

# RM-5, RM-5A, RM-5B, RM-5C and RM-5D

## Districts Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to enable a variety of forms of residential development in the West End, including tower forms and infill townhouses, while also permitting compatible retail, office, service and institutional uses. Infill developed as secured market rental housing is encouraged. Emphasis is placed on achieving development that is compatible with neighbouring development with respect to the streetscape character, open spaces, view retention, sunlight access and privacy.

The RM-5 district encourages developments suited to families with children. The RM-5A, RM-5B, RM-5C and RM-5D districts permit greater densities than the RM-5 district. The RM-5C district permits a greater range of uses. The RM-5D district supports the development of social housing.

Acoustic regulations in [Section 10](#) of this by-law apply to all dwelling units.

Without limitation, applicable Council policies and guidelines for consideration include the [West End RM-5, RM-5A, RM-5B, RM-5C and RM-5D Guidelines](#).

#### 1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the RM-5, RM-5A, RM-5B, RM-5C and RM-5D districts, 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 of the table below.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in section 2.1 of this schedule, except Infill	<a href="#">3.1</a>
	Infill	<a href="#">3.2</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 these districts and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in these districts 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.

<b>Use</b>	<b>Approval</b>	<b>Use-Specific Regulations</b>
<b>Agricultural Uses</b>		
Urban Farm – Class A	Conditional	
<b>Cultural and Recreational Uses</b>		
Bowling Alley, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Club, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Community Centre or Neighbourhood House	Outright	<a href="#">2.2.1</a>
Fitness Centre, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.3</a>
Library, in combination with Community Centre	Outright	<a href="#">2.2.1</a>
Museum or Archives	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.2</a>
Park or Playground	Outright	
Theatre, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.4</a>
<b>Dwelling Uses</b>		
Duplex	Conditional	
Infill Duplex	Conditional	
Infill Multiple Dwelling	Conditional	<a href="#">2.2.5</a>
Infill Single Detached House	Conditional	
Mixed-Use Residential Building	Outright	<a href="#">2.2.5</a> , <a href="#">2.2.6</a> , <a href="#">2.2.7</a> , <a href="#">2.2.8</a>

<b>Use</b>	<b>Approval</b>	<b>Use-Specific Regulations</b>
Mixed-Use Residential Building	Conditional	<a href="#">2.2.5</a> , <a href="#">2.2.6</a> , <a href="#">2.2.7</a> , <a href="#">2.2.8</a>
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	
Multiple Conversion Dwelling, containing 3 or more dwelling units	Conditional	<a href="#">2.2.5</a>
Multiple Dwelling	Conditional	<a href="#">2.2.5</a> , <a href="#">2.2.8</a> , <a href="#">2.2.9</a>
Rooming House	Outright	
Seniors Supportive or Assisted Housing	Conditional	
Single Detached House	Conditional	
Single Detached House with Secondary Suite	Conditional	
<b>Institutional Uses</b>		
Ambulance Station	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
Child Day Care Facility	Outright	
Church	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.11</a>
Community Care Facility – Class A	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.12</a>
Community Care Facility – Class B	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Group Residence	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Hospital	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.14</a>
Public Authority Use, essential in these districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.10</a>
School – Elementary or Secondary	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.15</a>
Social Service Centre	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.15</a>
<b>Office Uses</b>		
Financial Institution, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.16</a>
General Office, in a building protected by a heritage designation by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
General Office, only in the RM-5C and RM-5D districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
Health Care Office, in a building protected by a heritage designation by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
Health Care Office, only in the RM-5C and RM-5D districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
Health Enhancement Centre, in a building protected by a heritage designation by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
Health Enhancement Centre, only in the RM-5C and RM-5D districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.18</a>
Grocery or Drug Store, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.19</a>
Neighbourhood Grocery Store	Outright	<a href="#">2.2.1</a>

