

Section 11

Use-Specific Regulations

Whenever any of the following uses are permitted in any district pursuant to any provisions of this by-law, the following additional regulations apply unless otherwise specified.

The index below is provided for convenience only and does not form part of this by-law.

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11.1 Agricultural Uses

11.1.1 Urban Farm – Class A

- 11.1.1.1 The planting area must not exceed 325 m² on any single parcel unless the primary use of the parcel is park or playground, or institutional, in which case the Director of Planning may permit an increase in planting area to a maximum of 7,000 m².
- 11.1.1.2 If 2 or more parcels are operated jointly as an urban farm – class A, the combined planting area for all parcels must not exceed 7,000 m².
- 11.1.1.3 No on-site processing of fruits and vegetables or manufacturing of food products is permitted.
- 11.1.1.4 No mechanical equipment may be used other than that designed for household use, including lawnmowers, rototillers, garden hoses and pruners.
- 11.1.1.5 Herbicides and pesticides may not be used on the site.
- 11.1.1.6 No on-site sales are permitted, unless the primary use of the parcel is institutional.
- 11.1.1.7 No urban farm – class A operated on a single parcel may generate revenue exceeding \$9,999 in any calendar year, unless the primary use of the parcel is park or playground, or institutional.
- 11.1.1.8 If an urban farm – class A is operated, in whole or in part, by a person other than an owner or full-time resident of the parcel, the planting area must be subject to a lease authorizing the operation of the farm.
- 11.1.1.9 No offensive noise, odour, light, smoke, or vibration or other objectionable impact may be produced.
- 11.1.1.10 No mechanical equipment may be stored outside.
- 11.1.1.11 Any development permit or waiver of a development permit for an urban farm – class A is time limited to 1 year.

11.1.2 Urban Farm – Class B

- 11.1.2.1 The planting area for a single parcel or the combined planting area for all parcels operated jointly as an urban farm – class B, may not exceed 7,000 m², unless relaxed by the Director of Planning due to unnecessary hardship associated with the location, shape or size of the parcel or parcels.
- 11.1.2.2 If located within 30.0 m of a dwelling use, no mechanical equipment may be used other than that designed for household use including lawnmowers, rototillers, garden hoses and pruners.
- 11.1.2.3 Herbicides and pesticides may not be used on the site.
- 11.1.2.4 No offensive noise, odour, light, smoke, or vibration or other objectionable impact may be produced.

- 11.1.2.5 If an urban farm – class B is operated, in whole or in part, by a person other than an owner or full-time resident of the parcel during the farm operation, the planting area must be subject to a lease authorizing the operation of the farm.
- 11.1.2.6 Any development permit for an urban farm – class B is time limited to 1 year.

11.2 Cultural and Recreational Uses

11.2.1 Riding Ring

- 11.2.1.1 No riding ring may be used for the sale of horses or other animals, whether by auction or otherwise.
- 11.2.1.2 Before granting a development permit, the Director of Planning must have regard to the size, siting and location of the proposed development, the type and hours of operation, whether operated privately or open to the public with or without payment, generation of traffic, parking facilities and any impact upon adjacent property and the amenity of the neighbourhood, and must notify such owners of adjoining property as the Director of Planning deems necessary.

11.2.2 Arts and Culture Indoor Event

- 11.2.2.1 An arts and culture indoor event is not permitted in a dwelling unit.

11.2.3 Casino and Bingo Halls

- 11.2.3.1 Wherever the words “commercial”, “commercial uses”, “social, recreational and cultural” and “cultural and recreational uses” appear in this by-law or any other by-law passed pursuant to this by-law, such permitted uses must not include a casino – class 1 or a bingo hall unless otherwise specifically permitted by this by-law or any other by-law passed pursuant to this by-law.
- 11.2.3.2 No person may use or occupy land for the purpose of, and no development permit will be issued for, a casino – class 2 except as expressly permitted under this by-law.

