

RM-12N

District Schedule

1 INTENT AND OVERVIEW

1.1 Intent

The intent of this schedule is to encourage the development of 4-storey townhouses, including hybrid townhouses. 4-storey apartments are permitted on larger sites. Mixed-use residential buildings are permitted on certain larger sites, primarily sites fronting Nanaimo Street. Siting and massing of new development are intended to be compatible with pre-existing residential development. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Without limitation, applicable Council policies and guidelines for consideration include the [RM-12N Guidelines](#).

1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-12N district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section [3](#) of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
1000 m ²	Apartment	3.1
	Mixed-Use Residential Building	3.1
910 m ²	Townhouse	3.2
	Seniors Supportive or Assisted Housing	3.4
306 m ²	Triplex	3.3
	Other uses in section 2.1 of this schedule	3.5
Regulated by the RT-5 District Schedule	Duplex, Duplex with Secondary Suite, Single Detached House, Single Detached House with Secondary Suite, Infill in combination with retention of a character house, Multiple Conversion Dwelling, and Secondary Suite	Regulated by the RT-5 District Schedule

2 USE REGULATIONS

2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning, with or without conditions, if the Director of Planning considers:

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

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
Agricultural Uses		
Urban Farm – Class A	Conditional	
Cultural and Recreational Uses		
Artist Studio – Class A	Conditional	2.2.1
Club	Conditional	
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
Plaza	Conditional	
Dwelling Uses		
Apartment	Conditional	2.2.2
Duplex	Outright	2.2.3
Duplex with Secondary Suite	Conditional	2.2.3
Infill, in combination with retention of a character house existing as of September 18, 2018	Conditional	2.2.3
Laneway House, lawfully existing as of September 18, 2018	Outright	2.2.4
Mixed-Use Residential Building	Conditional	2.2.2 , 2.2.5 , 2.2.6 , 2.2.7 , 2.2.8 , 2.2.13

Use	Approval	Use-Specific Regulations
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	2.2.3 , 2.2.9
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a character house existing on the site as of September 18, 2018	Conditional	2.2.3 , 2.2.10
Principal Dwelling Unit with Lock-off Unit	Conditional	2.2.8
Residential Unit associated with and forming an integral part of an Artist Studio limited to Artist Studio – Class A	Conditional	2.2.1
Secondary Suite	Conditional	2.2.3 , 2.2.11
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House, lawfully existing as of September 18, 2018	Outright	2.2.3
Single Detached House with Secondary Suite, lawfully existing as of September 18, 2018	Outright	2.2.3
Townhouse	Conditional	2.2.7 , 2.2.12 , 2.2.13
Triplex	Conditional	
Institutional Uses		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care Facility – Class A	Outright	2.2.14
Community Care Facility – Class B	Conditional	
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School – Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
Retail Uses		
Farmers' Market	Conditional	2.2.15
Neighbourhood Grocery Store	Conditional	
Public Bike Share	Conditional	
Service Uses		
Bed and Breakfast Accommodation	Conditional	
Short Term Rental Accommodation	Conditional	
Utility and Communication Uses		
Public Utility	Conditional	

Use	Approval	Use-Specific Regulations
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section 2.1, other than Multiple Dwelling or Mixed-Use Residential Building	Outright	2.2.16
Accessory Buildings, customarily ancillary to any use listed in this section 2.1, other than Multiple Dwelling or Mixed-Use Residential Building, and not permitted as an outright approval use	Conditional	
Accessory Buildings, customarily ancillary to Multiple Dwelling or Mixed-Use Residential Building	Conditional	2.2.17
Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1	Outright	2.2.18
Accessory Uses, customarily ancillary to any conditional approval use listed in this section 2.1	Conditional	
Deposition or extraction of material, which alters the configuration of the land	Conditional	
Live-Work Use	Conditional	

2.2 Use-Specific Regulations

2.2.1 Artist studio – class A may be permitted only:

- (a) where there is a residential unit associated with and forming an integral part of that artist studio; or
- (b) in a mixed-use residential building.

2.2.2 In an apartment or mixed-use residential building with a floor space ratio greater than 1.45, a minimum of:

- (a) 25% of the total dwelling units must be 2-bedroom units; and
- (b) 10% of the total dwelling units must be 3-bedroom units,

except that the Director of Planning may vary the distribution of units if no less than 35% of the total dwelling units are 2- or 3-bedroom units, and provided the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.3 The following uses must comply with the [RT-5 District Schedule](#):

- (a) duplex;
- (b) duplex with secondary suite;
- (c) single detached house;
- (d) single detached house with secondary suite;

- (e) infill in combination with retention of a character house;
- (f) multiple conversion dwelling; and
- (g) secondary suite.