<b>Use</b>	<b>Approval</b>	<b>Use-Specific Regulations</b>
Public Bike Share	Conditional	
Retail Store, in a building protected by a heritage designation by-law	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.17</a>
Retail Store, only in the RM-5C and RM-5D districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.18</a>
Small-Scale Pharmacy, only in the RM-5C district	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Animal Clinic, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.20</a>
Barber Shop or Beauty Salon, only in the RM-5C and RM-5D districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.21</a>
Beauty and Wellness Centre, only in the RM-5C district	Conditional	<a href="#">2.2.1</a>
Bed and Breakfast Accommodation	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.13</a>
Hotel, existing as of September 26, 1989	Outright	<a href="#">2.2.1</a>
Hotel, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.22</a>
Laundromat or Dry Cleaning Establishment, existing as of September 26, 1989	Outright	<a href="#">2.2.1</a>
Laundromat or Dry Cleaning Establishment, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.23</a>
Photofinishing or Photography Studio, only in the RM-5C and RM-5D districts	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.24</a>
Print Shop, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.21</a>
Restaurant – Class 1, in a building protected by a heritage designation by-law	Conditional	<a href="#">2.2.17</a>
Restaurant – Class 1, only in the RM-5C or RM-5D districts	Conditional	<a href="#">2.2.17</a>
School – Arts or Self-Improvement, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.25</a>
School – Business, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.26</a>
School – Vocational or Trade, only in the RM-5C district	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.25</a>
Short Term Rental Accommodation	Conditional	<a href="#">2.2.1</a>
<b>Utility and Communication Uses</b>		
Public Utility	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.15</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.27</a>
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a> and not permitted as an outright approval use	Conditional	<a href="#">2.2.1</a>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a> , except hotel	Outright	<a href="#">2.2.1</a>
Accessory Uses, customarily ancillary to any conditional approval use listed in this section <a href="#">2.1</a> or hotel	Conditional	<a href="#">2.2.1</a>

## **2.2 Use-Specific Regulations**

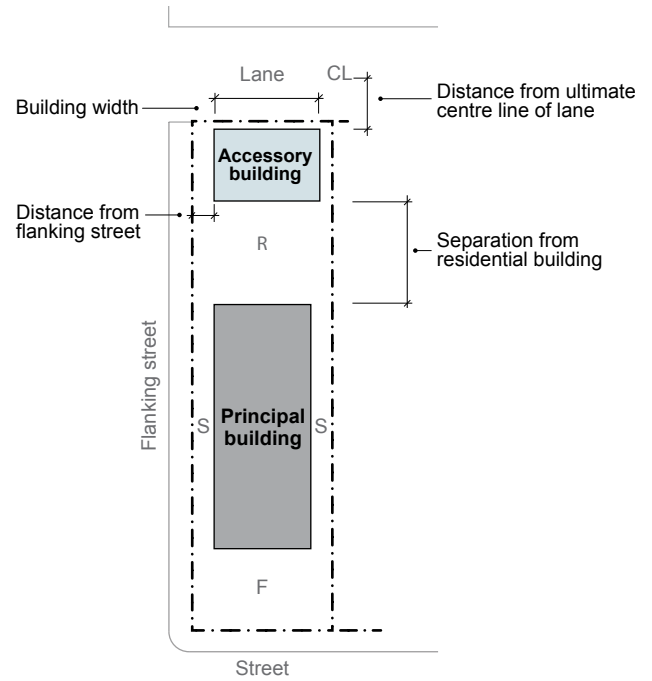
- 2.2.1 All uses listed in section 2.1 of this schedule, other than dwelling uses, must be carried on wholly within a completely enclosed building, except for the following:
- (a) parking and loading facilities;
  - (b) display of flowers, plants, fruit and vegetables;
  - (c) child day care facility;
  - (d) restaurant;
  - (e) farmers' market;
  - (f) urban farm – class A;
  - (g) park or playground; and
  - (h) public bike share.
- 2.2.2 Bowling alley and museum or archives may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, proximity to major streets, and size of facility.
- 2.2.3 Club and fitness centre may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, parking, noise, hours of operation, pedestrian amenity and size of facility.
- 2.2.4 Theatre may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, hours of operation and traffic.
- 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 The only non-dwelling uses permitted in a mixed-use residential building that is permitted as an outright approval use are:
- (a) neighbourhood grocery store; and
  - (b) laundromat or dry cleaning establishment existing as of September 26, 1989.

