

# RM-3

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit residential development, including high-rise apartment buildings, and to encourage open space and daylight access.

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-3 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 |
|--------------------|---|---|
| 550 m <sup>2</sup> | Multiple Dwelling   | <a href="#">3.1</a>                     |
|                    | Seniors Supportive or Assisted Housing                              | <a href="#">3.1</a>                     |
|                    | Rooming House   | <a href="#">3.3</a>                     |
| --                 | Duplex  | <a href="#">3.2</a>                     |
|                    | Single Detached House or Single Detached House with Secondary Suite | <a href="#">3.2</a>                     |
|                    | Other uses in section <a href="#">2.1</a> of this schedule          | <a href="#">3.3</a>                     |

### 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 or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board 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                      |
|--|-------------|---|
| <b>Agricultural Uses</b>   |             |   |
| Urban Farm – Class A   | Conditional |   |
| <b>Cultural and Recreational Uses</b>  |             |   |
| Club   | Conditional | <a href="#">2.2.1</a>                         |
| Community Centre or Neighbourhood House  | Conditional |   |
| Library, in combination with Community Centre  | Conditional |   |
| Park or Playground   | Conditional |   |
| <b>Dwelling Uses</b>   |             |   |
| Duplex   | Outright    |   |
| Mixed-Use Residential Building   | Conditional | <a href="#">2.2.2</a> , <a href="#">2.2.5</a> |
| Multiple Conversion Dwelling, containing 2 dwelling units  | Outright    | <a href="#">2.2.3</a>                         |
| Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing as of June 18, 1956 | Conditional | <a href="#">2.2.4</a> , <a href="#">2.2.5</a> |
| Multiple Dwelling  | Conditional | <a href="#">2.2.5</a>                         |
| Rooming House  | Outright    |   |
| Seniors Supportive or Assisted Housing   | Conditional |   |
| Single Detached House  | Outright    |   |
| Single Detached House with Secondary Suite   | Conditional |   |
| <b>Institutional Uses</b>  |             |   |
| Ambulance Station  | Conditional |   |
| Child Day Care Facility  | Conditional |   |
| Church   | Conditional |   |
| Community Care Facility – Class A  | Outright    | <a href="#">2.2.6</a>                         |
| Community Care Facility – Class B  | Conditional |   |
| Group Residence  | Conditional |   |

| Use  | Approval    | Use-Specific Regulations |
|--|-------------|--------------------------|
| Hospital   | Conditional |                          |
| Public Authority Use, essential in this district   | Conditional |                          |
| School – Elementary or Secondary   | Conditional |                          |
| Social Service Centre  | Conditional |                          |
| <b>Parking Uses</b>  |             |                          |
| Parking Area, ancillary to a principal use on an adjacent site   | Conditional |                          |
| <b>Retail Uses</b>   |             |                          |
| Farmers' Market  | Conditional | 2.2.7                    |
| Neighbourhood Grocery Store  | Conditional |                          |
| Public Bike Share  | Conditional |                          |
| <b>Service Uses</b>  |             |                          |
| Bed and Breakfast Accommodation  | Conditional |                          |
| Short Term Rental Accommodation  | Conditional |                          |
| <b>Utility and Communication Uses</b>  |             |                          |
| Public Utility   | Conditional |                          |
| <b>uncategorized</b>   |             |                          |
| Accessory Buildings, customarily ancillary to any use listed in this section 2.1   | Outright    | 2.2.8                    |
| Accessory Buildings, customarily ancillary to any use listed in this section 2.1 and not permitted as an outright approval use | Conditional |                          |
| Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1                                  | Outright    |                          |
| 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 |                          |

## 2.2 Use-Specific Regulations

- 2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.
- 2.2.2 The only non-dwelling use permitted in a mixed-use residential building is neighbourhood grocery store.
- 2.2.3 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:
  - (a) there are no additions to the building;

- (b) no housekeeping or sleeping units are created; and
- (c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.4 Multiple conversion dwelling that is not permitted as an outright approval use, resulting from the conversion of a building existing as of June 18, 1956, may be permitted as a conditional approval use if:

- (a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties and the character of the area; and
- (b) building additions resulting in a total floor space ratio greater than 0.60 are in keeping with the character of the building.