2.2.4 Laneway house is regulated by [Section 11](#) of this by-law and section [3](#) and [4](#) of this schedule do not apply.

2.2.5 The only non-dwelling uses permitted in a mixed-use residential building are:

- (a) artist studio – class A;
- (b) barber shop or beauty salon;
- (c) beauty and wellness centre;
- (d) grocery or drug store;
- (e) live-work use;
- (f) neighbourhood grocery store;
- (g) residential unit associated with and forming an integral part of an artist studio – class A;
- (h) restaurant – class 1; and
- (i) retail store.

2.2.6 A mixed-use residential building is only permitted on sites located along Nanaimo Street and on the northwest corner of East 1st Avenue and Lakewood Drive, as identified in [Map 1: Sites where mixed-use residential building is permitted](#) at the end of this schedule.

2.2.7 The Director of Planning may permit more than 1 townhouse building or mixed-use residential building on a site, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

2.2.8 Principal dwelling unit with lock-off unit may be permitted only in a multiple dwelling or mixed-use residential building and there may be no more than 1 lock-off unit for every 3 principal dwelling units, except that the Director of Planning may permit a higher ratio after considering the intent of this schedule and all applicable Council policies and guidelines.

2.2.9 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:

- (a) there are no additions to the building; and
- (b) no housekeeping or sleeping units are created.

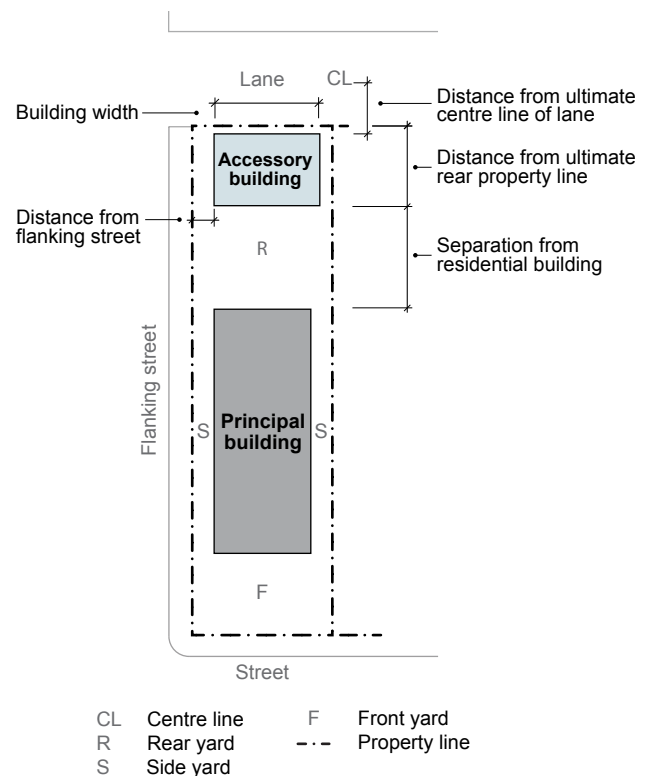
- 2.2.10 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a character house existing as of September 18, 2018, may be permitted as a conditional approval use if it contains no housekeeping or sleeping units.
- 2.2.11 Secondary suite may be permitted if it is in a single detached house lawfully existing as of September 18, 2018.
- 2.2.12 The Director of Planning may permit a townhouse building where the lower units have direct access to grade and the upper units are accessed by way of a common main entrance and corridor, referred to as a “hybrid townhouse” for the purposes of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.
- 2.2.13 In a townhouse or mixed-use residential building with a floor space ratio less than or equal to 1.45, a minimum of 25% of the total dwelling units must be 3-bedroom units.
- 2.2.14 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.15 Farmers’ market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.16 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule, other than those ancillary to multiple dwelling or mixed-use residential building, are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
 - (i) the highest point of a flat roof,
 - (ii) the deck line of a mansard roof, or
 - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
 - (i) within 7.9 m of the ultimate rear property line,

Diagram: Building placement for accessory buildings



- (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
- (iii) at least 1.5 m from a flanking street;
- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m²;
- (d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line;
- (e) the separation from any residential building is at least 3.7 m; and
- (f) roof decks and decks are not located on an accessory building.