11.3 Dwelling Uses

11.3.1 Dwelling Units

- 11.3.1.1 Except when used for short term rental accommodation, no dwelling unit may be used or occupied by more than 1 family, but it may be used to keep a maximum of 2 boarders or lodgers, or a maximum of 5 foster or 8 daycare children.
- 11.3.1.2 Subject to the provisions of section [11.3.1.7](#), the floor area of each:
- (a) dwelling unit, except for a lock-off unit, must be at least 37 m²; and
 - (b) lock-off unit must be at least 26 m²,

measured from the inside of all outer walls, except that if the Director of Planning is satisfied that the design and location of the unit provides satisfactory living accommodation with regard to the type of occupancy proposed, the Director of Planning may reduce the required floor area to a minimum of 29.7 m² for dwelling units except lock-off units and 19 m² for lock-off units.

- 11.3.1.3 The maximum floor area of a lock-off unit is 29.7 m².
- 11.3.1.4 There must be at least 1 complete bathroom unit, comprising 1 water closet, 1 hand wash basin and 1 bathtub or shower, contained within each dwelling unit.
- 11.3.1.5 There must not be more than 1 kitchen contained within a dwelling unit.
- 11.3.1.6 All rooms of a dwelling unit must remain accessible from within that dwelling unit.
- 11.3.1.7 No person may use or permit to be used any dwelling unit for a period of less than 30 days unless such unit forms part of a hotel, or is used for bed and breakfast accommodation or short term rental accommodation.
- 11.3.1.8 The minimum requirements regarding floor area in section 11.3.1.2 do not apply to the conversion or demolition of a room designated under the Single Room Accommodation By-law, if the conversion or demolition adds bathroom and cooking facilities to the designated room.
- 11.3.1.9 The minimum requirements regarding floor area in section 11.3.1.2 do not apply to a dwelling unit contained in temporary modular housing.

11.3.2 Micro Dwelling

- 11.3.2.1 A micro dwelling must be part of a development that has a covenant or housing agreement registered against title restricting its use to secured market rental housing or social housing for the longer of 60 years or the life of the building.
- 11.3.2.2 The floor area of a micro dwelling must be at least 29.7 m², except that the Director of Planning or the Development Permit Board may decrease the permitted floor area of a micro dwelling to a minimum of 23.2 m² if:
 - (a) the Director of Planning or the Development Permit Board considers all applicable Council policies and guidelines; and
 - (b) the micro dwelling is part of a development that has a covenant or housing agreement registered against title restricting its use to secured market rental housing or social housing for the longer of 60 years or the life of the building.
- 11.3.2.3 A micro dwelling is only permitted in:
 - (a) the area of the FC-1 district north of National Avenue;

- (b) the area of the RT-3 and RM-3A districts located north of Venables Street, Malkin Avenue and Prior Street, south of Hastings Street, east of Gore Avenue and west of Clark Drive;
- (c) the HA-1 and HA-1A districts;
- (d) the HA-2 district;
- (e) the Downtown Eastside Oppenheimer district;
- (f) the area of the Downtown district denoted as C-2 on Map 1: Sub-Area 1 Main/Hastings of the [Downtown Official Development Plan](#);
- (g) the FC-2 district; and
- (h) the area of the IC-3 district north of East 2nd Avenue.

11.3.2.4 No more than 1 person may occupy a micro dwelling.

11.3.3 Lock-Off Units and Secondary Suites

11.3.3.1 Lock-off units and secondary suites must include at least 1 complete bathroom unit, comprising 1 water closet, 1 hand wash basin, and 1 bathtub or shower.

11.3.3.2 Lock-off units and secondary suites may not include more than 1 kitchen.

11.3.4 Temporary Modular Housing

11.3.4.1 Temporary modular housing must be used as social housing.

11.3.4.2 Before granting a development permit for temporary modular housing, the Director of Planning must:

- (a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development;
- (b) consider the impact on the liveability of neighbouring residents;
- (c) notify adjacent property owners and any others that Director of Planning deems necessary; and
- (d) consider all applicable Council policies and guidelines.