- 2.2.7 Mixed-use residential building may be permitted as a conditional approval use and may include any non-dwelling use listed in section 2.1 of this schedule.
- 2.2.8 In the RM-5 district, every townhouse, apartment or mixed-use residential building must include an outdoor area with a minimum area of 37 m<sup>2</sup>, in an appropriate location that could be developed as a children's play area.
- 2.2.9 In the RM-5 district, a minimum of 20% of total dwelling units within any townhouse or apartment must:
- (a) contain 2 or more bedrooms;
  - (b) have private open space directly accessible from the unit and that is a minimum of 5.6 m<sup>2</sup> in area, and with a minimum dimension of 1.8 m; and
  - (c) be located within 3 storeys of grade.
- 2.2.10 Ambulance station and public authority use may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, vehicular ingress and egress, and proximity to major streets.
- 2.2.11 Church may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking and size of facility.
- 2.2.12 Community care facility – class A is subject to the regulations, variations and relaxations that apply to single detached house.
- 2.2.13 Community care facility – class B, group residence and bed and breakfast accommodation may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites.
- 2.2.14 Hospital may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, vehicular ingress and egress and the category of the facility.
- 2.2.15 School – elementary or secondary, social service centre, and public utility may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites and the category of the facility.
- 2.2.16 Financial institution may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to the size of the facility and parking.
- 2.2.17 General office, health care office, health enhancement centre, retail store in a building that is protected by a heritage designation by-law, and restaurant – class 1 may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise and hours of operation.

- 2.2.18 Retail store in the RM-5C and RM-5D districts and farmers' market may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, pedestrian amenity and size of facility.
- 2.2.19 Grocery or drug store may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking, the size of the facility and pedestrian amenity.
- 2.2.20 Animal clinic may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, noise and hours of operation.
- 2.2.21 Barber shop or beauty salon and print shop may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, hours of operation and parking.
- 2.2.22 Hotel in the RM-5C district may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites and traffic.
- 2.2.23 Laundromat or dry cleaning establishment in the RM-5C district may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with surrounding uses, parking, noise and hours of operation.
- 2.2.24 Photofinishing or photography studio may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to parking.
- 2.2.25 School – arts or self-improvement and school – vocational or trade may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to size of facility, parking, noise impacts and hours of operation.
- 2.2.26 School – business may be permitted if the Director of Planning or Development Permit Board considers the appropriateness of the use with respect to compatibility with nearby sites, size of facility, category of facility and hours of operation.
- 2.2.27 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,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) at least 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;
- (d) the combined building width for all accessory buildings does not exceed 67% of the width of the site at the rear property line; and
- (e) the separation from any residential building is at least 3.7 m.

**Diagram: Building placement for accessory building**



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



### **3 DENSITY, FORM AND PLACEMENT REGULATIONS**

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

#### **3.1 All Uses, Except Infill**

All uses in these districts, except infill, 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:

(a) the Director of Planning or Development Permit Board may increase the permitted floor space ratio to a maximum of:

- (i) 1.50 in the RM-5 district,
- (ii) 2.20 in the RM-5A, RM-5C and RM-5D districts, and
- (iii) 2.75 in the RM-5B district,

if the Director of Planning or Development Permit Board considers the building height, bulk, location and overall design of the development, the impact of the development on nearby sites, street and public open spaces, the intent of this schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants;

(b) despite the regulations in section **3.1.1.1(a)** above, for sites located in the RM-5A, RM-5B, RM-5C and RM-5D districts that do not exceed 20.2 m in width, the floor space ratio must not exceed:

