy to always take the dedication.
- X ~~Where new accessory buildings are proposed but where existing accessory buildings are sited in non-conforming positions, the application should be referred to the Director of Planning.~~
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- X Where a site qualifies for front access and has an open lane at the rear, the following may be proposed:
- An otherwise complying accessory building may be accessed from the front and the rear of the garage provided "stacked" parking is not proposed.
 - Any driveway accessing the garage must be as direct as possible and involve a minimum amount of manoeuvring in the rear yard..
- X accessory buildings where no front access is proposed or allowed may only have garage doors on the lane side.
- X Accessory buildings located within the permitted building depth must comply with the required side yard provisions in addition to any other yards, building depth, and setback requirements.
- X On angled or tapered lots, the accessory building setback limit **is typically measured along the length of the side property lines, and the "points" formed at the side property lines joined in a straight line which represents the setback limit. The setback is not measured perpendicular to the rear property (unless the lot is rectilinear)**; this is so that any portion of a building ends up being located within the setback limit measured from any point on the rear property line. The Director of Planning may vary how the setback is measured on highly irregular lots.

ACCESSORY BUILDINGS - PARKING SPACES, ACCESS, DRIVEWAYS, AND MANOEUVRING - RS DISTRICTS

- X Parking spaces may be a maximum of 12 feet (3.7 metres) by 24 feet (7.3 metres) (unobstructed) and still be excluded from square footage, measured to the outside of any walls containing the space, or to the centre line of a wall or line separating two spaces (see also the interpretive note: "ACCESSORY BUILDINGS- SQUARE FOOTAGE AND BUILDING AREA- RS DISTRICTS").

- X Parking spaces associated with a dwelling unit (or any other primary use) are considered “accessory uses customarily ancillary” to that use. Section 2.2.A, in the relevant district schedule, will state where accessory parking spaces can be located (typically in the last clause). Note that each district schedule has different requirements for the siting of accessory parking spaces- in RS-5/ RS-5s and RS-3/ RS-3A district schedules, parking is only allowed in the rear 7.9 metres. This creates a problem where there is no secondary access. Consequently, the Director of Planning may allow parking within the permitted building depth in these zones using the provisions of Section 3.2.1.A of the relevant district schedule, making such an application conditional. However, parking within the building depth should be discouraged in such zones. In cases where there is secondary access on RS-5/ RS-5s and RS-3/ RS-3A sites, the Director of Planning will not typically approve parking in the permitted building depth (or attached to an existing principal building); there is no outright provision to have parking spaces approved in the permitted building depth unlike on RS-1/ RS-1s sites.
- X Work benches, utility sinks, landings, and stairs may not project into a minimum sized parking space. The appropriate minimum parking space dimensions must be maintained clear of obstructions.
- X On the advice of Engineering Services, some manoeuvring may be provided within an accessory building where site constraints exist.
- X Where landscape setbacks are required, retaining walls or sunken, paved areas are not allowed in the setbacks.
- X On sloping lots, the area at the rear of the property should not be dug out and paved unless it is to be used for approved open parking spaces in which case the proper landscape setbacks must be provided.
- X In district schedules such as RS-2 where parking and manoeuvring can be excluded below base surface, the manoeuvring should be limited to the minimum (without relaxation) to accommodate the proposed number of spaces. Storage areas next to parking spaces should be separated by full height walls.
- X Parking areas and parking garages are defined in the Parking By-law and are not the same thing as parking spaces. While conditional (due to various landscape provisions within the Parking By-law), parking areas and garages (five or more spaces) are typically approved in RS districts provided all the setback, location, landscape, and access provisions are met. Where the width of access is restricted from the lane for parking areas, treat enclosed and open parking spaces as separate calculations (i.e. where there are four open parking spaces provided and three within an accessory building, neither is a parking area or a parking garage even though in total seven spaces are proposed).

X The Director of Planning does not have jurisdiction to allow manoeuvring or parking in the front yard of an R district (see Section 3.2.1(a) of the Parking By-law). This includes turning areas and "hammerheads". The following may be allowed in a front yard in outright applications:

- (a) a direct access driveway (where allowed) limited in width to a maximum of 3.7 metres and minimum of 3.1 metres, accessing a parking space beyond the required front yard. Note that the standard for curb cuts at the property line may limit the access width to 3.1 metres.
- (b) two driveways, where allowed (and on the advice of Engineering Services), to access a porte cochere or parking space beyond the required front yard;
- (c) ~~where no secondary access exists, and where allowed, a driveway down~~ the side yard (with width as per (a) above) accessing parking within the principal building or an accessory building in the rear (not both).
- (d) On the advice of Engineering Services, where the slope of a yard is so steep that a straight driveway will not work, the Director of Planning may allow the driveway to curve (and not be considered manoeuvring) to increase the length of the driveway provided such curving is minimal.

ACCESSORY USES – WITHIN BUILDING DEPTH – RS DISTRICTS

Accessory uses in detached accessory buildings within the allowable building depth (or near the principal building) must clearly be ancillary. Living areas in detached accessory buildings are not allowed even if counted in square footage. As per Section 10.21.5, all rooms within a dwelling unit must be interconnected and form part of the principal building; any living areas and primary dwelling uses must be connected back into the principal building with at least a heated corridor, or a doorway, to heated living area which itself is interconnected within the dwelling unit.

ACCESSORY USES – PARKING – SQUARE FOOTAGE EXCLUSION AND BASE SURFACE – RS DISTRICTS

In district schedules which allow ancillary parking spaces in the principal building to be excluded from square footage if at or below base surface, there may be instances where the parking spaces may be above base surface even if located well below finished grade- the north side of Point Grey Road in the RS-2 and RT-2 zones is an example. In such cases, administratively the parking has been excluded if below a surface formed by the grades at the two corners of the site on the south side of the property and the two grades at the intersection of the side yard property lines and the building line or top of cliff on the north side.

The other site situation where this issue may occur is where retaining walls or grade drops exist across the front of a property. In such cases, the Director of Planning may take a similar approach and allow the parking to be excluded if it is below a surface formed by the grades at the top of the wall or slope at the front and the two points at the rear corners of the property.

RS-1B has separate policies which differ from the above. See notes regarding RS-1B in this regard.

ACCESSORY USES- TENNIS COURTS AND BASKETBALL COURTS- RS DISTRICTS

Tennis and basketball courts should be considered conditional ancillary uses. All walls and nets etc. would have to comply to the fence height regulations or be referred to the Board of Variance. Vacant sites cannot have courts of this nature as they are considered “ancillary” and would require a principal use.

ALCOVES – RS DISTRICTS

Three sided alcoves which are covered by a floor or roof are counted in square footage at least once. Three sided alcoves which are open over roofs, skylights, or decks (and uncovered other than be approved eaves) may be included in square footage at the discretion of the Director of Planning. As a rule of thumb, if the alcove is deep relative to its width (or length) it should be included in square footage. If it is shallow relative to its length it may be possible to exclude this area. If counted, it would be at the level of the deck or floor below *[added 2004/08/18]*.

BASE SURFACE- RS-2 AND RT-2- NORTH SIDE OF POINT GREY ROAD- RS DISTRICTS

Where a building line has been established pursuant to the provisions of Section 14.2 for properties on the north side of Point Grey road, the height of a building will typically be highly non-conforming if using base surface. In such cases, the existing grades at the intersection of the side property lines and the building line, or the top of the crest of the northern limit of the bank or cliff, may be used to calculate the height, along with the grades at the southern two corners of the property.

CARPORTS AND GARAGES- ATTACHED- RS DISTRICTS

- Carports, open or enclosed, are added into square footage in most RS zones (Exception: RS-2, RS-1A, RS-1B). Carports may not be “converted” to sun decks in order to exclude the square footage of the carport area, nor may they be “blocked” by accessory buildings so as to effectively make parking access impossible.
- The roof of an attached carport is treated as a roof deck, not a sun deck.
- Proposals to convert parking spaces to other allowable uses, whether the parking space is currently excluded from square footage or not (and regardless as to whether the square footage is increased or not), must comply with the square footage ratio limits, all required yards and setbacks, building depth, and cannot create a non-conformity under the Parking By-law. Typically, most attached carports and garages at the rear of a building cannot be converted to other uses.

- Note that some RS district schedules (RS-1/ RS-1s and RS-7s for example) contain wording in 2.2.A(c) which requires that areas previously excluded from square footage as per 4.7.3(c) are to be deducted from the total allowable accessory building area.

ATTICS- PRINCIPAL AND ACCESSORY BUIDLINGS- RS DISTRICTS

Adjacent Areas:

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- X attic areas greater than 1.2 metres in height which cannot otherwise be excluded are added into square footage regardless as to what type of construction constitutes the attic area, and regardless as to whether the area or cavity of the attic is accessible or not. Attic heights are typically measured to the underside of a rafter or joist, or the top of the bottom chord of a truss
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Undeveloped Attic Area Criteria:

- X Attic areas above the highest storey of a building may only be considered undeveloped if they meet the following:
- (1) be completely unfinished;
 - (2) have hatch access only (the minimum prescribed by the Vancouver Buuidling By-law);
 - (3) be insulated at the ceiling level only;
 - (4) have no electrical outlets or lights except as required by relevant codes or by-laws, and no plumbing service other than for sprinklers;
 - (5) have ceiling joists which are not excessive in size;
 - (6) have no windows or dormers;
 - (7) have no skylights unless in a completely enclosed, finished shaft allowing light into a floor below the attic;

Finished Attic Areas:

Attic areas adjacent to a storey or half storey may be finished and still be excluded if they form part of a room (provided they do not contain any shelving or storage).

Attic Dormers and Flat Roofs:

- X Dormers, or dormer- like structures without windows, are never allowed in undeveloped attic areas. Attic areas with dormers are deemed to be developed floor areas. The Director of Planning may allow small “eyebrow” type dormers or clerestories if they allow light into a vaulted space below the attic level, provided these structures are located at the building face near the eave line, and do not open into the attic area.

- X Flat roofs cannot have attic spaces (other than normal cavities for insulation and drainage).