11.3.4.3 A development permit for temporary modular housing must be limited in time to a maximum of 5 years, unless otherwise extended in writing for up to an additional 5 years by the Director of Planning.

11.3.5 Residential Unit associated with and forming an integral part of an Artist Studio

11.3.5.1 Where an artist studio is combined with a residential unit, the studio may only be used by the individuals residing in the residential unit associated with and forming an integral part of the artist studio.

11.3.5.2 The total minimum and maximum size of an artist studio when combined with a residential unit associated with and forming an integral part of an artist studio is 47 m² and 500 m², respectively.

11.3.6 Seniors Supportive or Assisted Housing

11.3.6.1 Before granting a development permit, the Director of Planning must:

- (a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development;
- (b) be satisfied the site is suitable for the proposed facility, and must consider:
 - (i) the overall character of the development within the neighbourhood context,
 - (ii) the impact of the provision and location of off-street parking and loading on the amenity of the neighbourhood, and
 - (iii) the nature of the proposed facility in terms of service provided and the number of residents;
- (c) notify adjacent property owners and any others that the Director of Planning deems necessary; and
- (d) consider all applicable Council policies and guidelines.

11.3.6.2 In addition to the requirements of section [11.3.6.1](#), before granting a development permit for the conversion of an existing building to seniors supportive or assisted housing, the Director of Planning must also be satisfied that the building is suitable for the conversion, and must consider:

- (a) the size of the site and the building; and
- (b) the proximity of adjacent buildings.

11.3.6.3 The Director of Planning may vary any of the requirements of the applicable district schedule, other than permitted floor space ratio, in order to facilitate a seniors supportive or assisted housing development, if the Director of Planning has regard to the considerations in sections [11.3.6.1](#) and [11.3.6.2](#).

11.3.6.4 All residential units must contain a 3 piece bathroom.

11.3.6.5 All seniors supportive or assisted housing must provide meal service and 24 hour on-site emergency response assistance.

11.3.6.6 For the purposes of calculating floor space ratio, common areas, such as the communal dining room and lounges, are included in floor area, except that any floor area for common space that exceeds 4 m² per unit, may be excluded to a maximum of 10% of permitted floor area.

11.3.7 Freehold Rowhouses

11.3.7.1 Computation of floor area, floor space ratio, yards, site coverage, impermeability, number of buildings on site and dwelling unit density must be based on the site width and area at the time of development, prior to any subdivision into individual freehold rowhouse parcels.

11.3.7.2 For the purpose of fee simple subdivision, the minimum site width and frontage for each freehold rowhouse parcel is 5.0 m.

11.3.8 Laneway House

11.3.8.1 In this section **11.3.8**, “footprint” means the projected area of the extreme outer limits of a laneway house including carports, entries and porches, and enclosed or covered accessory building areas but excluding steps, eaves, and other projections permitted by section **10.8** of this by-law.

11.3.8.2 In this section **11.3.8**, height is measured from the horizontal datum plane, which is the plane created by the average of the existing site elevations as measured at the intersections of the required setback lines from the ultimate rear property line, with the side property lines.

11.3.8.3 A laneway house is not permitted except in combination with a single detached house or single detached house with secondary suite on:

- (a) a site served by an open lane;
- (b) a site located on a corner served by an open or dedicated lane; or
- (c) a double-fronting site served by a street at both the front and rear of the site.

11.3.8.4 The width of a site on which a laneway house is situated must be at least 9.8 m, except that the Director of Planning may approve a laneway house on a site that is less than 9.8 m in width, if:

- (a) the site is at least 7.3 m in width; or
- (b) the Director of Planning considers massing, overlook and impact on neighbourhood privacy and all applicable Council policies and guidelines.

11.3.8.5 A laneway house may have a basement.

11.3.8.6 For sites in the RS-3 and RS-3A districts and the RS-6 district, and for sites 16.8 m or wider in the RS-5 district, the width of a laneway house, or a laneway house and an accessory building, must not exceed the permitted width for an accessory building under the applicable district schedule.