- (i) 2.00 on corner sites with a minimum site area of 800 m<sup>2</sup>, and
- (ii) 1.50 on all other sites;

(c) despite the regulations in sections **3.1.1.1(a)** and **3.1.1.1(b)** above, the maximum allowable floor space ratio for all permitted uses in the RM-5D district, other than dwelling uses, is 0.65;

(d) despite the regulations in sections **3.1.1.1(a)**, **3.1.1.1(b)** and **3.1.1.1(c)** above, if there is no heritage floor area available for transfer, the Director of Planning may permit an additional increase in the permitted floor area of 1 m<sup>2</sup> per amenity share provided to the City at no cost to the City, to a maximum of 10% of the permitted floor space ratio, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;

(e) the Development Permit Board may increase the permitted floor space ratio by a maximum of 10% where the increase results from a transfer of heritage floor area, except that this provision does not apply to a development where there has been an increase in floor space ratio pursuant to sections **3.1.1.1(d)** above or **5.3** of this schedule; and

(f) the Director of Planning or Development Permit Board may increase the permitted floor space ratio in the RM-5D district for multiple dwelling, or for mixed-use residential building, to a maximum of 7.00, if a minimum of 20% of the floor area included in the calculation of floor space ratio is developed as

social housing and the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

- 3.1.1.2 The maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this schedule and this by-law.
- 3.1.1.3 In this section 3.1.1, “heritage floor area” means floor area that may be transferred from a heritage site to another site, in accordance with Council policies and guidelines.

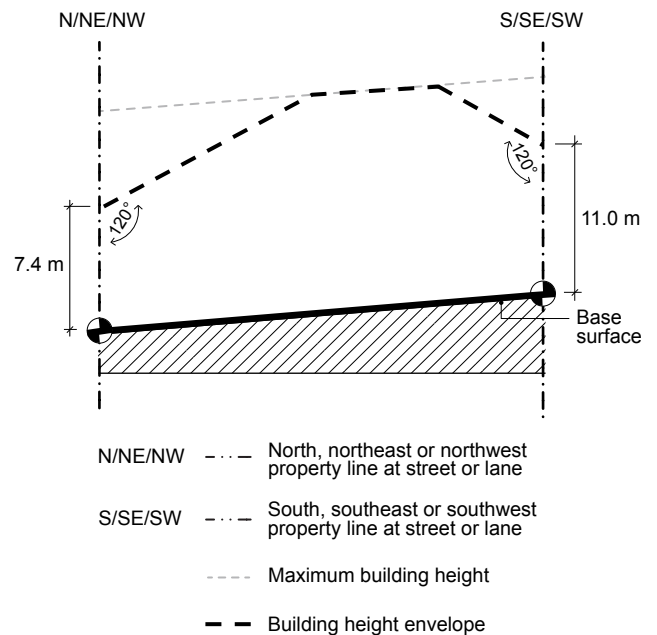
**3.1.2 Building Form and Placement**

Regulations	RM-5, RM-5A, RM-5B, RM-5C and RM-5D
3.1.2.1 Maximum building height	18.3 m
3.1.2.2 Minimum front yard depth	3.7 m
3.1.2.3 Minimum side yard width	2.1 m
3.1.2.4 Minimum rear yard depth	2.1 m
3.1.2.5 Maximum site coverage for all buildings	50% of the site area

**Building Height**

- 3.1.2.6 Despite the maximum building height in section 3.1.2.1 above, no portion of the building may extend above the envelope formed by a vertical line measuring 7.4 m in height at the north, northeast or northwest property line at a street or lane and a vertical line measuring 11.0 m at the south, southeast or southwest property line at a street or lane and a plane formed by an angle of 120 degrees measured from each of the vertical lines.
- 3.1.2.7 The Director of Planning or Development Permit Board may increase the maximum building height in the RM-5, RM-5A, RM-5B, and RM-5C districts to a height not exceeding 58.0 m if the liveability and environmental quality of the surrounding neighbourhood is not unduly harmed and the Director of