AVERAGE GRADE CALCULATION AND BASEMENT DETERMINATION- RS DISTRICTS

The terms "average grade" is used in some RS district schedules to describe the calculation employed to determine whether a floor counts in "above grade square footage" or to determine whether a floor is a basement or cellar or not. Typically, the elevations of all the grade points, or the heights of the grades relative to main floor, around the perimeter of the building multiplied by the length of all building faces, are added up and divided by the perimeter. This will yield one number which is the average grade or average elevation. In virtually all cases, only one average grade calculation is done- in rare circumstances it may be appropriate to conduct several calculations for different floors.

- X Floors are considered above grade for purposes of a square footage calculation if they are above finished grade or below a storey which itself is a certain height above finished grade. Floors which are below finished grade or not under a storey do not count in the above grade square footage, only the overall square footage.
- X Due to the wording in the definition for a basement, a floor below finished grade which does not have a storey above it must count as part of the first storey- normally this should not cause any problems. Note that such a floor may or may not be counted in the above grade square footage limit.
- X As the floor of a storey must have a floor or roof over it, a roof deck is not considered a "floor of a storey" for the purpose of the above.
- X An "average grade" calculation should be taken around the perimeter of an excluded crawlspace area (i.e. to the floor above).
- X Where a "double height" square footage penalty exists, such as the 3.7 metre limit in the RS-1/ RS-1s district schedule, any portion over the "double height" limit will also be counted in the above grade square footage even if the floor of the space counts only in the overall square footage. ^{12.14'}

Split levels:

- X Regarding split level schemes, the floor in question should be associated with the storey or basement/ cellar to which it is closest. Sufficient sectional information should be provided to clarify this. Although a rationale may exist to break down calculations into separate floors, for the most part only one average grade should be recorded, and one height with respect to the number of storeys recorded.

BALCONIES, OPEN – RS DISTRICTS

- X Open balconies, in RS- zones, are treated as sun decks (or landings) unless a separate provision exists. They cannot project into a required yard except as allowed in Section 10.7.1(c).
- X In RS zones, balconies (or decks) which are enclosed by glass, trellises, or structure of any sort other than eaves are counted in square footage. See also interpretive notes on roof decks. Open balconies should not be confused with “covered verandahs” as referred to in other district schedules.

BAY WINDOWS

General:

Bay windows (also referred to as “bays”) are intended to provide light and ventilation and must provide both, except that if other by-law requirements restrict ventilation, a bay may still be approved if it otherwise provides natural light. A bay window will not be approved if it does not provide natural light.

A bay window must have all the following characteristics in order to be excluded from square footage and/ or in order to be allowed to project into a required yard:

- (1) be no closer than 450 mm (18 inches) from an exterior corner of a room or from such elements as chimneys;
 - (2) be no closer than 450 mm (18 inches) from another bay on the same floor;
 - (3) not be enveloped by any other structure (such as roofs) and be at least 0.3 metres (12 inches) visibly clear of structure (regardless of structural assembly) measured from the under side of the bay to the floor level adjoining it;
 - (4) not be used for anything other than natural light or ventilation (i.e. no benches, sinks, storage areas) but may be at the same level as a kitchen counter;
 - (5) *not extend above the eave line or floor level of the floor above and not have any decorative guards or planters on the roof portion of the bay;*
 - (6) have at least a window facing outwards which provides natural light and ventilation, and if this is not possible because of other by-law requirements, have at least side windows providing light and ventilation. A skylight is allowed provided it also has windows as described above;
 - (7) project no more than 540mm (21 inches), as described in Section 10.7.1(e), from the face of the building, measured to the extreme outer limits of any gutters, fascia, or other structure.
- X Bays which do not have the above characteristics or do not meet any additional restrictions in the relevant district schedule, or which otherwise do not comply with Section 10.7.1(e), are counted in square footage and are not allowed to project into a required yard.

Stacked Bays:

- X Bay windows attached to other bay windows (above or below) are counted in square footage and such bays cannot project into a required yard as the upper bay would not comply with Section 10.7.1(e) with regard to the 0.3 metre (12 inch) required clearance. Regarding “stacked” bay windows, *the practice of excluding the lower bay but not the upper bay from square footage has been discontinued.*

BUILDING DEPTH AND FRONT YARDS- RS DISTRICTS

Where regulated; building depth in RS district schedules is measured from either the “required front yard” or the provided “front yard”. The following applies for outright approvals:

- Where a front yard to be provided is a “minimum depth”, the building depth is the “distance between the front yard and rear yard of the site”, or wording to that effect. This is the distance between the proposed or existing front and rear of the building, not the required front or rear yard.
- Where a front yard “shall be provided”, the building depth is to be measured from the required front yard, not the proposed or existing front of the building. This is often referred to as a “build to” front yard (most district schedules have provisions to measure the building depth from the front of an existing building if the existing front yard is *shallower* than the required front yard).

Each district schedule contains different wording regarding building depth provisions. The following notes clarify the requirements in the RS-6 and RS-7s district schedules:

RS-6:

The wording in section 4.16.2 should be interpreted as follows: the “required front yard” referred to in section 4.16.2 is the “minimum” as per Section 4.4.1; the minimum front yard does not have to be provided as described above, but the building depth is to be measured from the 20% front yard or the front yard average.

RS-7s:

The building depth is measured from the required front yard which is 20% of the lot depth; it is not a minimum front yard as it is in the RS-1 and RS-1s district schedules.

In all RS district schedules, when an existing front yard is shallower than the required or minimum to be provided, the building depth is measured from the front of the existing building.

Covered porches in some RS district schedules are allowed to project a certain distance (typically 1.2 metres to 1.8 metres) into a required front yard (and some cases, rear yard as well) subject to certain restrictions (example: section 4.4.1(d) of the RS-1 and RS-1s district schedules). The following apply to outright porches:

- 1) A porch can be deeper than projection limit noted above but the depth would be measured from the portion of the porch beyond the exclusion limit. However, excessively

deep porches should be referred to the Director of Planning in applications involving district schedules in which the front yard to be provided is a "required front yard".

- 2) Where a porch is less than the projection limit noted above, and where the front yard to be provided is a "minimum", the porch is excluded from the building depth regardless of how much it projects into the required yard.

BUILDING LINES AND LANE DEDICATIONS- RS DISTRICTS

- X *It has been common practice to reduce both the required yards and the allowed building depth where a building line, or an "ultimate rear property line" (lane dedication), has been identified. Section 10.2(a) describes how a building line affects required yards- but it does not refer to building depth. The wording of the building depth regulation in some district schedules implies building depth may not be affected by a building line or an ultimate rear property line (RS-5 and RS-7). However, it has been common practice to reduce both the building depth and the required yards accordingly in RS-1, RS-3/3A, RS-5, RS-6, and RS-7 (exception: in RS-5, the rear yard is a constant (10.7 metres). For the sake of consistency, this practice is to continue until such time as the RS zoning and regulations are revisited. This applies even in situations where a shallow front yard average becomes the required front yard resulting in a depth between the reduced rear yard which is greater than the allowed building depth- the allowed building depth is still to be reduced. [altered 2004/07/08].*
- X In general, where a flanking building lines occurs on a corner lot, the reduced lot width is used for purposes of calculating the maximum accessory building width, but not the maximum accessory building area. The reduced width is also used for purposes of determining the maximum number of off street parking spaces allowed on the site.
- X The above only applies where a dedication has not been taken- where already taken, the current, dedicated lot size is used for all calculations. Road widening limitations do not typically impact RS sites but reference should be made to the current policies and guidelines for applications where a road widening has been identified.
- X For front yard average calculations, the average is always based on the building line, regardless as to whether dedications have been taken or not on adjacent lots. In some cases dedications have been taken but no building line currently exists. In such cases, an appropriate relative front yard datum should be used, which the Director of Planning should review.

CANOPIES – RS DISTRICTS

The following refers to canopies complying with Section 10.7.1(d), whether they project into a required yard or not:

- Canopies must be cantilevered.

- Canopies are not counted in square footage or site coverage.
- Canopies may project over decks and landings (but not a landing from the second storey or higher). However, all canopies must be associated with an entry door.
- Canopies may project into a sunken well if associated with an entrance in the well.
- Canopies may never form part of a deck or landing above the canopy.
- For the purposes of Section 10.7.1(d)(iii), sidelights of a door, or fixed leafs of a slider, are not treated as windows.

CANTILEVERED FLOORS - RS DISTRICTS

The area under cantilevered floors may be excluded from square footage provided the cantilever does not exceed 0.6 metres (2 feet) but the Director of Planning may allow up to 1.2 metre (4 foot) cantilevers to be excluded where there is design merit or site a peculiarity, and the amount of cantilevers is minimized. The area under a cantilever is to be undeveloped- if there are wells or patios under a cantilever, the area will be counted in square footage.

Where a cantilevered floor “butts” into another portion of the building on one side, it may still be considered cantilevered for purposes of an exclusion as per the above if under 0.6 metres (2 feet) in depth. If greater than two feet, the Director of Planning may require the area under the cantilever to be added into square footage. [modified 2004/12/23]

COVERED PORCHES- VERANDAHS- RS DISTRICTS

Covered porches (also called “porches”) are outdoor covered areas providing weather protection or outdoor amenity areas in association with an entrance. Where allowed to project into required yards, or for purposes of any square footage exclusion provisions, covered porches in outright applications have the following characteristics:

- have stairs to grade or be attached to a deck which has stairs to grade;
- be associated with a person entrance door (not a garage door);
- not have roof decks if projecting into required yards, but otherwise roof decks on porches are allowed;
- may be enclosed on up to three sides, provided the open portion does not have guardrails higher than the minimum prescribed in the Vancouver Building By-law, and provided the open side faces a street, or front or rear property line as allowed in the district schedule.

Within a covered porch, the door facing itself is not important, only the facing of the porch itself for purposes of any square footage exclusions. Nor is the depth versus width important provided the covered porch otherwise complies; however, a covered porch which is excessively deep compared to its width should be referred to the Director of Planning. Where side and/ or front facing entrances are restricted, if the portion of the porch facing the door is open (unenclosed), the door it is treated as a side facing entrance. If the portion is a solid wall, it is treated as a rear or front facing door. Stacked stair and landing assemblies cannot be considered covered porches.