2.2.17 Accessory buildings customarily ancillary to multiple dwelling or mixed-use residential building may be permitted as a conditional approval use if:

- (a) no accessory building exceeds 3.7 m in height, measured to:
 - (i) the highest point of a flat roof,
 - (ii) the deck line of a mansard roof, or
 - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 except that no portion of an accessory building may exceed 4.6 m in building height;
- (b) all accessory buildings are located:
 - (i) within 7.9 m of the ultimate rear property line,
 - (ii) at least 3.6 m from the ultimate centre line of any rear or flanking lane, and
 - (iii) at least 1.5 m from a flanking street;
- (c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 48 m², except that the Director of Planning may increase the total floor area of all accessory buildings to a maximum of 24 m² for each dwelling unit, not including lock-off units, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (d) the combined building width for all accessory buildings does not exceed 30% of the width of the site at the rear property line, except that the Director of Planning may increase the maximum building width up to 80%, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (e) the separation from any residential building is at least 3.7 m; and
- (f) roof decks and decks are not located on an accessory building.

2.2.18 Accessory parking spaces customarily ancillary to any outright approval use listed in section 2.1 of this schedule must comply with the provisions of section 2.2.16(b) above.

3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

3.1 Apartment and Mixed-Use Residential Building

Apartment and mixed-use residential building are subject to the following regulations.

3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 1.70 where 100% of the residential floor area is either developed as social housing or secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased; or
- (b) the permitted floor area by 1 m² per amenity share or per affordable housing share provided to the City at no cost to the City, to a maximum floor space ratio of 1.70,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants.

3.1.1.2 Despite section 3.1.1.1 above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

3.1.2 Building Form and Placement

Regulations	RM-12N
3.1.2.1 Minimum site area	1,000 m ²
3.1.2.2 Minimum site frontage	36.6 m
3.1.2.3 Maximum building height for:	
(a) apartment	13.7 m and 4 storeys
(b) mixed-use residential building other than a rear building	13.7 m and 4 storeys
(c) mixed-use residential building that is a rear building	9.5 m and 3 storeys
3.1.2.4 Minimum front yard depth	3.7 m
3.1.2.5 Minimum side yard width	2.1 m

Regulations		RM-12N
3.1.2.6	Minimum rear yard depth	6.1 m
3.1.2.7	Maximum site coverage for all buildings	55% of the site area
3.1.2.8	Maximum area of impermeable materials	70% of the site area
3.1.2.9	Maximum building width	26.0 m
3.1.2.10	Minimum separation between mixed-use residential buildings that are:	
	(a) located on a site frontage	3.1 m
	(b) rear buildings	3.1 m
	(c) located on a site frontage and rear buildings	7.3 m

Unit Frontage

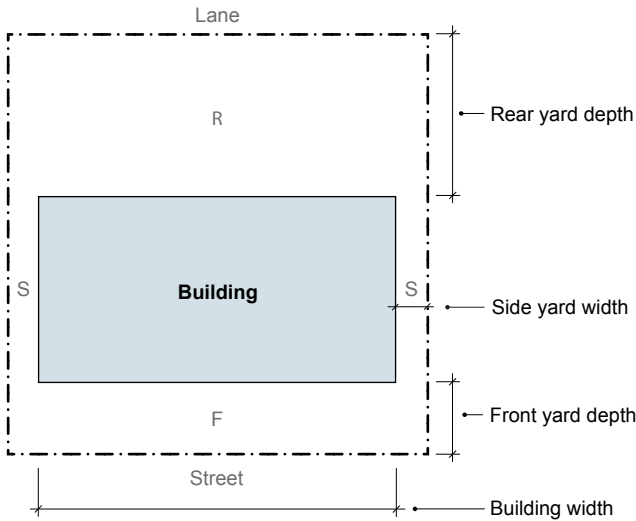
3.1.2.11 In a mixed-use residential building, the maximum unit frontage for all non-dwelling uses is 15.3 m, except that the Director of Planning may increase the maximum unit frontage, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Building Height

3.1.2.12 Despite the maximum building height in section 3.1.2.3(c) above, the third storey of a mixed-use residential building that is a rear building must be a partial storey not exceeding 60% of the storey immediately below.

3.1.2.13 The Director of Planning may vary the maximum building height for a rear building to a height not exceeding 10.7 m and 3 storeys, where the third storey is a partial storey not exceeding 60% of the storey immediately below, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Diagram: Building placement for apartment and mixed-use residential building



■ = Site coverage
 R Rear yard
 S Side yard
 F Front yard
 - - - Property line

Building Separation

- 3.1.2.14 Minimum separation between mixed-use residential buildings must be measured from the closest portion of the exterior side wall of any other mixed-use residential building on the site.
- 3.1.2.15 Despite the minimum building separation in section 3.1.2.10(c) above, where an entrance located at or above 1.5 m of grade, or more than 0.6 m below grade, is connected to grade by stairs that project into a courtyard, the separation between mixed-use residential buildings must be at least 9.1 m.
- 3.1.2.16 The Director of Planning may vary the minimum building separation if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Discretion to Vary Other Regulations

- 3.1.2.17 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
 - (a) the minimum front yard depth;
 - (b) the maximum site coverage;
 - (c) the maximum area of impermeable materials; and
 - (d) the maximum building width.