**Diagram: Maximum building height envelope**



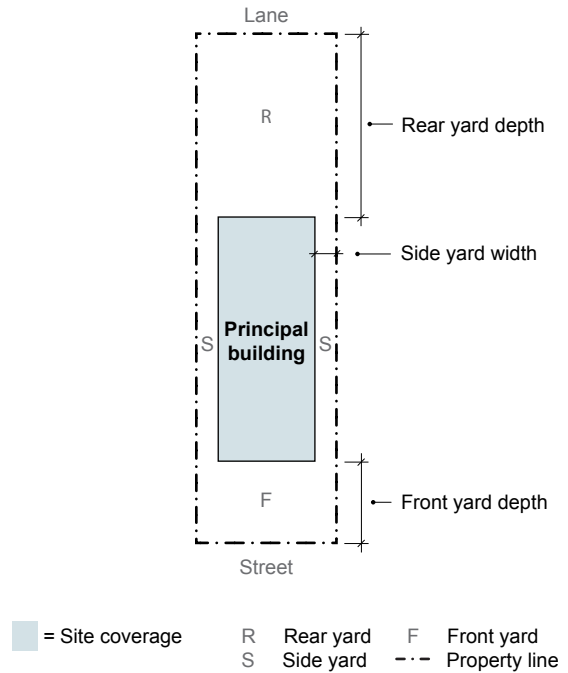
Planning or the Development Permit Board considers:

- (a) the intent of this schedule and all applicable Council policies and guidelines;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the impact on public and private views, sunshine, privacy and open spaces.

3.1.2.8 The Director of Planning or Development Permit Board may increase the maximum building height in the RM-5D district for multiple dwellings and mixed-use residential building to a height not exceeding 58.0 m 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) a minimum of 20% of the floor area included in the calculation of floor space ratio is developed as social housing.

**Diagram: Building placement for all permitted uses except infill**



**Side Yard**

3.1.2.9 Despite the minimum side yard width in section 3.1.2.3 above, in the case of a corner site, the width of the exterior side yard must be at least 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.

3.1.2.10 The Director of Planning or Development Permit Board may decrease the minimum side yard depth if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

**Discretion to Vary Other Regulations**

- 3.1.2.11 If the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines the Director of Planning or Development Permit Board may vary:
- (a) the minimum front yard depth;
  - (b) the minimum rear yard depth; and
  - (c) the maximum site coverage.

## **3.2 Infill**

Infill is subject to the following regulations.

### **3.2.1 Density and Floor Area**

3.2.1.1 The maximum floor space ratio for the overall site is 1.00, except that:

(a) the Director of Planning or Development Permit Board may increase the permitted floor space ratio for the overall site to a maximum of:

- (i) 1.50 in the RM-5 district,
- (ii) 2.20 in the RM-5A, RM-5C and RM-5D districts, and
- (iii) 2.75 in the RM-5B district,

if the Director of Planning or Development Permit Board considers the building height, bulk, location and overall design of the development, the impact of the development on nearby sites, street and public open spaces, the intent of this schedule, all applicable Council policies and guidelines, and the submissions of any advisory groups, property owners or tenants;

(b) despite the regulations in section [3.2.1.1\(a\)](#) above, for sites located in the RM-5A, RM-5B, RM-5C and RM-5D districts that do not exceed 20.2 m in width, the floor space ratio for the overall site must not exceed:

- (i) 2.00 on corner sites with a minimum site area of 800 m<sup>2</sup>, and
- (ii) 1.50 on all other sites;

(c) despite the regulations in sections [3.2.1.1\(a\)](#) and [3.2.1.1\(b\)](#) above, the maximum allowable floor space ratio for all permitted uses in the RM-5D district, other than dwelling uses, is 0.65;