11.3.8.7 On east-west oriented sites, a laneway house must be located toward the south side of the site to reduce shadowing on the site to the north.

11.3.8.8 A laneway house may be 1 storey or 1 storey with a partial second storey.

11.3.8.9 Balconies, decks, and roof decks are not permitted:

- (a) on a 1 storey laneway house; or
- (b) above the partial second storey of a laneway house with a partial second storey.

- 11.3.8.10 The height of a 1 storey laneway house must not exceed 4.3 m measured to the highest point of the roof if a flat roof, or to the mean height level between the eaves and the ridge of a gable or hip roof, except that no portion of a 1 storey laneway house may exceed 5.2 m.
- 11.3.8.11 The location of a 1 storey laneway house must be:
- (a) within 10.7 m of the ultimate rear property line;
 - (b) at least 4.9 m, measured across the width of the site, from the single detached house or single detached house with secondary suite on the site;
 - (c) at least 0.9 m from the ultimate rear property line, except that the Director of Planning may decrease the location to 0.6 m from the ultimate rear property line on sites less than 30.5 m in depth; and
 - (d) a distance from each side property line equal to at least 10% of the lot width, except that the Director of Planning may decrease the location to:
 - (i) 0.6 m from 1 side property line for interior lots, and
 - (ii) 0.6 m from the inside side property line for corner lots.
- 11.3.8.12 Despite section [11.3.8.11\(a\)](#), where a site is 39.6 m or more in depth, the Director of Planning may permit a 1 storey laneway house to extend into a site to a maximum of 26% of the lot depth measured from the ultimate rear property line.
- 11.3.8.13 Site coverage must not exceed the permitted site coverage under the applicable district schedule, except that for a 1 storey laneway house, the Director of Planning may permit an increase in the permitted site coverage by up to 7% to a maximum of 47% of the site area.
- 11.3.8.14 The height of a laneway house with a partial second storey must not exceed:
- (a) 6.7 m to the ridge of a gable or hip roof, with a minimum pitch of 7:12; or
 - (b) 5.8 m to the highest point of a roof with a pitch less than 7:12.
- 11.3.8.15 On a laneway house with a partial second storey and a roof pitch of:
- (a) at least 7:12, the height of the intersection of the exterior surface of the roof and the exterior wall surface of the building must not exceed 4.0 m from the horizontal datum plane; or
 - (b) less than 7:12, the walls of the partial second storey must be set back at least 0.6 m from the exterior walls of the floor below, except that there may be a single projection into the setback to a maximum of 35% of the width of the floor below.
- 11.3.8.16 The partial second storey of a laneway house must not exceed:
- (a) 60% of the footprint of the laneway house, if the roof has a minimum pitch of 3:12; or

- (b) 50% of the footprint of the laneway house, if the roof has a pitch of less than 3:12, except that the calculation may exclude any floor area of the partial second storey that is not included in the calculation of floor area according to sections [11.3.8.24](#) and [11.3.8.25](#).

11.3.8.17 Dormers must be inset at least 0.6 m from the exterior walls of the floor below, except that there may be a single projection into the setback to a maximum of 35% of the width of the floor below.

11.3.8.18 The location of a laneway house with a partial second storey must be:

- (a) within 7.9 m of the ultimate rear property line;
- (b) at least 4.9 m, measured across the width of the site, from the single detached house or single detached house with secondary suite on the site;
- (c) at least 0.9 m from the ultimate rear property line, except that the Director of Planning may vary the location to 0.6 m from the ultimate rear property line:
 - (i) on sites less than 30.5 m in depth, or
 - (ii) for the width of an existing enclosed or covered parking area that forms part of the laneway house; and
- (d) a distance from each side property line that is at least equal to the required side yards for the site in the applicable district schedule.

11.3.8.19 Despite section [11.3.8.18\(a\)](#), where a site is 39.6 m or more in depth, the Director of Planning may permit a laneway house with a partial second storey to extend into a site to a maximum of 21% of the lot depth measured from the ultimate rear property line.