Diagram: Building placement for mixed-use residential building in a courtyard configuration

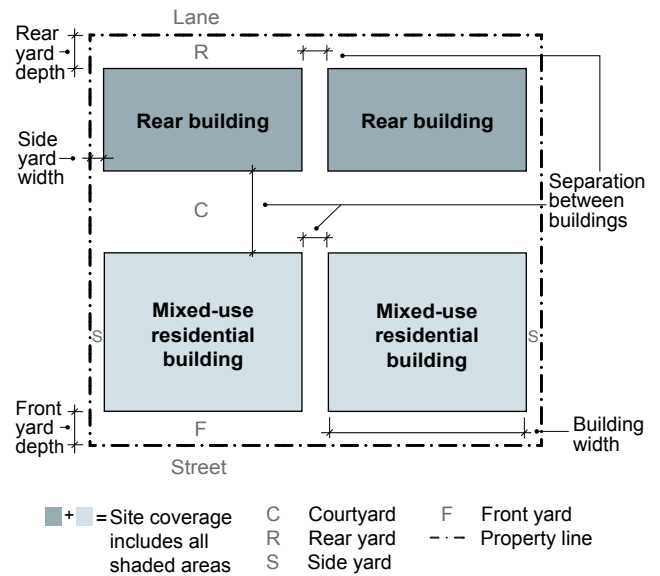
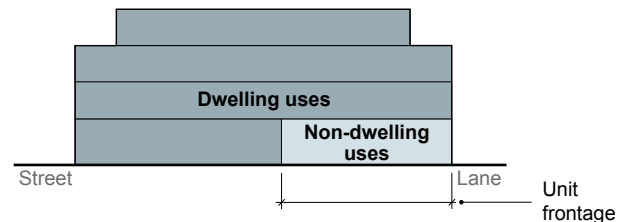


Diagram: Unit frontage for non-dwelling uses in a mixed-use residential building



3.2 Townhouse

Townhouse is subject to the following regulations.

3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 1.45 where 100% of the residential floor area is either developed as social housing or secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased; or
- (b) the permitted floor area by 1 m² per amenity share or per affordable housing share provided to the City at no cost to the City, to a maximum floor space ratio of 1.45,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants.

3.2.1.2 Despite section 3.2.1.1 above, for a hybrid townhouse the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 1.70 where 100% of the residential floor area is either developed as social housing or secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased; or
- (b) the permitted floor area by 1 m² per amenity share or per affordable housing share provided to the City at no cost to the City, to a maximum floor space ratio of 1.70,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants.

3.2.1.3 Despite sections 3.2.1.1(b) and 3.2.1.2(b) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

3.2.2 Building Form and Placement

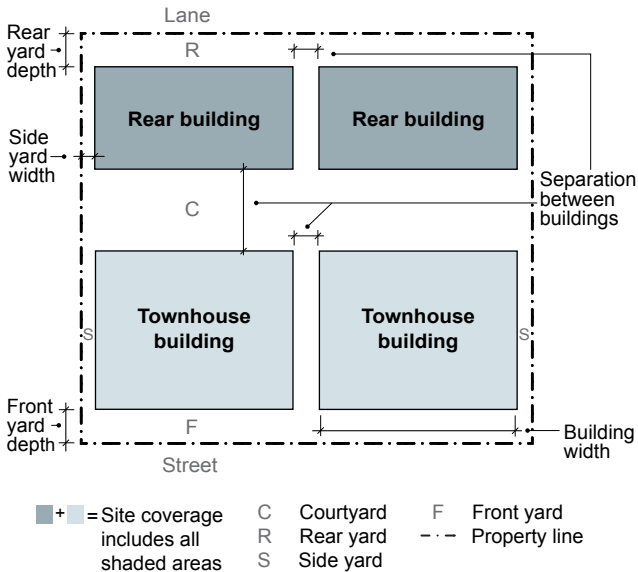
Regulations	RM-12N
3.2.2.1 Minimum site area	910 m ²
3.2.2.2 Minimum site frontage	27.4 m
3.2.2.3 Maximum building height for:	
(a) a building other than a rear building	12.2 m and 4 storeys