- Canopies complying with Section 10.7.1(d) are not considered porches.
- **Covered porches projecting into a required rear yard or beyond an allowable reduced rear yard will be counted in square footage regardless as to whether they comply as covered porches or not.** This applies to **new and existing covered porches.** This does not apply to porches which comply with yard and building depth provisions, including the outright provisions to project into required yards. The intent is to not allow large, non-conforming covered areas at the rear of houses to be excluded from square footage as covered porches. Notwithstanding this, the Director of Planning may allow non-conforming covered porches on existing houses to be excluded (where an exclusion provision exists).
- A covered porch which is allowed to project into a required yard may be part of another porch which itself conforms to the required yard. However, the stairs to grade should generally be a part of the projecting porch if possible.
- Wrap around “verandahs” are allowed provided they otherwise comply as covered porches. A verandah has no particular distinction in RS districts in any other respect. However, covered porches which are setback down the side of the house, but still indicated as front or rear facing, should be reviewed by the Director of Planning.
- A 4 x 4 landing is allowed to be attached to a covered porch in order to turn the stair direction “90 degrees” to run along the face of the front of the building or the covered porch, but not if the covered porch is projecting into a required yard. Landings allowed under sun decks are not treated as covered porches.
- The covered porch square footage exclusion is based on the overall allowed square footage (exception: the RS-3/ RS-3A district schedule). However, covered porches larger than the square footage limit will have an amount equal to the overage **added to both the above grade square footage and overall square footage of the building**, except that an overage in a covered porch off of a basement or cellar floor (itself not counted in the above grade square footage) is instead only added into the overall square footage limit.
- *For purposes of square footage exclusions, measure the porch area to the outside of the posts or, if at the basement level, the outside of the retaining walls which form the sides of the porch. Exceptions may be made for unique situations. [added 2004/03/09].*
- Where a 3.1 metre height limit exists for a porch ceiling, whether vaulted or not, it is measured to the under side of a true soffit (not a spanning member). Open truss roofs over porches should be reviewed by the Director of Planning if the height is an issue.

Porches at basement levels:

Porches at basement levels must have the following characteristics in order to be excluded from square footage:

- Be completely open on the side facing the street, or front yard or rear yard as applicable (it can otherwise be enclosed on three sides);
- Not be enclosed on the open side by any guards or retaining wall except as noted below;
- Have stairs across the entire width of the porch opening, or;
- Have a sunken well in front of it equal in depth to the width of the porch opening except that it need never be deeper than 3.1 metres (10 feet). In this case the associated stairs need not be the width of the porch opening. Such a well may also be considered a “sunken patio well” for purposes of excluding it from an “average grade calculation”.

Covered porches and sundecks, attached:

Sundecks attached at the same level or lower than the porch floor:

No restriction exists provided both the sundeck and porch otherwise comply, and provided the sundeck is in front of or beside the porch- a porch cannot be in front of a sundeck unless the sundeck is counted in square footage. A stair from an attached sundeck can be used to meet the requirement for stair access for a porch provided the stair can be accessed from the porch.

Sundeck above and in front of the covered porch floor:

Such sundecks are instead treated as part of the porch in question (the deck becomes a roof deck over a porch, or is included in square footage).

Covered porches, area under:

Some district schedules contain provisions to exclude undeveloped areas under covered porches.

- Typically the area under a porch counts in square footage if over 1.2 metres high. Some district schedules have an exclusion provision (see Section 4.7.4(h) of the RS-7s District Schedule). Otherwise, if no provision exists, and the area under a porch which itself could be excluded from square footage is causing an existing house to exceed its square footage limit, the Director of Planning may allow the overage to be absorbed into the remaining portion of any covered porch exclusion.

In some district schedules, such as RS-7s, the area under a porch (new or existing) can be excluded if the floor- to- under side of rafter height is less than 2 metres (determined in the same manner as a crawl space); if excluded, this area must remain unfinished (in part because it lacks legal headroom height) and can only be accessed by a hatch (internal or external), not a person door, and not be used for utility equipment or have any electrical or windows in the same manner as an unfinished attic space. *[added 2004/11/22]*

For proposals in the RS-3, RS-3A zones, see the note **SQUARE FOOTAGE – AREA UNDER PORCHES IN RS-3 AND RS-3A – RS DISTRICTS**

CRAWLSPACES- RS DISTRICTS

- In order to be excluded from square footage where the provision exists, enclosed crawlspaces must have the following characteristics:
 - (1) Be no higher than 1.2 metres to the u/s of the floor joist over.
 - (2) Have a floor level no higher than the surrounding grades (typically existing grades).
 - (3) Be unfinished and undeveloped (no closets or shelving) and be separated from adjoining living area by walls (finished on the living area side) accessed by a minimum sized hatch only (as per the Vancouver Building By-law).
 - (4) Not have any windows.
 - (5) Typically have footings no deeper than the minimum allowed below grade for bearing or frost level.

The following also apply:

- For purposes of measuring the height of existing crawlspaces to the underside of joists where the floor thickness may not be apparent, a maximum floor thickness of 0.3 metres (12 inches) may be allowed, measured from the top of the sub-floor.
- Grades should not be altered in an incompatible way to make crawlspaces comply- typically existing grades should be used.
- It may be necessary to extrapolate grades through a building to determine if crawlspaces comply.
- While the exterior walls of crawlspaces are usually excluded from square footage, the interior walls (including any furred out portions) are included in square footage (even if the foundation walls do not extend above the crawlspace floor).
- Stairs projecting into crawlspaces are always counted in square footage.

Where an existing basement is proposed to be converted into a crawlspace, or where full height foundation walls are allowed enclosing a crawlspace floor, and where the floor of the adjoining basement or cellar is lower than that of that crawlspace, the crawlspace must have the following characteristics (see the handout "Converting a Basement Into a Crawlspace" for full details):

- 1) Exterior and interior foundation walls must be concrete or concrete block.
- 2) Sufficient tests must be performed by a professional engineer and the appropriate letter(s) of assurance submitted from the same engineer certifying that he or she has supervised the fill placement and verifies that sand has been placed having a 90% proctor density rating.
- 3) A 100 mm (4 inch) reinforced suspended slab is to be installed, tied to the exterior foundation wall and tied to the interior concrete or concrete block wall. A foundation base is to be provided for this wall.
- 4) An existing slab must be punctured for drainage.

- 5) Thermal insulation is to be provided on the interior surfaces of the walls, ceilings, and floors to prevent moisture condensation.
- 6) Access to the crawl space and ventilation is to be provided.
- 7) All wood-framing partitions must be raised above the new floor of the crawlspace.

COURTYARDS- RS-DISTRICTS

Courtyards are uncovered, partially or wholly enclosed floors, earthen or otherwise, at or near finished grade (as opposed to roof decks). The Director of Planning **may** exclude a courtyard from square footage if it has **no structure** beneath it (earthen or covered in pavers only) and it is not higher than the surrounding existing or finished grades, provided it is enclosed on a **maximum** of three sides. **Such a courtyard should not create massing which negatively impacts surrounding properties or violates the intent of the district schedule.**

A courtyard which faces a **front yard** and is situated over an underground parking area which is excluded from square footage in the RS-2 and RT-2 zones along the north side of Point Grey Road may also be excluded from square footage provided the courtyard elevation is approximately that of the surrounding existing or finished grades.

In general, a courtyard enclosed on three sides with structure or development beneath it (crawlspace, basements, cellars, or raised patios, etc.), will only be excluded from square footage if it meets the following:

- the courtyard faces a front or rear yard (or flanking street) and the width to depth ratio is to the satisfaction of the Director of Planning (as a rule of thumb, use 2:1 width to depth); only one such excluded courtyard should be allowed, although on large or wide lots the Director of Planning may allow additional, excluded courtyards *[modified 2004/08/18]*;

For purposes of the above, a courtyard containing a raised patio is considered to have structure "beneath it". Window wells, where allowed, are not considered courtyards.

DECKS- RS DISTRICTS

Covered decks:

A deck which is covered by a roof or another deck is counted in square footage unless it can be excluded as a covered porch.

Roof decks:

Roof decks enclosed on more than two sides are counted in square footage unless they meet the following although the Director of Planning may allow small, three sided, uncovered roof decks

which face the front or rear yard, or a flanking street, to be excluded from square footage if they serve the purpose to modulate the façade or allow some outdoor area similar to a small balcony.

No specified limit for roof deck areas exist in most RS district, but some contain roof deck size limitations depending on the storey they are located on (for example, see section 4.17.8 of the RS-6 district schedule or section 4.3.2 of the RS-5/ RS-5s district schedule).

In outright applications, open roof decks are not counted in square footage provided they are enclosed by guardrails no higher than the minimum height prescribed in the Vancouver Building By-law. Roof decks involving trellises, sun walls, and similar structures, may be treated as “roof gardens” (example: section 4.7.3(b) of the RS-1/ RS-1s district schedule) and counted in square footage, even if such elements otherwise comply with the height provisions

Stacked landings and Fire escapes:

- Fire escapes, stacked landings, and similar assemblies are counted in square footage (except for the top deck surface if uncovered) if they cannot otherwise be excluded. Stacked stairs and landings are counted in square footage at all floor levels as if the stair was an internal stair.

Sundecks:

Sundecks must have the following characteristics in order to be excluded from square footage up to the limit specified in the relevant District Schedule:

- Must be unenclosed both above and beneath the deck surface on at least two sides, unless the area under the sundeck could qualify as an excludable crawlspace, in which case it could be enclosed (beams spanning between two posts and trellises or guards higher than the minimum specified in the Vancouver Building By-law count as an enclosure for the purpose of the above restriction).
- NO raised or sunken patios are allowed under a sundeck except as noted below – the area below a sundeck should be earthen or a finished patio surface at grade (exceptions can be made for existing conditions).
- Where entrances are located beneath a sundeck, a maximum 4 x 8 landing (or two 4 x 4 landings) will be allowed. If the landing is greater than this, the entire area under the sundeck will be added into square footage, or the entire assembly is to instead be considered a covered porch if it could comply for square footage exclusion purposes. **Varying existing situations can be reviewed on a case by case basis. An entrance beneath a sundeck does not otherwise penalize the sundeck [added 2004/02/11].**
- Regarding the area under a single deck element, such an area cannot be broken down into a separate porch and sundeck calculation.
- Sundecks cannot occur above and beyond the face of a porch (the entire assembly would instead be treated as a covered porch or square footage).