(d) despite the regulations in sections [3.2.1.1\(a\)](#), [3.2.1.1\(b\)](#) and [3.2.1.1\(c\)](#) above, if there is no heritage floor area available for transfer, the Director of Planning may permit an additional increase in the permitted floor area of 1 m<sup>2</sup> per amenity share provided to the City at no cost to the City, to a maximum of 10% of the permitted floor space ratio, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant;

(e) the Development Permit Board may increase the permitted floor space ratio by a maximum of 10% where the increase results from a transfer of heritage floor area, except that this provision must not apply to a development where there has been an increase in floor space ratio pursuant to sections [3.2.1.1\(d\)](#) above or [5.3](#) of this schedule; and

(f) the Director of Planning or Development Permit Board may vary the floor area for infill multiple dwelling in the RM-5, RM-5A and RM-5B districts provided that:

- (i) the infill multiple dwelling is developed as secured market rental housing,

- (ii) in an infill multiple dwelling with 4 or more dwelling units, at least 50% of the dwelling units contain 2 or more bedrooms,
- (iii) in an infill multiple dwelling with 10 or more dwelling units, at least 50% of the dwelling units contain 2 or more bedrooms and at least 10% of the dwelling units contain 3 or more bedrooms, and
- (iv) existing buildings, landmarks or features on the site that are listed on the Vancouver Heritage Register or which may have heritage value are conserved, to the satisfaction of the Director of Planning,

if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

3.2.1.2 The maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this schedule and this by-law.

3.2.1.3 In this section [3.2.1](#), “heritage floor area” means floor area that may be transferred from a heritage site to another site, in accordance with Council policies and guidelines.

**3.2.2 Building Form and Placement**

Regulations	RM-5, RM-5A, RM-5B, RM-5C and RM-5D
3.2.2.1 Maximum building height	12.2 m
3.2.2.2 Minimum side yard width	2.1 m
3.2.2.3 Minimum rear yard depth	2.1 m
3.2.2.4 Maximum site coverage for all buildings	50% of the site area

**Building Height**

3.2.2.5 Despite the maximum building height in section [3.2.2.1](#) above, no portion of the building may extend above the envelope formed by a vertical line measuring 7.4 m in height at the north, northeast or northwest property line and a vertical line measuring 11.0 m at the south, southeast or southwest property line and a plane formed by an angle of 120 degrees measured from each of the vertical lines.

3.2.2.6 For infill multiple dwelling in the RM-5, RM-5A and RM-5B districts, where the development satisfies the conditions set out in section [3.2.1.1\(f\)](#) above, the Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 18.3 m if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

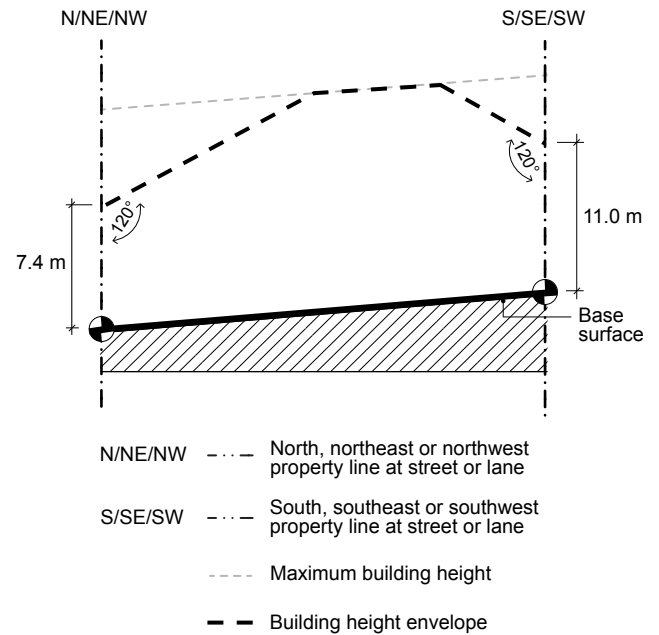
**Side Yard**

- 3.2.2.7 Despite the minimum side yard width in section 3.2.2.2 above, in the case of a corner site, the width of the exterior side yard must be at least 20% of the width of the site, except that it must not be less than 3.0 m in width and need not be more than 6.0 m in width.
- 3.2.2.8 For infill multiple dwelling in the RM-5, RM-5A and RM-5B districts, where the development satisfies the conditions set out in section 3.2.1.1(f) above, the Director of Planning or Development Permit Board may decrease the minimum side yard width if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