Regulations	RM-12N
(b) a rear building	9.5 m and 3 storeys
3.2.2.4 Minimum front yard depth	3.7 m
3.2.2.5 Minimum side yard width	1.2 m
3.2.2.6 Minimum rear yard depth	1.8 m
3.2.2.7 Maximum site coverage for all buildings	55% of the site area
3.2.2.8 Maximum area of impermeable materials	70% of the site area
3.2.2.9 Maximum building width	26.0 m
3.2.2.10 Minimum separation between:	
(a) buildings located on a site frontage	3.1 m
(b) rear buildings	3.1 m
(c) buildings located on a site frontage and rear buildings	7.3 m

Building Height

- 3.2.2.11 Despite the maximum building height in section 3.2.2.3(a) above, the fourth storey of a building other than a rear building must be a partial storey not exceeding 60% of the storey immediately below.
- 3.2.2.12 Despite the maximum building height in section 3.2.2.3(b) above, the third storey of a rear building must be a partial storey not exceeding 60% of the storey immediately below.
- 3.2.2.13 The Director of Planning may vary the maximum building height for a rear building to a height not exceeding 10.7 m and 3 storeys, where the third storey is a partial storey not exceeding 60% of the storey immediately below, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

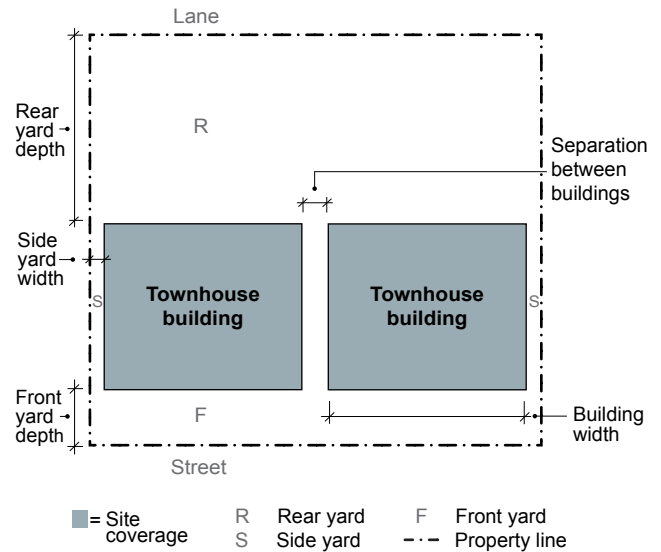
Diagram: Building placement for townhouse in a courtyard configuration



Building Separation

- 3.2.2.14 Minimum separation between townhouse buildings must be measured from the closest portion of the exterior side wall of any other townhouse building on the site.
- 3.2.2.15 Despite the minimum building separation in section 3.2.2.10(c) above, where an entrance located at or above 1.5 m of grade, or more than 0.6 m below grade, is connected to grade by stairs that project into a courtyard, the separation between buildings must be at least 9.1 m.
- 3.2.2.16 The Director of Planning may vary the minimum building separation if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Diagram: Building placement for townhouse not in a courtyard configuration



Discretion to Vary Other Regulations

- 3.2.2.17 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:
 - (a) the minimum site area;
 - (b) the minimum front yard depth;
 - (c) the maximum site coverage;
 - (d) the maximum area of impermeable materials; and
 - (e) the maximum building width.

Diagram: Townhouse in a courtyard configuration

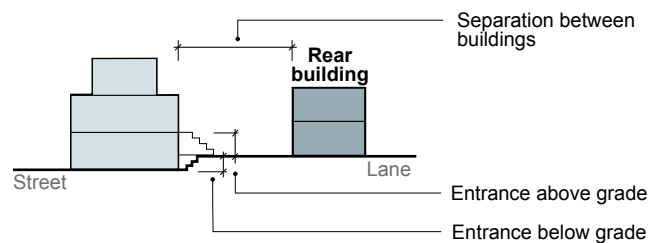
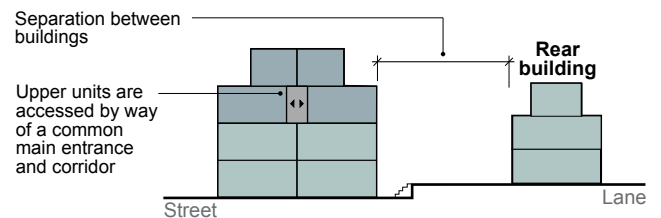


Diagram: Hybrid townhouse in a courtyard configuration



3.3 Triplex

Triplex is subject to the following regulations.