The following are allowed to project over a sundeck with no penalty:

- Cantilevered eaves up to 762 mm (30 inches);
- Canopies up to 1.2 metres (4 feet) noting that canopies count in site coverage;
- Bay windows complying with Section 10.7.1(d);
- Cantilevered eaves as otherwise approved by the Director of Planning.

Sundecks and Square footage:

The exclusion limit specified in the relevant district schedule for sundecks is based on the overall square footage limit. However, where a sundeck exceeds the exclusion limit specified in the district schedule, the following apply:

- For overages on basements or cellars, an amount equal to the overage is added to the overall square footage only (this would be quite rare)..
- For overages in sundecks at all other floors, an amount equal to the overage is added into both the overall and above grade square footage (if applicable).

Sundecks and “Rear Yard Compatibility”:

Where a deck height is limited by the provisions of 2.2.A(a), the top of the guard rail height cannot exceed 4.6 metres while the deck surface itself cannot exceed 3.7 metres.

Sundecks at the second storey or higher:

- Sundecks which are excessively high off the ground should be referred to the Director of Planning who may require the area under the sundeck, even if open, to be counted in square footage.

DRIVEWAYS AND PORTE COCHERES

The following apply to driveways on RS lots:

- Not be less than 3.1 metres in width in a side yard, or where located between a structure and a property line or another structure.
- Where allowed, be no more than 3.7 metres (12 feet) wide within a front yard except to “flare out” for access to a two car garage if applicable.
- Be as straight and direct as possible to access the relevant parking spaces. Any turning or maneuvering in the required front yard cannot be approved.

DWELLING UNITS- KITCHENS- RS DISTRICTS

- A dwelling unit must have a kitchen, but no more than one kitchen. Small “wok kitchens” are allowed provided they are located in the same area and adjoin the primary kitchen.

- In order to not be considered a kitchen, a bar sink and associate elements must have the following characteristics (there can be no more than one bar sink assembly per house, or per unit depending on the size of the units):
 - No double sink (bar sink only);
 - Maximum 2.4 metre (8 foot) counter with no overhead cabinets;
 - Single compartment fridge (i.e. under counter);
 - No stove outlet.

DWELLING UNIT DENSITY- RS DISTRICTS

When a district schedule or a set of guidelines contains a “dwelling unit” density limit, the common interpretation is that this applies to existing housekeeping and sleeping units. By definition, a “dwelling unit” is a “self contained housekeeping unit”; it is the Director of Planning’s position that housekeeping units and sleeping units should be eliminated, reduced, or converted to self contained units where possible except where Social Planning or Housing has identified the need for such units in certain areas. If necessary, the dwelling unit density would apply to all types of residential units. For minor alterations and repairs, we can allow housekeeping units to be maintained but for larger improvements, on a case by case basis, we would seek a reduction or removal of housekeeping or sleeping units.

It should be noted that the definition of “multiple conversion dwelling” refers to “residential units” while a “multiple dwelling” refers to “dwelling units”; the strict definition should be applied here- a multiple dwelling cannot contain housekeeping or sleeping units now.

From time to time, we may uncover non-conforming uses regarding the number of units- for example, a three unit MCD on an RS-1 zoned site, which is not a permitted use unless for a caretaker. Such a building would be non-conforming to use (see Section ____ in the Vancouver Charter). This is regardless as to what type of units are involved. In rare cases, we may see a multiple dwelling which originally contained housekeeping units. Strictly, by definition, this would be a non-conforming use now as a multiple dwelling may only contain “dwelling units”.

For alterations to buildings with various dwelling uses, there may be cases where the Director of Planning does not have jurisdiction- for example- a 4 unit building containing 1 dwelling unit (DU) and 3 housekeeping units (HKU’s) on an RS-1 zoned site could not “trade” one of the HKU’s for a DU to raise the number of DU’s to 2 and to drop the number of HKU’s to 2., because a four unit MCD is a non-conforming use. We may, however, allow kitchens etc. to be relocated or removed within such a building provided either (a) the number of legal units is being reduced and no new units are created or (b) the non-conforming legal unit count is not altered; but in either case the use may still be non-conforming and have to be referred to the Board of Variance.

[added 2004/11/30]

EAVES, CANTILEVERED

- Eaves up to 762 mm. (30 inches) are not penalized in any way provided they do not project into a required yard more than the limits specified in Section 10.7.1 or as per any outright provision in the relative district schedule. The Director of Planning may allow deeper eaves where there is design merit, but they still cannot project into a required yard more than the limit specified in 10.7.1. or as per any provision in the relevant district schedule. Deep eaves should not be considered on upper floors in extreme view areas even if the building and the eaves are otherwise outright. *[revised 2004/11/26]*
- Eaves which abut elements such as chimneys, porches, or portions of a building may still be considered “cantilevered” for purposes of any exclusions, provided they are not supported by a post at the “free” end.
- A cantilevered sundeck or roof deck is not considered an eave, even if its guards are setback from a required yard. A portion of a flat roof can be considered an eave provided no roof deck is near the area in question, or where the roof deck is clearly another separate structure at a different elevation from the eave (the concern being that it would be easy to move guards on a singular roof deck surface out to the edge of the portion being considered an eave).

ENCROACHMENTS – RS DISTRICTS:

Current policy is that if an encroachment is identified on an application (eaves or portions of the building), we require encroachment letters from the two property owners in question, even if the proposed work does not impact the encroachment. For large encroachments, or where a building is being raised or lowered, we ideally should be securing encroachment agreements as well which are registered. Of course, we cannot approve any new work across a common boundary. The encroachment letters typically acknowledge the encroachment by both owners and also state that the encroachments are not being removed at the time of work in questions. *[added 2004/11/25]*

ENTRANCES- FRONT AND SIDE FACING- EXTERNAL DESIGN- RS DISTRICTS:

- In order to be considered a window and not an entrance a window must have a sill no lower than 0.3 metres above adjoining grade, be noted as “fixed”, and not have an associated raised exterior patio, deck, or stairs.
- Where An entrance technically faces a front or rear yard, but is located in a narrow exterior “corridor” or walkway down the side of a building, it is to be considered a side facing entrance if it is setback further than 25% of the building depth from the front or rear of the building, unless the wall in which the door located in is at least as wide as the extent of the setback (whichever is least restrictive)
- The number of side entrances in RS district schedules is generally limited, where they are allowed, to one. However, in the RS-5 and RS-5s district schedule, the number of side entrances is not limited with respect to Section 4.17.3- the phrase “a side entrance” itself

does not limit other side entrances. See the wording in Section 4.17.3 of the RS-6 district schedule and the RS-1 / RS-1s district schedule in comparison with the RS-5 provision, noting that those sections specifically limit the number of side facing entrances.

- A side or front entrance regulation usually refers to an entrance as having an associated “door” - an opening, hatch, vehicle door, or archway is not necessarily an entrance for purposes of any external design restrictions. A crawlspace hatch cannot be claimed as an existing front or side facing entrance in order to replace it with a full height man-door.
- the Administrative Bulletin dealing with entrances in the RS districts clarifies how various door locations or configurations are to be handled. The term “door” and “entrance” are often used interchangeably although they really are separate things.

FENCES- RS DISTRICTS

The Director of Planning may consider a relaxation of fence height to allow for a minimum height guardrail to be installed on top of a retaining wall where required by the Vancouver Building By-law or Chief Building Inspector. Note fence height and design may be discussed in relevant design guidelines for conditional applications. Over height fence guidelines also exist, which require a development application for any consideration of an increased fence height; this may involve notification of neighbours.

FRONT YARDS AND FRONT YARD AVERAGING

The required front yard in a district schedule will take one of two forms, whether it is an average, a fixed number, or a percentage of the lot depth:

- 1) “Minimum depth”: the front yard is a minimum- the building can be set further back than the minimum. The building depth is measured from the front of the house (the “provided” front yard), not the prescribed minimum front yard.
 - 2) “Shall be provided”: the front yard is a “build to” limit. The building depth is measured from the required front yard (exception: an existing building with an existing front yard shallower than the required). Any new building must be sited so that its front (the closest portion) is at the required front yard.
- When determining the front yard average based on the front yards of adjacent lots, the existing minimum front yards of the adjacent houses should be used. Where an element on a neighbouring house could be excluded from its own depth or yard calculations, then that element is ignored for the purposes of establishing the building’s existing minimum front yard.

- On irregular lots, for purposes of determining a front yard average, it may be necessary to establish the minimum front yard of an adjacent house based on a line perpendicular to the front property line, as opposed to a distance measured along a side property line. Yards which are based on a percentage of a lot depth are generally measured along the lengths of the side property lines, or successive “slices” through the property.
- Note that a front yard requirement based on a percentage can result in a front yard which is shallower or greater on one part of the lot versus the other, based on the shape of the lot. However, a front yard based on an average is a constant and on an irregular lot may need to be measured perpendicular to the front property line (note that this is opposite to the method for establishing an accessory setback limit on an irregular lot).