2.2.5 Development on any site consisting of 3 or more dwelling units that:

- (a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or
- (b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,

is subject to the [Rental Housing Stock Official Development Plan](#).

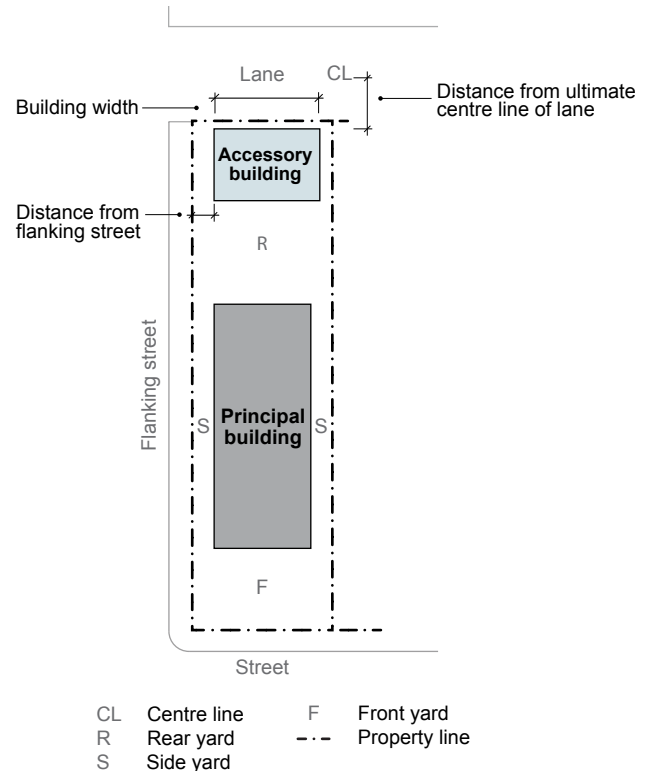
2.2.6 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.

2.2.7 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.

2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule 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,

**Diagram: Building placement for accessory building**



provided that no portion of an accessory building exceeds 4.6 m in building height;

- (b) all accessory buildings are located:
  - (i) in the rear yard,
  - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane, and
  - (iii) no less than the width of the required side yard 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 35% of the minimum rear yard required in this schedule, or 48 m<sup>2</sup>, whichever is greater; and
- (d) the combined building width for all accessory buildings does not exceed 67% of the width of the site at the rear property line.

### 3 DENSITY, FORM AND PLACEMENT REGULATIONS

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

#### 3.1 Multiple Dwelling and Seniors Supportive or Assisted Housing

Multiple dwelling and seniors supportive or assisted housing are subject to the following regulations.

##### 3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 1.00, except that the floor space ratio may be increased:

- (a) by an amount equal to 0.012 for each 1% or fraction of a percent that the site coverage is below 50%;
- (b) where the site area exceeds 837 m<sup>2</sup> and the frontage of the site is at least 22.8 m, by an amount equal to 0.002 multiplied by each 9.3 m<sup>2</sup> of site area over 837 m<sup>2</sup>, provided this increase does not exceed 0.25; and
- (c) where parking spaces are provided within the outermost walls of a building or underground, but in no case with the floor of the parking area above the highest point of the finished grade around the building, an amount equal to 0.20 multiplied by the ratio of the number of parking spaces provided that are completely undercover to the total number of required parking spaces, may be added, but in no case may this increase exceed a figure of 0.20.

##### 3.1.2 Building Form and Placement

| Regulations                      | RM-3               |
|----------------------------------|--------------------|
| 3.1.2.1 Minimum site area        | 550 m <sup>2</sup> |
| 3.1.2.2 Maximum building height  | 36.6 m             |
| 3.1.2.3 Minimum front yard depth | 6.1 m              |
| 3.1.2.4 Minimum side yard width  | 2.1 m              |
| 3.1.2.5 Minimum rear yard depth  | 10.7 m             |

##### Site Area

3.1.2.6 The Director of Planning may reduce the minimum site area:

- (a) to 500 m<sup>2</sup> if the lot was on record in the Land Title Office prior to September 7, 1965; or
- (b) for multiple dwelling if the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

**Building Height and Vertical Angle of Daylight**

3.1.2.7 Despite the maximum building height in section 3.1.2.2 above, where any portion or portions of a building exceed a height of 10.7 m, the maximum width of any such portion or portions combined must not exceed an amount equal to 25% of the sum of the average depth plus the average width of the site.