3.3.1 Density and Floor Area

3.3.1.1 The maximum floor space ratio is 0.75, except that the Director of Planning may increase:

- (a) the permitted floor space ratio to a maximum of 0.90 where 100% of the residential floor area is developed as secured market rental housing secured by a housing agreement that restricts the rates at which rents may be increased; or
- (b) the permitted floor area by 1 m² per amenity share or per affordable housing share provided to the City at no cost to the City, to a maximum floor space ratio of 0.90,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants.

3.3.1.2 Despite section **3.3.1.1(b)** above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

3.3.2 Building Form and Placement

Regulations	RM-12N
3.3.2.1 Minimum site area	306 m ²
3.3.2.2 Minimum site frontage	12.8 m
3.3.2.3 Maximum building height	10.7 m and 3 storeys
3.3.2.4 Minimum front yard depth	3.7 m
3.3.2.5 Minimum side yard width	1.2 m
3.3.2.6 Minimum rear yard depth	1.8 m
3.3.2.7 Maximum site coverage for all buildings	55% of the site area
3.3.2.8 Maximum area of impermeable materials	70% of the site area

Building Height

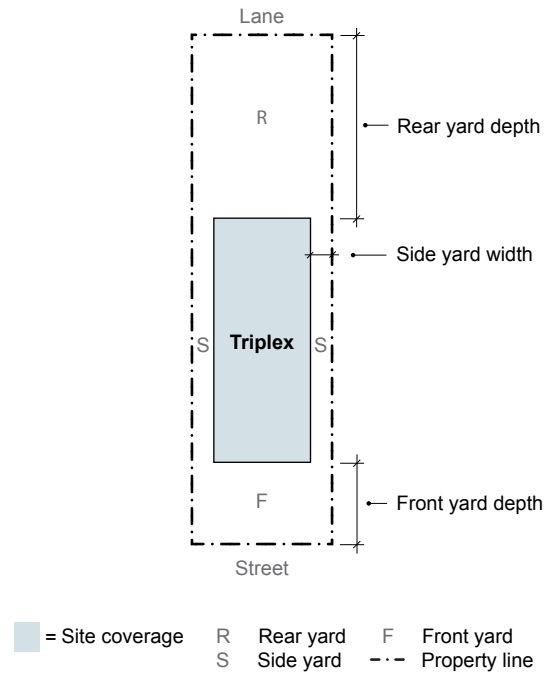
3.3.2.9 Despite the maximum building height in section **3.3.2.3** above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.

Discretion to Vary Other Regulations

3.3.2.10 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

- (a) the minimum front yard depth;
- (b) the maximum site coverage; and
- (c) the maximum area of impermeable materials.

Diagram: Building placement for triplex



3.4 Seniors Supportive or Assisted Housing

Seniors supportive or assisted housing is subject to the following regulations.

3.4.1 Density and Floor Area

3.4.1.1 The maximum floor space ratio is 0.75, except that:

- (a) the Director of Planning may increase:
 - (i) the permitted floor space ratio to a maximum of 1.45 where 100% of the residential floor area is developed as secured market rental housing subject to an agreed upon rental increase limit, or
 - (ii) the permitted floor area by 1 m² per amenity share or per affordable housing share provided to the City at no cost to the City, to a maximum floor space ratio of 1.45; and
- (b) on sites with a minimum site area of 1,000 m² and a minimum site frontage of 36.6 m, the Director of Planning may increase:
 - (i) the permitted floor space ratio to a maximum of 1.70 where 100% of the residential floor area is developed as secured market rental housing subject to an agreed upon rental increase limit, or
 - (ii) the permitted floor area by 1 m² per amenity share or per affordable housing share provided to the City at no cost to the City, to a maximum floor space ratio of 1.70,

if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants.

3.4.1.2 Despite sections [3.4.1.1\(a\)\(ii\)](#) and [3.4.1.1\(b\)\(ii\)](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law.