GRADES- ALTERATION OF- FINISHED AND EXISTING- RS DISTRICTS

Altering existing grades to create new, finished grades is a conditional approval. However, minor grade alterations can be cleared (and treated as outright). The following apply in this regard:

- Finished grades should follow existing grades as much as possible. Where “cut and fill” is necessary to create terraces on steeply sloping lots, the finished grades must be compatible with adjoining properties.
- Raising grades is generally not supported; lowering grades is generally approvable (outright) provided the lowered area is not excessive and not located in a side yard. If some terracing is required in a side yard, such terraces should be in 0.6 metres intervals and compatible with adjoining properties, but otherwise lowered grades in side yards will not be approved. Lowering grades around a building simply to accommodate a slab on grade design on a sloping lot will not be approved.
- Excavating grades in the front yard of a sloping site should be minimized as much as possible. Excavations should be kept away from property boundaries, including pools.
- Raised grades within a building envelope are generally approvable; however, if a patio or terrace is too high above existing grade, the area underneath it may be counted in square footage (as the terrace manifests itself as building mass).
- Sunken driveways are allowed in side yards on lots with no secondary access, in order to access basement parking spaces, but all minimum required landscape setbacks must be provided. Where a setback is required, no structure or any retaining walls can be within the prescribed setback, except that footings may project into the area between the setback and the side property line.

GRADES- FLOODPLAINS- RS DISTRICTS

Houses in floodplain areas should meet the flood proofing requirement as per the “Floodproofing Policies” By-law Administration Bulletin. Typically, the Director of Planning will not approve grade alterations outside of the provisions of the policies, which may in some cases require a Board of Variance appeal for above grade square. It should be noted that regardless of the finished grades approved, building height relaxations are not typically granted.

Floodplains and RS-6:

Note that Section 4.7.6(a) of the RS-6 District Schedule states that the determination of the first storey is based on existing grades not finished grades.

HALF STOREY – DETERMINATION – RS DISTRICTS

For purposes of determining a half storey, the floor “as may be extended over open to below space” would be excluded from counting in the half storey calculation if less than 1.2 metres to the underside of the rafter/ roof joist. As well, certain zones allow for sloped ceiling excluded area to be exempt from the determination of a half storey. Otherwise, it doesn’t matter whether the area is vaulted with or without trusses- if the “imaginary” extended floor would create A volume which would count in square footage, it will be included in the determination of a half storey.

HEIGHT CALCULATION – RS DISTRICTS

Note that in RS-1, RS-3, and RS-5 zones the height is measured by the points formed by the hypothetical lines defining the “front and rear yard” with the side property lines- these are the *provided* front and rear yards which may *be existing and/ or proposed*.

Only RS-6 refers to the height being measured to the *required* front yards (the horizontal datum plane), unless Section 4.3.6 applies. RS-2 and RS-7s use the base surface (i.e. 4 corner points) for height calculations as per Section 10.

A compatibility check should always been done to see if the Director of Planning is of the opinion that the height should be measured using more compatible grade points as provided for in the district schedule and in Section 10. [added 2004/12/09]

HEIGHT RELAXATIONS – RS DISTRICTS

Unless the district schedule states that the Director of Planning can relax the number of storeys, the interpretation of most RS relaxation provisions is that the number of storeys cannot be relaxed, only the overall height up to the prescribed limit;

IMPERMEABILITY – RS DISTRICTS

Where an existing impermeability is $> .6$ but less than $.7$ (where restricted), provided the impermeability is not increases, it has been policy to allow areas of the yard to be “swapped” (say for building a new garage) provided the existing net impermeability is not increased.

LANDINGS- EXTERIOR- RS DISTRICTS:

Landings are not considered decks if they comply with the policies noted below. They are excluded from sundeck area and square footage calculations and may project into a required front, rear, or exterior side yard as noted below (but not an interior side yard). They are also

excluded from building depth calculations. The previous policies also apply to otherwise complying landings which do not project into a required yard (for purposes of square footage or building depth exclusions). Any landing not complying with the policies noted below would instead be treated as a sundeck, roof deck, or covered porch, although the Director of Planning may approve excludable landings on existing buildings which are similar to those noted below:

- a) Landings are limited to one 4 x 8 landing (or two landings totaling no more than 32 square feet) at the front and rear of the building.
- b) Landings must be attached directly to the building unless within the allowed building envelope (i.e. **intermediate landings are not allowed in a required yard unless they are attached to an existing building**).
- c) Where the building already has a principal entrance at the front and is not a multiple dwelling, an additional 4 x 4 landing will be allowed to project into an exterior side yard; however, if there is no principal entrance at the front, a 4 x 8 landing will be allowed instead. In both cases, any guards cannot be closer than 0.6 metres to the side property line, or as required by the Vancouver Building By-law.
- d) Landings from a second storey or higher cannot be stacked over wells, sunken patios, other landings, or deck surfaces of any sort.
- e) Landings from the first storey or lower cannot be stacked over sunken wells of any sort, but may be allowed over raised patios or lower sundecks near grade.
- f) All landings must be associated with an entrance.
- g) Landings cannot project more than 1.2 metres into a required or provided yard.
- h) Landings must be uncovered except for approved eaves or canopies complying with Section 10.7.1 (the landing and area under the landing would be excluded from square footage, but not site coverage in the case of a canopy).
- i) All landing provisions apply to principal buildings only (see accessory building notes for allowable projections regarding an accessory setback limit).
- j) Landings are allowed off of a deck or covered porch, with or without a step, provided they are limited to a single 4 x 4 landing in order to turn the stairs to run down the face of the deck or porch (parallel to the front or rear yard), provided:
 - 1) The deck or porch is not using "rear yard compatibility".
 - 2) The porch is not projecting into a required front yard (or required rear yard where allowed in such zones as RS-6)
 - 3) The deck or porch is not sited in a non-conforming position unless cleared by the Director of Planning.
 - 4) The stairs running parallel to the front or rear property line are limited to 1.2 metres in width except that stair width is not restricted within 0.6 metres of grade.

In conditional applications, second floor landings are generally discouraged or opposed unless required for exiting purposes. In multiple conversion dwellings, exiting and egress should be handled within the building as much as possible, as opposed to providing exterior landings and decks.

Stacked landings and landings over decks:

- a) Stacked landings (over other landings or decks) are instead treated as stacked decks , (unless they can be treated as covered porch)s and always count in square footage at all levels except the top level if uncovered. Stacked landings may not project into a required yard and are counted in building depth.
- b) *Exterior stairs over roof decks and accessing a higher roof deck are may be excluded from square footage if they are simple and open, and not visually intrusive. Landing typically would be counted in square footage in such situations.*
- c) Notwithstanding the above, landings over raised patios, or landings from a first storey floor to a lower sundeck or patio can be excluded from square footage (i.e. the area underneath the landing an be excluded).

Interior stairs and landings:

- a) Interior stairs and landings are counted at each floor level as cut in horizontal section at the floor level of the storey in question (effectively “double counting” most stairs).
- b) The area under a stair or landing cannot be treated as a crawlspace or an attic area for purposes of being excluded from square footage. However, neither are such areas counted if over 1.2 metres in addition to counting the stair itself- stairs are effectively counted once at each floor, ignoring any areas under the stairs or landings (for square footage purposes).
- c) In district schedules with no “double height” square footage penalty (3.7 metres) or where areas “open to below” can be excluded, the stair still always counts at the highest floor level even if the open to below area is otherwise excluded.

LIVING ACCOMODATIONS BELOW GRADE – LIVABILITY- RS DISTRICTS

- 1) Bedroom type closets are not allowed in rooms in a cellar, or on a floor located deeper than 1.5 metres (in part or in whole) into the ground;
- 2) For purposes of determining the 1.5 metre restriction as per Section 10.15 of the Zoning and Development By-law with respect to habitable rooms below grade, the most restrictive finished grade point around the room is taken, not an average, although some leeway may be given where the large majority of the perimeter complies (e.g. on sloped lots, etc.). It should be noted that the Section 10.15.1 allowance to go from 0.8 metres to 1.5 metres below grade is a conditional approval, although 1.5 metres is routinely granted.
- 3) Although storage rooms are exempt as per Section 10.15.2 , storage rooms MUST have a window (as if it is a bedroom) except that a maximum of one 9.3 m² (100 sf) storage room will be allowed without a window per building.

(Note: there are changes pending re: 1.5 metre limit below grade for secondary suites-2004/11/15)

PATIOS AND PATIO TERRACES- RS DISTRICTS

Patios:

Patios are generally structure build over grade to create a level deck surface. They are allowed anywhere on a site in outright applications (except as noted below) and have the following characteristics:

- 1) Are within 0.6 metres (1.96 feet) of grade, measured at the grade surrounding the patio at any point;
- 2) Do not have guardrails or walls above the patio surface (patios next to sunken wells may need to be set back from the well to avoid guards);
- 3) Do not project into a required side yard;
- 4) Are not treated as sun decks but otherwise have no size limit, except that they are counted as impermeable surfaces where applicable, regardless of how they are constructed.

Patio Terraces:

Patios which are composed of fill retained by short retaining walls may be treated in a similar manner to the above, but because they may be deemed to be finished grade in the future, care should be taken that they will not prejudice or benefit future development on the site.

POOLS (SWIMMING POOLS), HOT TUBS, PONDS, AND FOUNTAINS – RS DISTRICTS [added 2005/01/05]

General

The following policies refer to swimming pools, hot tubs, and ponds permanently installed in the ground and involving excavation. They are treated as “alteration of grade” for purposes of discretionary reviews. In all cases, such elements are limited to being no more than two feet above finished grade (or else they would be treated as part of the principal building or accessory structures).

Front yards:

Swimming pools are generally not considered in a front yard. Hot tubs may be considered on larger lots if discrete, but only through a development application. Pools in outright applications may be approved if they comply (i.e. they do not trigger a fence height relaxation for guards, etc. and are counted in impermeability). In conditional applications, or where there is an existing landscape plan tied to a development permit, the pool should be reviewed a development planner or a landscape technician.

Rear yards:

Swimming pools, hot tubs, and pools may be considered anywhere in a rear yard but should be held away from the site periphery. Any required gates and fences required under the Vancouver Building By-law must comply to Section 10 of the Zoning and Development By-law.

Side yards:

No swimming pools or hot tubs are allowed in a required side yard. Pools may be considered.

Fountains:

"At grade" fountains may be considered in a rear yard, or a front yard in outright applications. They must comply with all Noise By-law provisions. Fountains are never allowed in a required side yard. Tall fountains should be treated as accessory structures and reviewed accordingly as conditional applications.

