

## Regulation Redesign: Proposed Amendments to Height – February 2, 2021 (redline version)

### 1) Amendments to Section 2 – Definitions:

#### **Add new definition for height:**

The height of a building must, unless otherwise specified in a district schedule to this by-law, be measured as the vertical distance that the building extends above the base surface. The elevation at that point on the base surface directly beneath the highest point (or points) of the building are determined by interpolation. Height requirements in district schedules may also include limitations on the permitted number of storeys and/or building envelope.

#### **Amend definition for base surface:**

That hypothetical surface determined by joining the official established building grades at all corners of the site, provided ~~however~~ that where official established building grades cannot be obtained through application to the City Engineer, **or where the official established building grades are found to be incompatible with grades on adjacent sites**, existing grades ~~shall~~ **may** be used **to determine the base surface**. ~~For the purpose of measuring height of a building at any point, the elevation at that point on the base surface shall be determined by interpolating from the official established building grades or, where official established building grades cannot be obtained, from existing grades.~~

#### **Add new definition for decorative roof:**

**An architecturally designed roof element applied to the top of buildings higher than 30.5 m that enhances the overall appearance of the building and screens and integrates mechanical appurtenances in an aesthetically appropriate manner, without adding to the floor area otherwise permitted**

### 2) Amendments to Section 10.18 Height of Building and Relaxation:

~~10.18.1 — The height of a building shall, unless otherwise specified in a district schedule to this By-law, be measured as the vertical distance that the building extends above the base surface.~~

~~10.18.2 — Where the existing grade of a site is higher than the base surface and the Director of Planning is satisfied that the existing grade is compatible with the existing grade of the adjoining sites or the general topography of the area, height of building may be measured from a surface determined by joining the existing grade at all points around the perimeter of the proposed building. The Director of Planning may, if the Director of Planning deems necessary, require the applicant to furnish a plan of survey in accordance with section 4.1.2 of this By-law.~~

~~10.18.3 — Where the existing grade of a site is lower than the base surface, building height may be measured from the base surface provided the Director of Planning is satisfied that the proposed finished grade is compatible with the existing grade of the adjoining sites or the general topography of the area. The Director of Planning may, if the Director of Planning deems necessary, require the applicant to furnish a plan of survey in accordance with section 4.1.2 of this By-law.~~

**(the above sections are replaced by the new height and base surface definitions)**

10.18.4.1 The Director of Planning may, ~~at the Director of Planning's discretion,~~ permit a greater height than otherwise permitted for the following items if, except for the items set out in subsection (h) ~~(d)~~, they do not, in total, ~~exceed one third of the width of the building or buildings as measured on any elevation drawings and do not, in total,~~ cover more than 10% of the roof area on which they are located as viewed from directly above:

- (a) architectural appurtenances ~~such as towers, turrets, and cupolas,~~ provided:
  - ~~(i) no additional floor area is created; and~~
  - ~~(ii) no protrusion extends more than 1.1 m above the height limitation;~~
- (b) roof-top access structures to private or shared outdoor amenity space that do not exceed a height of 3.6 m;
- (c) common roof-top amenity structures contiguous with common outdoor amenity space that do not exceed a height of 3.6 m;
- (d) mechanical appurtenances ~~such as~~ including elevatormachine rooms and any screening materials the Director of Planning considers appropriate to reduce visual impacts;
- (e) any required guards, provided the Director of Planning considers the guard materials to be appropriate to reduce visual impacts;
- (f) chimneys;
- (g) venting skylights and opening clerestory windows designed to reduce energy consumption or improve natural light and ventilation;
- (h) access and infrastructure required to maintain green roofs or urban agriculture, or roof mounted energy technologies including solar panels and wind turbines; and, provided that the Director of Planning considers:
  - ~~(i) their siting and sizing in relation to views, overlook, shadowing, and noise impacts, and~~
  - ~~(ii) all applicable policies and guidelines adopted by Council;~~
- ~~(i) venting skylights and opening clerestory windows designed to reduce energy consumption or improve natural light and ventilation; and~~ (moved to (g) above)
- (i) items similar to any of the above;

provided that the Director of Planning first considers the effect on siting, massing, views, overlook, shadowing, and noise.

10.18.52 The Development Permit Board may, for any building higher than 30.5 m, permit a decorative roof, ~~which may include items referred to in section 10.18.4, to exceed the maximum height otherwise specified in this By-law,~~ provided that:

- (a) the Development Permit Board is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances;
  - (b) the roof does not add to the floor area otherwise permitted; and
- the Development Permit Board first considers all applicable policies and guidelines adopted by Council.