3.1.2.8 For the purposes of section 3.1.2.7 above, where the development includes a building with 2 or more towers, the site may be interpreted as 2 or more sites, provided the area of each site is at least 2,300 m<sup>2</sup> and each portion of the building that is over 10.7 m in height is at least 24.0 m from any other portion of the building that is over 10.7 m in height.

3.1.2.9 No portion of a building that exceeds 10.7 m in height may project above lines extending over the site at right angles from:

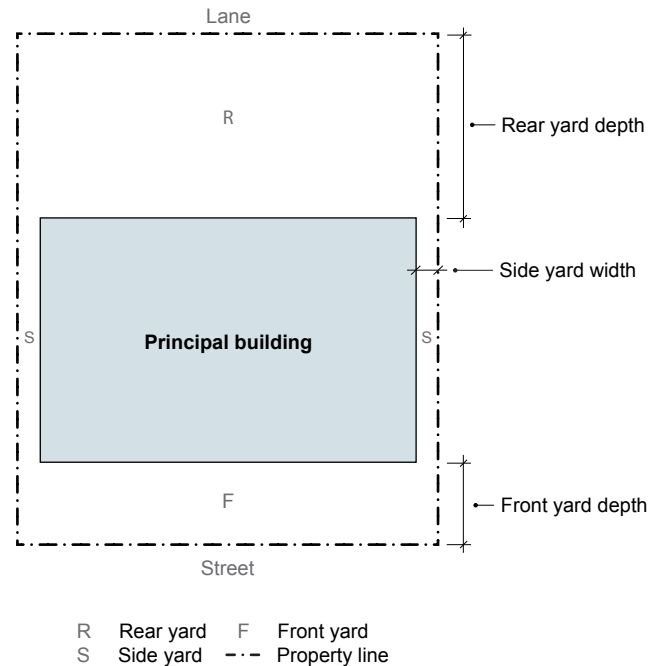
- (a) all points along the ultimate centre line of any street in front of the site and inclined at an average angle of 25 degrees to the horizontal;
- (b) all points along the rear boundary line of the site or the ultimate centre line of the lane where one has been dedicated, and inclined at an average angle of 25 degrees to the horizontal;
- (c) all points along any interior side boundary of the site at ground level and inclined at an average angle of 30 degrees to the horizontal; and
- (d) in the case of a corner site, all points along the ultimate centre line of the flanking street or lane and inclined at an average angle of 25 degrees to the horizontal.

3.1.2.10 For the purpose of computing the average angles of daylight on each side of the site, each angle will be multiplied by the width of the applicable portion of the building or site over which such angle applies, and the sum of these products will be divided by the total width of the corresponding site boundary.

**Side Yard**

3.1.2.11 Despite the minimum side yard width in section 3.1.2.4 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, plus 0.3 m for every 1.5 m or fraction thereof by which a building exceeds 12.2 m in height, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

**Diagram: Building placement for multiple dwelling and seniors supportive or assisted housing**



## Rear Yard

3.1.2.12 Despite the minimum rear yard depth in section 3.1.2.5 above:

- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
- (b) where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard; and
- (c) where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site, and where the average distance from the building to the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.



**3.2 Duplex, Single Detached House, and Single Detached House with Secondary Suite**

Duplex, single detached house, and single detached house with secondary suite are subject to the following regulations.