PORCHES

SEE COVERED PORCHES- VERANDAHS- RS DISTRICTS

PORTE COCHERES – RS DISTRICTS [ADDED 2004/03/09]

Porte Cocheres are not treated as covered porches. They can either be side facing or front facing. Where allowed, the following restrictions apply:

Front Facing Porte Cochere

- A front facing porte cochère cannot project into a required front yard, nor can any maneuvering be approved in the required front yard. A parking space is always deemed to occur in the porte cochere and would count against the total number of spaces allowed. The square footage can only be excluded (for the parking space) if there is no secondary access, if allowed in the district schedule.

Side Facing Porte Cochere

- Where a driveway is proposed down the side of the house and extending to the rear, it can be located such that it goes through a porte cochere. In such a case, a parking space should not be located in the porte cochere. If the driveway ends at the porte cochere it is instead treated as an attached carport. If the driveway extends to other parking in the rear, a parking space is not allowed in the porte cochere as this would create a "stacked parking" situation. A driveway leading to a side porte cochere should not be located in the side yard, nor should a driveway be proposed which wraps around a porte cochere into the required side yard. Note that driveways in the side yard are allowed, the driveway for a porte cochere does not need to enter the side yard as the porte cochere itself is not allowed to be located in a side yard, and so a driveway in the side yard should be avoided. A side facing "drive through" porte cochere is always added into square footage.

Note that any square footage exclusion for passenger drop off is not used for a porte cochere associated with a one or two family dwelling. Covered porches associated with and behind porte

cocheres should not be excluded from square footage in new buildings (existing situations may be excepted).

PROJECTIONS INTO REQUIRED YARDS- CHIMNEYS- RS DISTRICTS

There are two basic types of chimneys involving gas fireplaces: direct vent and "B- vent" (or vertical flue) chimneys [*a wood burning fireplace if currently allowed is treated as a B-vent chimney for purposes of these policies*]. Reasonable sized chimney "box outs", inserts, etc are allowed to project a maximum of 540 mm (21 inches) into a *required* yard, including all vent hoods, covers, caps, finishes etc., and are not typically added into square footage. For notes on the "reasonable size" of a chimney and the number allowed, see the notes below. Plans should clearly indicate the extent of the chimney projection including vent hoods, etc.

In conditional applications, including sites which are conditional in size or width, the Director of Planning may preclude allowing any direct vent chimneys from projecting into a required yard. As a rule of thumb, where a site width requires the Director of Planning to "...review the design of any new dwelling...", (i.e. Section 4.1.2 of the RS-1 District Schedule), do not allow direct vent chimneys to project into a required yard without the Director of Planning's approval.

Additional Notes:

- "False" chimneys (no flues or inserts) extending above or below floors are counted in square footage; false chimneys are not allowed to project into a required yard or above a height envelope.
- Foundations for chimneys are to be configured in such a way that the foundation does not create an alcove, closet, or cavity which can be used for storage in a basement or cellar.
- B-vent chimneys may project above a height envelope or overall height limit but in general should be limited to the minimum height necessary for safe clearance over the roof as per the Vancouver Building By-law in outright applications, and should be limited in size to reflect typical clearances and flue sizes. Direct vent chimneys on an uppermost storey (again, they can't be false chimney "box- outs") should terminate at the eave soffit level.
- Alcoves, book cases, window seats, and bay windows may not form a part of a chimney which projects into a required yard. Such assemblies, including the associated fireplace, are always added into square footage.
- In outright applications chimneys projecting above a roof should be oriented so that views through the site are maximized.
- Chimneys have no specified size limit but in principle, a traditional chimney is about 14 inches to 20 inches deep and 3 to 4 feet wide, and may be smaller where it projects above the roof. Chimneys should reasonably reflect the size of an insert and the size of the B-vents themselves plus minimum clearances. As a rule of thumb the number of chimneys which project above a height restriction should be limited to one per building. Larger chimneys or a greater number may be allowed by the Director of Planning on larger lots or in conditional applications where certain design or architectural objectives are being sought.

PROJECTIONS INTO REQUIRED YARDS- MECHANICAL EQUIPMENT- RS DISTRICTS

Mechanical equipment, air conditioners, and heat exchangers may not project into a required interior side yard (direct vent fireplace hoods are allowed up to 21 inches).

All equipment must be rated for max. 45 db or as required by the Noise By-law. [added 2004/12/22]

RAIN SCREEN WALL SQUARE FOOTAGE EXCLUSION- RS DISTRICTS

- ~~X~~ where a rain screen square footage exclusion is allowed and reference is made to walls in existence of a certain date, it should be noted that this refers to the age of the walls and not the age of the building itself; walls being rebuilt with rain screens are deemed to be “new”, even if the basic studs and interior finishes remain. The intent is to preclude existing walls which are not reconstructed as rain screen walls from benefiting from any exclusion.
- X the 152mm (6 inch) exclusion provision for walls constructed as rain screens applies regardless as to what parts of the wall may or may not be called rain screen construction; the regulations should be applied literally: if the wall is deemed to be a recommended rain screen assembly, any portions of the wall over 152mm (6 inches) can be excluded up to a maximum of 152mm (6 inches). For example, an 8 inch rain screen wall could have 2 inches excluded from square footage, regardless as to what that 2 inches constitutes. A 15 inch wall could only have 6 inches excluded because of the exclusion limit. However, if concern exists over the legitimacy of a proposed rain screen assembly, the proposal should be reviewed by building by-law review staff

REAR YARDS, REDUCED- RS DISTRICTS

- X Where a rear yard is allowed to be reduced by 3.1 metres, such as in Section 4.6.4 of the RS-1/ RS-1s District Schedule, a landing higher than 3.7 metres from a second floor should not be approved as it would violate the intent of restricting roof decks above the first storey floor level.

REAR YARD COMPATIBILITY (e.g. Section 4.6.1 of RS-1/ RS-1s District Schedule)- RS DISTRICTS

The following apply only to those district schedules which have a “rear yard compatibility provision (example: section 4.6.1 of the RS-1/ RS-1s district schedule):

- X For building portions using “rear yard compatibility”, base surface (i.e. the surveyed grades at the four corners of the property on most RS sites) is to be used to calculate the 2.2.A height limit. However, a “compatibility check” should always be conducted- in

some cases it may be more compatible to use the existing grades around the portion in question (this would be a discretionary approval).

- X With the exception of sunken patio wells and light wells, grades around the portion employing rear yard compatibility should not be lowered so as to artificially increase the perceived height of the portion projecting into the rear yard.
- X When employing the provisions of 2.2.A.(a) , the 3.7 metre limit is measured to the top of a flat roof deck or sundeck. Guards and parapets can be 4.6 metres in height. For a shed roof, the 4.6 metre limit is measured to the top of the highest point of the shed where it meets the wall of the building.
- X Where a front yard average is employed which is less than the “default” front yard requirement (i.e. usually 20% in most RS district schedules) , the building depth should be limited to the outright provisions (35%, 40% etc.) for portions over the 2.2.A.(a) height limit, measured from the front yard average. Where a proposal “defeats” front yard average as per 4.4.1(c), “rear yard compatibility” cannot be employed (see the handout Rear Yard Compatibility in RS-1 and RS-1s, which also applies to other relevant RS zones).
- X Where adjoining lots are of different depth than the subject lot, or where the lots are irregular, an application employing “rear yard compatibility” should be referred to the Director of Planning. The intent is to end up with compatible rear yards irrespective of the technical rear yard measurements in such circumstances.
- X Regardless as to the front yard scenario, a building can’t exceed the normal allowed outright building depth percentage except for the portion using “rear yard compatibility”. Applications involving existing non-conforming rear yards or building but which are seeking to use the provisions of rear yard compatibility for additions should be referred to the Director of Planning.

RENOVATIONS, EXTENT OF- RS DISTRICTS

- X As a rule of thumb, where concern exists over the extent of renovations involving a non-conforming building, or where retention is required as a condition of approval, such renovations should be limited to ensuring that at least 50% of the existing building’s structure is retained. For applications involving extensive additions and/ or alterations to an existing building which is conforming in all respects, but where it is important to establish whether the building is to be treated as existing or new (for purposes of an “average grade” calculation for example) the application should be referred to the Director of Planning.

ROOFS - OVER ONE STOREY PORTION IN RS-5/ RS-5s - RS DISTRICTS

- X The area within a roof attic area over a one storey portion eligible for a reduced side yard, such as in the RS-5/ RS-5s District Schedule, must be able to be excluded from square footage; if the attic or a portion of the attic is counted in square footage, then the whole assembly is to be treated as two storeys in which case it would not comply with the reduced side yard provisions (example: section 4.5.2 of the RS-5/ RS-5s district schedule).

ROOFS - ROOF SLOPE - RS DISTRICTS

- X Where roof slopes are restricted with regard to achieving a certain height, small “kicks”, “bells”, or “flares” at the eaves which are of a lesser slope than the required minimum limit will not be allowed outright.

- X Where roof slopes are restricted, all roof slopes must comply in an outright application. Small cripples and saddles necessary for shedding water, such as those at chimneys, are not restricted; however, care should be taken to ensure that roofs between gable ended dormers also comply with the minimum height restrictions.

ROOFS, CANTILEVERED OR WITH POSTS – RS DISTRICTS

The area of any floor, deck, patio, or surface (including earthen floors) beneath a roof overhang deeper than the approved eave depth is counted in square footage if it cannot be considered a covered porch. Similarly, the area underneath a roof which is supported by a post at one corner is counted in square footage if it cannot be considered a covered porch.

ROOFS – FLAT – ROOF GARDENS - RS DISTRICTS

In certain RS districts schedules , such as Rs-5 / RS-5s, no roof slope restriction exists if a building is under 9.8 metres (30 feet) in height- an outright building could be entirely flat roofed. If the building height is over 9.8 metres but under 10.7 metres (35 feet), flat roofs may be prohibited except those covering the first storey (or lower). In such cases, no “in between” provision exists for an outright application.

In outright applications, open roof decks are not counted in square footage provided they are enclosed by guardrails no higher than the minimum height prescribed in the Vancouver Building By-law. Roof decks involving trellises, sun walls, and similar structures, may be treated as “roof gardens” (example: section 4.7.3(b) of the RS-1/ RS-1s district schedule) and counted in square footage, even if such elements otherwise comply with the height provisions.