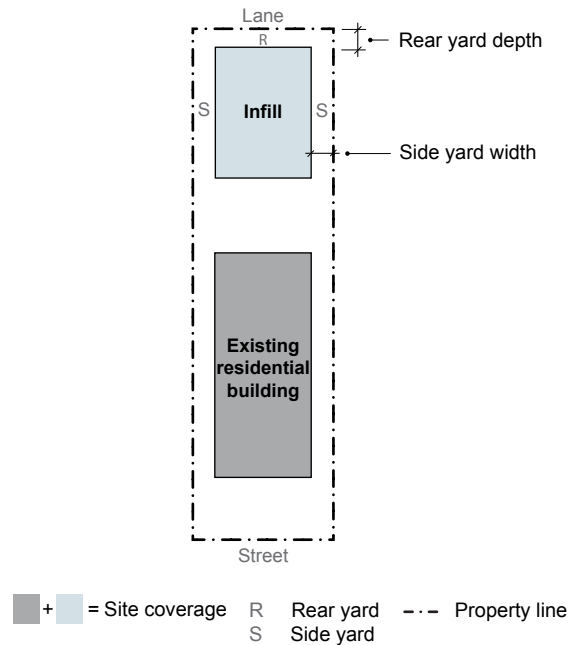
**Discretion to Vary Other Regulations**

- 3.2.2.9 For infill multiple dwelling in the RM-5, RM-5A and RM-5B districts, where the development satisfies the conditions set out in section 3.2.1.1(f) above, the Director of Planning or Development Permit Board may vary:
  - (a) the minimum rear yard depth; and
  - (b) the maximum site coverage,
 if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

**Diagram: Maximum building height envelope**



**Diagram: Building placement for infill**



## **4 GENERAL REGULATIONS**

All uses in these districts are subject to the following regulations.

### **4.1 Amenity Shares**

4.1.1 For the purposes of this schedule, amenity means conservation of protected heritage property.

4.1.2 For the purposes of this schedule, the cost of an amenity share is the amount specified per m<sup>2</sup> in [Schedule G: Heritage Amenity Share Cost Schedule](#) of this by-law for the RM-5, RM-5A, RM-5B, RM-5C and RM-5D zoning districts.

### **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; 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.

4.2.2 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;
- (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
- (c) where floors are 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, those floors or portions thereof, which are:
  - (i) at or below the base surface provided that the maximum exclusion for a parking space must 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 must not exceed 7.3 m in length;
- (d) amenity areas accessory to a dwelling use, including child day care facilities, recreation facilities and meeting rooms if:

- (i) in the case of child day care facilities, the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood, and
  - (ii) the total area being excluded for amenity areas does not exceed the lesser of 10% of the total permitted floor area or 1,000 m<sup>2</sup>, with an additional 10% of the permitted floor area or 500 m<sup>2</sup>, whichever is lesser, for child day care facilities where these are included;
- (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) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) 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;
- (h) bicycle storage at or below base surface, if a secured and separate bicycle room is provided and equipped with bicycle racks adequate for the storage of a minimum of 1 bicycle for every 4 dwelling units;
- (i) 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 the permitted floor area; and
- (j) 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 [4.2.2\(a\)](#) above, does not exceed 16% of the 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\(j\)](#) above, to which there is no access from the interior of the building.