3.4.2 Building Form and Placement

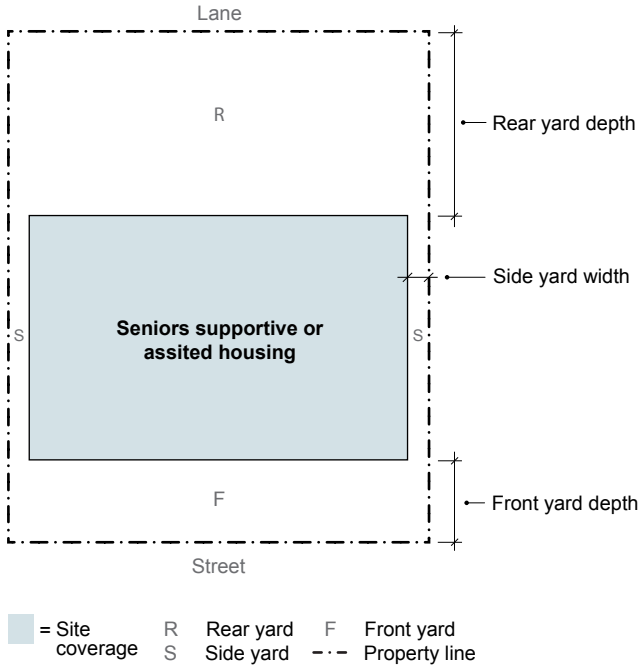
Regulations	RM-12N
3.4.2.1 Minimum site area	910 m ²
3.4.2.2 Minimum site frontage	27.4 m
3.4.2.3 Maximum building height	12.2 m and 4 storeys
3.4.2.4 Minimum front yard depth	3.7 m
3.4.2.5 Minimum side yard width	1.2 m
3.4.2.6 Minimum rear yard depth	1.8 m

Regulations	RM-12N
3.4.2.7 Maximum site coverage for all buildings	45% of the site area
3.4.2.8 Maximum area of impermeable materials	70% of the site area

Building Height

- 3.4.2.9 Despite the maximum building height in section 3.4.2.3 above, the fourth storey of a building must be a partial storey not exceeding 60% of the storey immediately below.
- 3.4.2.10 Despite section 3.4.2.3 above, for sites with a minimum site frontage of 36.6 m and a minimum site area of 1000 m², the Director of Planning may vary the maximum building height to a height not exceeding 13.7 m if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Diagram: Building placement for senior supportive or assisted housing



3.5 Other Uses

Uses not regulated by sections 3.1 to 3.4 of this schedule are subject to the following regulations, except duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, infill, multiple conversion dwelling and secondary suite, which are regulated by the [RT-5 District Schedule](#).

3.5.1 Density and Floor Area

3.5.1.1 The maximum floor space ratio is 0.75.

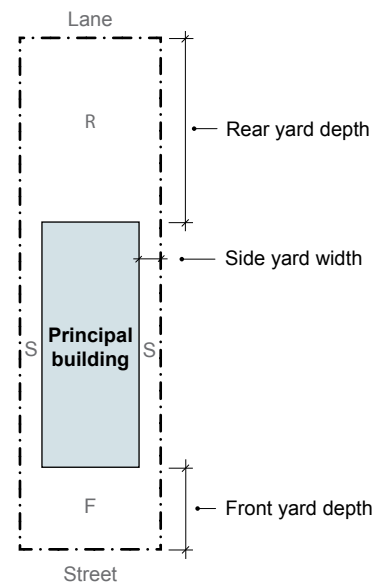
3.5.2 Building Form and Placement

Regulations	RM-12N
3.5.2.1 Maximum building height	10.7 m and 3 storeys
3.5.2.2 Minimum front yard depth	3.7 m
3.5.2.3 Minimum side yard width	1.2 m
3.5.2.4 Minimum rear yard depth	1.8 m
3.5.2.5 Maximum site coverage for all buildings	45% of the site area
3.5.2.6 Maximum area of impermeable materials	70% of the site area

Diagram: Building placement for other uses

Building Height

3.5.2.7 Despite the maximum building height in section 3.5.2.1 above, the third storey of a building must be a partial storey not exceeding 50% of the storey immediately below.



= Site coverage
 R Rear yard F Front yard
 S Side yard - - - Property line

4 GENERAL REGULATIONS

All uses in this district, except duplex, duplex with secondary suite, single detached house, single detached house with secondary suite, infill in combination with retention of a character house, multiple conversion dwelling and secondary suite, are subject to the following regulations.

4.1 Amenity Shares and Affordable Housing Shares

4.1.1 For the purposes of this schedule, amenity means 1 or more of the following:

- (a) community centre or neighbourhood house;
- (b) library;
- (c) museum or archives;
- (d) park or playground;
- (e) plaza;
- (f) rink;
- (g) swimming pool;
- (h) child day care facility;
- (i) public authority use; and
- (j) social service centre.

4.1.2 For the purposes of this schedule, the cost of an amenity share or affordable housing share is the amount specified per m² in [Schedule F: Affordable Housing and Amenity Share Cost Schedule](#) of this by-law for the RM-12N zoning district.