**3.2.1 Density and Floor Area**

3.2.1.1 The maximum floor space ratio is 0.60.

**3.2.2 Building Form and Placement**

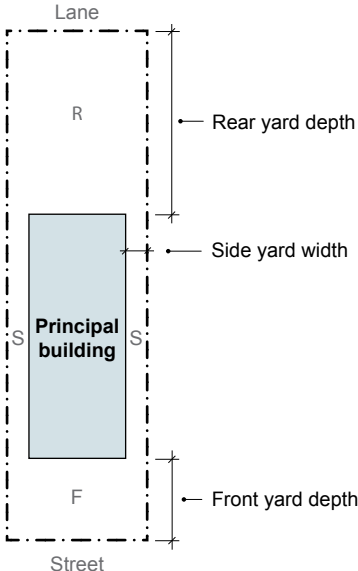
| Regulations   | RM-3                  |
|---|-----------------------|
| 3.2.2.1 Maximum building height                       | 10.7 m                |
| 3.2.2.2 Minimum front yard depth                      | 6.1 m                 |
| 3.2.2.3 Minimum side yard width where the site width: |                       |
| (a) does not exceed 15.0 m                            | 10% of the site width |
| (b) exceeds 15.0 m                                    | 1.5 m                 |
| 3.2.2.4 Minimum rear yard depth                       | 10.7 m                |

**Rear Yard**

3.2.2.5 Despite the minimum rear yard depth in section [3.2.2.4](#) above:

- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane; and
- (b) where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard.

**Diagram: Building placement for duplex, single detached house, and single detached house with secondary suite**



R Rear yard    F Front yard  
S Side yard    - - - Property line

### 3.3 Other Uses

Uses not regulated by sections 3.1 and 3.2 of this schedule are subject to the following regulations.

#### 3.3.1 Density and Floor Area

3.3.1.1 The maximum floor space ratio is 1.00, except that the floor space ratio may be increased:

- (a) by an amount equal to 0.012 for each 1% or fraction of a percent that the site coverage is below 50%;
- (b) where the site area exceeds 837 m<sup>2</sup> and the frontage of the site is at least 22.8 m, by an amount equal to 0.002 multiplied by each 9.3 m<sup>2</sup> of site area over 837 m<sup>2</sup>, provided this increase does not exceed 0.25; and
- (c) where parking spaces are provided within the outermost walls of a building or underground, but in no case with the floor of the parking area above the highest point of the finished grade around the building, an amount equal to 0.20 multiplied by the ratio of the number of parking spaces provided that are completely undercover to the total number of required parking spaces may be added, but in no case may this increase exceed a figure of 0.20.

#### 3.3.2 Building Form and Placement

| Regulations                                 | RM-3               |
|---|--------------------|
| 3.3.2.1 Minimum site area for rooming house | 550 m <sup>2</sup> |
| 3.3.2.2 Maximum building height             | 36.6 m             |
| 3.3.2.3 Minimum front yard depth            | 6.1 m              |
| 3.3.2.4 Minimum side yard width             | 2.1 m              |
| 3.3.2.5 Minimum rear yard depth             | 10.7 m             |

#### Site Area

3.3.2.6 The Director of Planning may reduce the minimum site area for rooming house:

- (a) to 500 m<sup>2</sup> if the lot was on record in the Land Title Office prior to September 7, 1965; or
- (b) if the Director of Planning considers the development site to consist of locked in lots and provided the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines.

**Building Height and Vertical Angle of Daylight**

3.3.2.7 Despite the maximum building height in section 3.3.2.2 above, where any portion or portions of a building exceed a height of 10.7 m, the maximum width of any such portion or portions combined must not exceed an amount equal to 25% of the sum of the average depth plus the average width of the site.

3.3.2.8 For the purposes of section 3.3.2.7 above, where the development includes a building with 2 or more towers, the site may be interpreted as 2 or more sites, provided the area of each site is at least 2,300 m<sup>2</sup> and each portion of the building that is over 10.7 m in height is at least 24.0 m from another portion of the building that is over 10.7 m in height.

3.3.2.9 No portion of a building that exceeds 10.7 m in height may project above lines extending over the site at right angles from:

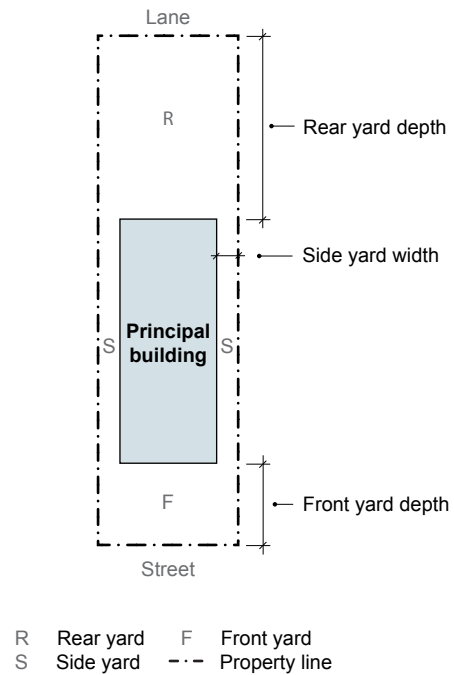
- (a) all points along the ultimate centre line of any street in front of the site and inclined at an average angle of 25 degrees to the horizontal;
- (b) all points along the rear boundary line of the site or the ultimate centre line of the lane where one has been dedicated, and inclined at an average angle of 25 degrees to the horizontal;
- (c) all points along any interior side boundary of the site at ground level and inclined at an average angle of 30 degrees to the horizontal; and
- (d) in the case of a corner site, all points along the ultimate centre line of the flanking street or lane and inclined at an average angle of 25 degrees to the horizontal.

3.3.2.10 For the purpose of computing the average angles of daylight on each side of the site, each angle will be multiplied by the width of the applicable portion of the building or site over which such angle applies, and the sum of these products will be divided by the total width of the corresponding site boundary.

**Side Yard**

3.3.2.11 Despite the minimum side yard width in section 3.3.2.4 above, in the case of a corner site, the minimum width of an exterior side yard is 20% of the width of the site, plus 0.3 m for every 1.5 m or fraction thereof by which a building exceeds 12.2 m in height, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

**Diagram: Building placement for other uses**



**Rear Yard**

3.3.2.12 Despite the minimum rear yard depth in section **3.3.2.5** above:

- (a) where the rear of the site abuts a lane, the required minimum rear yard depth will be decreased by the lane width between the rear property line and the ultimate centre line of the lane;
- (b) where the principal building or any portion thereof abutting the rear yard is 9.1 m or less in width and is located 7.6 m or more from an adjoining site, it may extend up to 3.0 m into the required rear yard; and
- (c) where the principal building or any portion thereof abutting the rear yard is 15.3 m or less in width and is located 7.6 m or more from an adjoining site, and where the average distance from the building to the rear property line is 10.7 m, the building or that portion thereof may extend up to 3.0 m into the required rear yard.

## 4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

### 4.1 Computation of Floor Area

4.1.1 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, 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; and
- (c) 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.

4.1.2 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 8% of the permitted floor area;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) floors or portions of floors used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing, which are:
  - (i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
  - (ii) above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) child day care facilities to a maximum floor area of 10% of the total permitted floor area, if the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood;
- (e) 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;

- (f) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit;
- (g) 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;
- (h) entries, porches and verandahs, and covered porches above the first storey if:
  - (i) the side facing the street or rear property line is open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section [4.1.2\(a\)](#) above, does not exceed 13% of the permitted floor area; and
- (i) 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 [4.1.2\(h\)](#) above, to which there is no access from the interior of the building.

4.1.3 The Director of Planning may permit enclosed residential balconies to be excluded in the computation of floor space ratio, provided that the Director of Planning considers all applicable Council policies and guidelines and approves the design of any balcony enclosure, subject to the following:

- (a) the total area of all open and enclosed balcony or deck exclusions does not exceed 8% of the residential floor area being provided; and
- (b) no more than 50% of the excluded balcony floor area may be enclosed.

## 4.2 Site Coverage

4.2.1 The maximum site coverage for any portion of the site used as parking area is 30%, except where the principal use of the site is a parking area.

## 4.3 Horizontal Angle of Daylight

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

4.3.2 For the purposes of section [4.3.1](#) above, habitable room means any room except a bathroom or kitchen.

4.3.3 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.

4.3.4 The plane or planes referred to in section [4.3.3](#) above must be measured horizontally from the centre of the bottom of each window.

4.3.5 An obstruction referred to in section [4.3.3](#) above means:

- (a) any part of the same building excluding permitted projections; or
- (b) the largest building permitted on any adjoining site.

4.3.6 The Director of Planning may vary the horizontal angle of daylight requirement if:

- (a) the Director of Planning considers the intent of this schedules and all applicable Council policies and guidelines; and
- (b) the minimum distance of unobstructed view is at least 3.7 m.