RS-3 AND RS-3A- SQUARE FOOTAGE- AREA UNDER PORCHES- BUILDING WIDTH- GENERAL- RS DISTRICTS [all updated 2005/01/11]

The following policies apply to the RS-3 and RS-3A district schedules (only). When in doubt about what is included in square footage and what is excluded, start by including all the floors into floor area and then deduct floors clause by clause as per the relevant exclusions to determine compliance with the floor space ratio and floor area provisions.

- X floor space ratio and floor area are two separate items- note that the square footage inclusions refer to floor space ratio only while the exclusions refer to both;
- X any square footage inclusions for overages in sundecks, porches, accessory buildings, and so on are effectively counted against the “above grade” limit;
- X the 604m² floor area limit is effectively an “above grade” limit because basement areas under the walls of the first and second storey are excluded, and those that count are included in the “above grade” limit;

Area under porches:

Any basement area under any porch within the building envelope is exempt from floor space ratio and floor area under 4.7.3 (f) and (g) provided the porch meets the criteria of 4.7.3 (h); however a basement under a porch projecting into the required front yard would only be excluded if the porch complies to Section 4.4.3 in addition to Section 4.7.3(g) *[this is what likely is intended by the word “...but...” in Section 4.7.3(g)]**

** Note: there have been differing interpretations of this clause over the years. Research has failed to unearth the original intent. After much discussion, the above policy has been adopted for the sake of consistency and simplicity even though past practices have varied.*

Building Width:

Regarding Section 4.16.5, an accessory building located in the rear of the site (beyond the principal building) is NOT included in building width because it is not considered to be “...facing a side yard...” Only an accessory building located between the front and rear yard of the site would be facing a side yard.

SECTION 11 – RS DISTRICTS

Where reference is made to Section 11 in the district schedule for purposes of calculating the required yards, it should be noted that Section 11 “may” be used- an applicant may still use the required yard provisions in the district schedule. Section 11 refers to a 30% rear yard, which is measured to the ultimate rear property line, not the centre line of the lane. However, the 8.2 metres minimum may be measured to the ultimate centre line of the lane. An applicant may elect not to employ Section 11, in which case it cannot be used in part for the front yard (all or nothing) [added 2004/06/28; not ratified].

SIDE ENTRANCES – ACCESSORY BUILDINGS IN THE ALLOWED BUILDING ENVELOPE – RS DISTRICTS

For detached accessory building located within the allowed building envelope, garage doors will not be treated as side entrances but person-doors will. Garage doors may always be treated as non-entrances for purposes of 4.17 restrictions including those for attached or internalized

garages, provided the garage location is otherwise approved or outright. [confirm? added 2004/09/10]

SIDE YARDS – REDUCED – RS DISTRICTS

Some district schedules, such as RS-5 / RS-5s, allow for a reduced side yard (example: section 4.5.2 of the Rs-5 district schedule). The percentage depth allowed can be an aggregate of several portions, and can be interspersed with portions using the normal side yard provision. Stairs however, cannot project into the area between the required side yard and the reduced side yard, even if the stair is within the 65% depth provision, as the 10% side yard is an optional “reduced” side yard, not the “required” side yard.

SKYLIGHTS - RS DISTRICTS

Where a “double height” square footage penalty exists (e.g. section 4.7.2(c) of the RS-1/ RS-1s district schedule), the area under a skylight over the specified height limit (typically 3.7 metres) need not be “double counted” provided the skylight conforms to all of the following:

- 1) The excluded area is within an enclosed, finished shaft where it penetrates through an undeveloped attic or roof cavity.
- 2) The area of the shaft is no more than 16 square feet at the ceiling, and no more than 12 square feet at the skylight (*measured in section cut along the slope of the roof/ skylight*), and no more than the above noted skylight areas in aggregate occur per room (vestibules and hallways are treated as a room for this purpose)[updated 2005/01/25].

Skylights are never allowed in undeveloped attic areas.

SQUARE FOOTAGE CALCULATIONS - GENERAL – RS DISTRICTS

- X Typically, “all floors” to the “outermost limits of the building” are added in square footage. A floor can be defined as any level surface, earthen or otherwise. Thus decks, patios, and areas under floors, roofs and eaves are added into square footage. By regulation or policy, various floors are subsequently excluded from square footage. When in doubt, add the floor into square footage then look for the relevant exclusion in the regulations, or the applicable interpretive note or administrative bulletin.
- X “...outermost limits” includes all exterior finishes unless a provision exists for the exclusion of finishes (e.g. rain screen walls).

SQUARE FOOTAGE– SLOPED CEILING EXCLUSIONS- “OPEN TO BELOW” EXCLUSIONS- RS DISTRICTS [re-written 2005/01/14]

Sloping Ceiling Exclusion (e.g. Section 4.7.3(h) of the RS-5 district schedule)

Where a floor under a sloped ceiling may be excluded (typically at 7:12 or 6:12 slope minimums), the ceiling is to be attached directly to the under side of the “sloping roof rafters” (by definition these are really roof joists). The following conditions apply:

- for vaulted ceilings, the maximum cross sectional depth (at right angles to the joist) of the roof joist assembly should not exceed one foot (0.3 metres)- a 2x10 joist with strapping, etc.- in other words a typical vaulted roof depth to achieve R28 or whatever the required minimum (or common) insulation standard is;
- a “tail ended” truss may be considered provided the ceiling is attached to the tail end; a “spliced- on” joist is allowed to increase the depth of the roof cavity for insulation purposes provided the ceiling finish is attached directly the underside of this joist and the ceiling, joist, and tail end run at the same slope as the roof, and are together not deeper than a foot as described above. The bottom cord of the “tail ended” truss may still be used to negate a double height square footage penalty.
- A “scissor trusses” is not allowed for purposes of a sloped ceiling exclusion because the ceiling slope is different than the slope of the roof (the roof will be steeper which inherently adds mass to the building, which was not intended) If for some reason a “scissor truss” or a similar truss is unavoidable for structural reasons, the Director of Planning may allow a portion no deeper than a foot, as described above, to be excluded provided the roof has at least the minimum slope. Regular trusses, and roof rafter and ceiling joist assemblies, can never be used to achieve a sloped ceiling exclusion.

“Open- to- below” provision exists in the district schedule:

Where a square footage exclusion provision exists (e.g. Section 4.7.3(h) of the RS-5 district schedule) in order to exclude portions of “floors... as may be extended over open- to- below space...” under sloped ceiling, the following are applicable:

- portions of floors less than 1.2 metres, including those over stairs, may also be excluded in the same manner as the provision (i.e. under sloped ceilings of a certain minimum slope, etc.)- this was always intended;
- excluded areas are still excluded even if a “double height” provision (e.g. the 3.7 metre limit as per Section 4.7.2(c) of the RS-5 district schedule) would otherwise apply (when in doubt, add all the inclusions, then deduct all the exclusions);
- stairs in their full cross sectional area may be considered “floors” for purposes of the exclusion provision (i.e. they may be excluded- add them in first then deduct as applicable);

No “open- to- below” provision exists in the district schedule (stairs only):

Where NO “open- to- below” provision exists, such as in the RS-1 district schedule, a floor under a ceiling with a slope of at least 7:12 over stairs may be excluded as if an “open- to- below” provision exists, but only up to a maximum of 1.2 metres; note that when a stairs is

involved, a “double height” provision (e.g. Section 4.7.2(c) of the RS-1 district schedule) would not apply because stairs would normally be counted in square footage at each floor. The preceding should only be applied to an existing building. The intent of this policy is to not overly penalize stairs trying to “duck under” an existing sloped roof in district schedules such as RS-1. A dormer should not be proposed over the excluded area- it should be the existing roof. The Director of Planning may allow this policy to be extended to new building where there is merit or site hardship (very small site or sloping grades).

Sloped ceiling exclusions and adjacent attic area:

The sloped ceiling exclusion provision was not really intended for the exclusion of large areas of undeveloped adjacent attic area, such as might result from a proposal to occupy an attic area or introduce a partial storey or half storey. The provision refers to both unfinished (rafters) and finished area (roof joists), however, so it was intended that undeveloped area could be excluded. The intent of the provision is to allow for steeper sloped roofs but not penalize proposals for resulting lower headroom areas. If what is proposed seems to meet the intent, it is likely okay. If it seems contrary to the intent, the design should be reviewed by the Director of Planning.

Where an addition is proposed but no square footage is added through employing the exclusion provision, staff should still ensure that the proposal is not exacerbating square footage non-conformity. The Director of Planning may decide not to approve an addition which is excluded from square footage in such a case on the basis that the apparent massing is increased even though no square footage has been added.

SQUARE FOOTAGE – “DOUBLE HEIGHT” PROVISION- RS DISTRICTS

Sloping Ceiling Exclusion (e.g. Section 4.7.3(h) of the RS-5 district schedule)

Where a floor under a sloped ceiling may be excluded (typically at 7:12 or 6:12 slope minimums), the ceiling is to be attached directly to the under side of the “sloping roof rafters” (by definition these are really roof joists). The following conditions apply:

- for vaulted ceilings, the maximum cross sectional depth (at right angles to the joist) of the roof joist assembly should not exceed one foot (0.3 metres)- a 2x10 joist with strapping, etc.- in other words a typical vaulted roof depth to achieve R28 or whatever the typical minimum (or common) insulation standard is;
- a “tail ended” truss may be considered provided the ceiling is attached to the tail end; a “spliced- on” joist is allowed to increase the depth of the roof cavity for insulation purposes provided the ceiling finish is attached directly the underside of this joist and the ceiling, joist, and tail end run at the same slope as the roof, and are together not deeper than a foot as described above. The bottom cord of the “tail ended” truss may still be used to negate a double height square footage penalty (see “Double Height” section below)

- “scissor trusses” are not allowed for purposes of a sloped ceiling exclusion because the ceiling runs at a different slope than the roof, which inherently adds mass to the roof. If for some reason a “scissor truss” or a similar truss is unavoidable for structural reasons, the Director of Planning may allow a portion no deeper than a foot as described above to be excluded provided the roof has at least the minimum slope. Regular trusses and roof rafters and ceiling joist assemblies can never be used to provide a sloped ceiling exclusion.