4.2 Computation of Floor Area

4.2.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
- (c) where the distance from a floor located no more than 2.0 m above finished grade to the floor above, or where there is no floor above, to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude an area designed with venting skylights, opening clerestory windows or other similar features if:

- (i) in the opinion of the Director of Planning, the area is designed to reduce energy consumption or improve natural light and ventilation, and
 - (ii) the area excluded does not exceed 1% of the permitted floor area; and
- (d) the floor area of bay windows, regardless of seat height, location in building or relationship to yard setbacks, which exceeds the product of the total permitted floor area above the basement multiplied by 0.01.

4.2.2 Computation of floor area must exclude:

- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area for multiple dwelling or mixed-use residential building;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) for multiple dwelling or mixed-use residential building, where floors are used for:
 - (i) off-street parking and loading, those floors or portions thereof which are located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
 - (ii) bicycle storage located at or below base surface or, if located at or above base surface, are contained in an accessory building customarily ancillary to multiple dwelling or mixed-use residential building, and that complies with section [2.2.17](#) of this schedule, and
 - (iii) heating and mechanical equipment or uses that the Director of Planning considers similar to the foregoing, any of which are located at or below base surface;
- (d) for triplex and other dwelling uses other than multiple dwelling, where floors are used for off-street parking and loading, or bicycle storage in multiple conversion dwellings containing 3 or more dwelling units, or uses that the Director of Planning considers similar to the foregoing:
 - (i) those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building that complies with section [2.2.16](#) of this schedule, or in an infill single detached house or principal building located within 7.9 m of the ultimate rear property line, up to a maximum of 48 m², and
 - (ii) on sites with no developed secondary access, those floors or portions thereof not exceeding 7.3 m in length and minimum required manoeuvring aisle, which are located either in a principal building, an accessory building, or an infill single detached house up to a maximum area that the Director of Planning may determine, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines;
- (e) for non-dwelling uses, where floors are used for off-street parking and loading, heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, those floors or portions thereof not exceeding 7.3 m in length, which are located in an accessory building located within 7.9 m of the ultimate rear property line, or below base surface;
- (f) areas of undeveloped floors that are located:

- (i) above the highest storey or partial storey, and to which there is no permanent means of access other than a hatch, or
- (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;
- (g) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (h) entries, porches and verandahs, and covered porches above the storey if:
 - (i) the side facing the street, rear property line, courtyard, park or school is open or protected by guards that do not exceed the required minimum height,
 - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 4.2.2(a) above, does not exceed 16% of the permitted floor area for multiple dwelling or mixed-use residential building and 13% of the permitted floor area for all other uses, and
 - (iii) the ceiling height, excluding roof structures, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor;
- (i) for multiple dwelling or mixed-use residential building, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit;
- (j) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of 1% of permitted floor area; and
- (k) unconditioned floor areas with a ceiling height or height to the underside of joists of less than 2.0 m, located below the floors of entries, porches and verandahs complying with section 4.2.2(h) above, to which there is no access from the interior of the building.

4.3 Site Coverage and Impermeability: Measurement

4.3.1 The maximum area of impermeable materials includes site coverage for all buildings.

4.4 Horizontal Angle of Daylight

4.4.1 Each habitable room must have at least 1 window on an exterior wall of a building.

4.4.2 For the purposes of section 4.4.1 above, habitable room means any room except a bathroom or kitchen.

4.4.3 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.

4.4.4 The plane or planes referred to in section 4.4.3 above must be measured horizontally from the centre of the bottom of each window.

- 4.4.5 An obstruction referred to in section 4.4.3 above means:
- (a) any part of the same building excluding permitted projections; or
 - (b) the largest building permitted on any adjoining site.
- 4.4.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
 - (b) the minimum distance of unobstructed view is at least 2.4 m.

4.5 Dedication of Land

4.5.1 Dedication for Lane Purposes

- 4.5.1.1 Where a site does not abut a lane, or abuts a lane that is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, must be dedicated for lane purposes.
- 4.5.1.2 Where dedication is made, it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.

4.5.2 Dedication for Sidewalk and Boulevard Purposes

- 4.5.2.1 For development sites that adjoin the streets set forth below, a portion of the site must be dedicated to the City for sidewalk and boulevard improvements to achieve the following distance from the centre line of the street to the property line of the development site, measured at right angles:
- (a) East 1st Avenue, 12.2 m;
 - (b) East 1st Avenue, from Garden Drive to Nanaimo Street, 13.4 m;
 - (c) Nanaimo Street, from East Pender Street to William Street, 15.1 m; and
 - (d) Nanaimo Street, from East 2nd Avenue to Grandview Highway North, 16.1 m.
- 4.5.2.2 Where dedication is made, it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.

Map 1: Sites where mixed-use residential building is permitted