### **4.3 Yards: Projections and Measurement**

- 4.3.1 Despite the yard projection regulations in [Section 10](#) of this by-law, the Director of Planning or the Development Permit Board may permit entries, porches and verandahs, entrance lobbies and canopies to project up to 1.8 m into the required front yard and porte cocheres to project up to the front property line, if none of the foregoing exceed a width of 6.1 m, and if the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines.



## **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 or Development Permit Board may vary the horizontal angle of daylight requirement if:
- (a) the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines; and
  - (b) the minimum distance of unobstructed view is at least 6.1 m.
- 4.4.7 For infill multiple dwelling in the RM-5, RM-5A and RM-5B districts, the Director of Planning or the Development Permit Board may vary the regulations in this section 4.4 if:
- (a) the infill multiple dwelling is developed as secured market rental housing;
  - (b) in an infill multiple dwelling with 4 or more dwelling units, at least 50% of the dwelling units contain 2 or more bedrooms;
  - (c) in an infill multiple dwelling with 10 or more dwelling units, at least 50% of the dwelling units contain 2 or more bedrooms and at least 10% of the dwelling units contain 3 or more bedrooms; and
  - (d) existing buildings, landmarks or features on the site that are listed on the Vancouver Heritage Register or which may have heritage value are conserved, to the satisfaction of the Director of Planning,
- if the Director of Planning or the Development Permit Board considers the intent of this schedule, and all applicable Council policies and guidelines.

## **4.5 External Design**

- 4.5.1 A covered storage area must be provided for garbage and recycling containers and must be screened from view from adjacent sidewalks and dwelling units.
- 4.5.2 Mechanical equipment, including duct work, must be enclosed and set back so as not to be visible from street level or may be architecturally treated by other means satisfactory to the Director of Planning.
- 4.5.3 For infill multiple dwelling in the RM-5, RM-5A and RM-5B districts, the Director of Planning or the Development Permit Board may vary the regulations in this section [4.5](#) if:
- (a) the infill multiple dwelling is developed as secured market rental housing;
  - (b) in an infill multiple dwelling with 4 or more dwelling units, at least 50% of the dwelling units contain 2 or more bedrooms;
  - (c) in an infill multiple dwelling with 10 or more dwelling units, at least 50% of the dwelling units contain 2 or more bedrooms and at least 10% of the dwelling units contain 3 or more bedrooms; and
  - (d) existing buildings, landmarks or features on the site that are listed on the Vancouver Heritage Register or which may have heritage value are conserved, to the satisfaction of the Director of Planning,

if the Director of Planning or the Development Permit Board considers the intent of the schedule, and all applicable Council policies and guidelines.

## **4.6 Acoustics**

- 4.6.1 The Director of Planning may waive the requirement for an acoustic report in [Section 10](#) of this by-law, except for those areas indicated on [Map 1: Areas where acoustic report will not be waived](#) at the end of this schedule.

## **5 RELAXATIONS**

- 5.1 Where a need for any public facility of a social, cultural or recreational nature has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax for any 1 building, which includes 1 or more of such facilities, the maximum floor space ratio and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.
- 5.2 In determining the increase in floor area that may be permitted under section [5.1](#) above, the Development Permit Board must consider:
- (a) the construction cost of the facility;
  - (b) any costs to the developer of continuing maintenance required for the facility;
  - (c) the rental value of the increased floor area;

- (d) the value of any authorized relaxation of other restrictions;
- (e) the opinion of City Council; and
- (f) all applicable Council policies and guidelines.

5.3 The Director of Planning or Development Permit Board may relax the maximum floor space ratio for a development that includes the restoration of an existing building, site, landmark or feature, if the existing building, site, landmark or feature is listed in the Vancouver Heritage Register, if Council approves a heritage designation by-law, and if the Director of Planning or Development Permit Board considers:

- (a) the cost and extent of the heritage restoration;
- (b) the value of the increased floor area;
- (c) the impact of the development upon neighbourhood liveability and environmental quality; and
- (d) all applicable Council policies and guidelines.

**Map 1: Areas where acoustic report will not be waived**