Double Height square footage provisions (i.e. Section 4.7.2(c) of the RS-1 district schedule)

With respect to the 3.7 metre “double height” square footage regulations (example: Section 4.7.2(c) in the RS-1/ RS-1s district schedule) the following apply:

- The 3.7 metre limit is measured to the top of the lowest spanning member of a truss, or to the top of a ceiling joist or roof joist where a vaulted ceiling is proposed. Both “scissor” trusses and “tail- ended” trusses may be considered in this regard. Tie bars and non-structural spanning members (or false or unnecessary beams) are ignored for purpose if this calculation.
- The “cavity” (attic area) within a truss over a vaulted area will be added into square footage if the area is higher than 1.2 metres and is adjacent to a storey or half storey.
- No windows or dormers are allowed in the vaulted area above the 3.7 metre limit if those windows or dormers would create the appearance of a half storey from the exterior (skylights are allowed).
- Stairs are ignored for the purposes of the 3.7 metre limit- remember that stairs are counted in square footage at each floor based on their horizontal cross sectional area at each floor level (unless able to be excluded with an “open- to- below” provision); landings are also ignored (excessively large intermediate landings may instead be treated as separate floors).

When adding area for “double height” floors, count the additional area into the storey above the floor in question. In other words, if a basement area is to be penalized for a ceiling over it greater than 3.7 metres in height, add the additional area to the first storey, not the basement area. The intent is to restrict above grade massing by restricting one storey basement areas as a square footage “loop hole”. In the same manner, any overage on the second floor would be counted against a half storey above the second storey. [modified 2004/12/23]

STAIRS/ STEPS - RS DISTRICTS

The following apply to interior stairs:

- Stairs and interior landings always count in square footage once at each floor, as cut in horizontal section at each floor level.

- Under no circumstances can the area under a landing or stair be excluded as a crawlspace, but neither is additional area added for the height of the floor to the underside of a landing above. Stairs “cutting into” a crawlspace are always counted in square footage.
- See notes on “Open to Below Space” for stairs within such areas.
- If a floor is penalized by a “double height” square footage restriction, the area of any stair assemblies in the space is not also doubled as such stair assemblies would already have been counted at each floor level.

The following apply to exterior stairs:

-
- | | |
|---|---|
| X | Excessively deep and wide stairs higher than 0.6 metres above finished grade should instead be treated as sundecks. |
|---|---|
-
- | | |
|---|---|
| X | Open, exterior stairs (but not intermediate landings) joining one roof deck to another, or joining a roof deck to a sundeck may be excluded from square footage but should be reviewed by the Director of Planning. |
| X | where a reduced side yard is allowed such as in the RS-5/ RS-5s District Schedule, stairs cannot project into the area between the required side yard and the 10% reduced side yard, even if the stair is within the 65% depth provision, as the 10% side yard is an optional “reduced” side yard, not the “required” side yard. |
| X | Steps may be allowed in an interior side yard where they follow natural grade in order to deal with a steeply sloping lot. Such steps, if possible, should be limited to a maximum of one step separated by a “landing”- but more risers may be considered if less than 0.6 metres in total; risers should be as shallow as possible. <u>In such cases, steps should only be allowed down one side of the building.</u> |
| X | Where a side landing is allowed on an exterior side yard, the stair is not to extend within 0.6 metres of the side property line if the stair has guardrails, or no closer than 0.3 metres if the stair has no guardrails, or as otherwise required by the Manager of Engineering Services and allowed under the Vancouver Building By-law. |

STORAGE AREAS UNDER DECKS AND NOOKS, ETC. - RS DISTRICTS

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|---|--|
| X | A small storage area (less than 10 feet x 10 feet) under a floor, such as those under kitchen nooks and waterproof decks, is allowed without the need for interconnection as stipulated in Section 10.21.5 provided it is not used for any purpose other than storage and remains unfinished (unless required by the Vancouver Building By-law to be finished). Only one such area is allowed per building. However, such an area is always added into square footage. |
| X | In multiple conversion dwellings, small laundry or utility areas are allowed to be separate from the units (for collective use with access from the outside) with the approval of the Director of Planning, but should be avoided in two unit multiple conversion dwellings or new two family dwellings if possible, and are never allowed in single family dwellings. |

UNFINISHED ROOMS- RS DISTRICTS

All new rooms in a house are to be finished- unfinished storage rooms are not currently allowed. Existing, unfinished basements may be retained; however, existing, unfinished basements which lack minimum, legal headroom may be only finished at the exterior perimeter walls where approved insulation and vapour barriers are being installed in order to protect the vapour barriers. However, interior walls and ceilings in such cases may not be finished.
(2004/11/15)

WELLS – RS DISTRICTS

The following definitions will be used for purposes of this note [NB: these are not “legal” definitions]:

“Sunken Patio Well”: refers to a lowered surface surrounded by vertical walls (usually concrete) which can be excluded from an average grade calculation (with respect to above grade square footage and number of storeys). For example, see Section 4.17.4 of the RS-1/ RS-1s district schedule.

“Window Wells” or “Light Wells”: refer to small sunken wells associated with windows in a basement or cellar (or sunken floor). If they meet the provisions noted below, they are not counted in average grade and are allowed to project into required yards. Their purpose is to allow greater light and ventilation access to the room associated with the window.

“Lowered Surface”, “Lowered Patio”, etc.: refers to any lowered surfaces for which no exclusion provision exists

Sunken Patio Wells and Lowered Patios, projections over:

- X a Sunken Patio Well (for purposes of an exclusion) or a Lowered Patio (for purposes of square footage and yard inclusions) may not be covered by any element, including stairs, decks, or landings, except as noted below:
- (1) bay windows complying with Section 10.7.1(e) may occur over or in a sunken patio well;
 - (2) canopies may occur within a well only if that well has an entrance, but may not form part of a deck or landing above;
 - (3) eaves of a roof over the first storey or higher may project over the well;

Sunken Patio Wells, projection into “required” yard [*modified 2005/01/11*]

The intent of the Sunken Patio Well exclusion provision (average grade and number of storeys) is to allow for a portion of wall to be excluded equal to 4.6 metres or 50% of the width of the building (as applicable), and no deeper than 3.1 metres (10 feet). Given this, the following apply for the conditions noted:

- 1) The maximum size of a Sunken Patio Well, for purposes of an exclusion from average grade, cannot exceed 3.1 metres deep by 4.6 metres wide or 50% of the building width

(as applicable) regardless as to whether it projects into a *required, provided, or reduced front or rear yard*;

- 2) For purposes of an exclusion of average grade, the Sunken Patio Well may only be bounded by the building on ONE side- the intent is that the sunken patio well extends out from the rear or front of the building; in rare cases where a Sunken Patio Well bounded partially on two sides is considered, the net area to be excluded from the average grade calculation cannot exceed 4.6 metres or 50% of the width of the building (as applicable);

Sunken patio wells: General

- ~~X~~ Chimneys, direct vents, and mechanical equipment are not allowed in a sunken patio well.
- X The 3.1 metre depth provision may be measured to ***the inside of a retaining wall provided the top of the wall and adjoining grades are not lower than the surrounding existing or finished grades- if there are concerns in this regard, measure the 3.1 metre limit to the outside of the wall [NB: this has not been finalized- use old policy until verified 2004/02/03]***; any terracing or lowering of grades, or "cut outs" in the retaining walls, beyond the 3.1 metre limit are not allowed (the entire sunken patio well would then not comply). Any finishes on such a retaining wall would have to be within the 3.1 metre limit - the limit should be measured to the retaining wall itself, not any finishes (such as brick facing) in the well.
- X Stairs / steps must be contained within the dimensional limits of the sunken patio well provision.
- X ***Sunken patio wells in a required front yard should be limited to not being deeper than 0.6 metres; in an outright application, a deeper well may be allowed and guardrails proposed around the well. However, if concern exists over the visual impact of the light well on the front, the Director of Planning may limit the depth of the well to less than 0.6 metres so as to avoid guardrails around the well, using the "extraction and deposition of soil" use provision in Section 3 of the relevant district schedule [altered 2004/02/04].***
- X Two or more sunken patio wells which in aggregate do not exceed the prescribed width limitation may be approved in the required front and/ or rear yard.
- X A single sunken patio well wider than the exclusion provision is treated as not complying for its entire width- it cannot be broken down into complying and non-complying portions.
- X Lowered areas adjoining a building, such as a driveway, and lowered wells for entrances not complying with the 4.17 provisions would be counted against any average grade calculation.
- X Sunken patio wells are not considered window wells- applicants should clearly identify on the drawings the type of well(s) if the issue is not clear.

Window and Light wells:

Window and Light Wells which comply with ALL of the following are excluded from an average grade calculation (and the number- of- storeys calculation) and are allowed to project into a required yard, and are hereby referred to as "Excluded Window and Light Wells". Window wells which do not comply with ALL of the following cannot project into a required side yard. Wells which do not comply with the following may still be proposed, but cannot project into a required side yard and are not excluded from an average grade calculation etc. [modified 2004/02/03]

Excluded Window and Light Wells shall:

- Not be deeper than 1 metre measured to the inside face of the well and perpendicular to the adjoining exterior wall, regardless as to whether the well is projecting into a required yard or not.
- ***If they project into a required side yard, not be closer than 2.4 metres (8 feet) to a side property line measured from the inside face of the well [altered 2004/02/03].***
- Be limited to no more than one well per room
- Always be associated with a window.
- Not exceed 1.2 metres in width unless otherwise approved by the Director of Planning.
- Not have associated guardrails within the required front or side yards, thereby restricting the lowered surface of the wells to being no more than 0.6 metres (2 feet) below finished grade in a front or side yard.
- If enclosed on two or three sides, be limited to being no more than 0.6 metres (2 feet) below grade.
- Not be associated with an entrance
- Not be terraced back so as to effectively increase the depth beyond one metre.