11.3.8.20 The floor area of a laneway house must not exceed the lesser of:

- (a) 0.16 multiplied by the site area; and
- (b) 83.6 m².

11.3.8.21 Despite section [11.3.1](#) of this by-law, the floor area of a laneway house, excluding any floor area used for enclosed parking, must be at least 26 m², except that the Director of Planning may allow a decrease to not less than 19 m² if the Director of Planning considers the design of the laneway house and all applicable Council policies and guidelines.

11.3.8.22 Except for a laneway house with no separate bedrooms, a laneway house must have:

- (a) 1 main habitable room that is not a bedroom, with a minimum size of 16.7 m² and a minimum dimension of 2.1 m measured between finished wall surfaces; and
- (b) at least 1 bedroom with a minimum size of 8.4 m² and a minimum dimension of 2.1 m measured between finished wall surfaces.

11.3.8.23 Computation of floor area for a laneway house must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
- (c) the floor area of a basement;
- (d) floor area used for enclosed or covered parking; and
- (e) if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 3.7 m, an additional amount equal to the area of the floor area below the excess.

11.3.8.24 Computation of floor area for a laneway house must exclude:

- (a) areas of floors 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;
- (b) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (c) entries and porches if:
 - (i) their location is at the level of the basement or first storey,
 - (ii) they are open on at least 1 side or protected by guard rails, the height of which must not exceed the minimum specified in the Building By-law,
 - (iii) the total excluded floor area does not exceed 3 m², and
 - (iv) the ceiling height of the total excluded area does not exceed 2.75 m measured from the entry or porch floor; and
- (d) 3% of the total area where the exterior walls include a minimum of 175 mm of thermal insulation in total, except that where floor area is excluded under this section [11.3.8.24\(d\)](#), the Director of Planning may not vary the regulations in sections [11.3.8.11\(a\)](#) and [11.3.8.18\(a\)](#) by more than 30 cm.

11.3.8.25 Computation of floor area for a laneway house may exclude:

- (a) balconies, decks, roof decks, or any other appurtenances that, in the opinion of the Director of Planning, are similar to the foregoing, if the balconies, decks, or roof decks face the lane or, in the case of a corner site, the lane and flanking street or either of them;
- (b) patios and green roofs if the Director of Planning considers the impact on privacy and overlook;
- (c) despite section [11.3.8.23\(e\)](#), open to below spaces or double height volumes under sloping roofs with a pitch of at least 3:12 if:

- (i) the vertical distance from the floor level to the ceiling does not exceed 4.5 m,
 - (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope,
 - (iii) the excluded area does not exceed 25% of the maximum floor space under section [11.3.8.20](#), and
 - (iv) the excluded area, combined with the excluded area under section [11.3.8.25\(d\)](#), does not exceed 25% of the maximum allowable floor area;
- (d) despite section [11.3.8.23\(e\)](#), floor areas under sloping roofs with a pitch of at least 3:12 if:
- (i) the vertical distance from the floor to any part of the ceiling is between 1.2 m and 2.1 m,
 - (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope,
 - (iii) the excluded floor area does not exceed 10% of the maximum floor area allowed under section [11.3.8.20](#), and
 - (iv) the excluded area, combined with the excluded area under section [11.3.8.25\(c\)](#), does not exceed 25% of the maximum allowable floor area;
- (e) for units that have a partial second floor, an area not exceeding 2.75 m² for stairs, if the excluded area, combined with the excluded areas under sections [11.3.8.25\(c\)](#) and [11.3.8.25\(d\)](#), does not exceed 25% of the maximum allowable floor area; and
- (f) an area not exceeding 3.7 m² for residential storage space, clothes closets and linen closets.

11.3.8.26 Private outdoor space must be provided in the form of:

- (a) balcony, deck, or roof deck; or
- (b) a patio located at grade with a minimum size of 3.7 m² and a minimum dimension of 1.5 m.

11.3.8.27 The setback provided in accordance with sections [11.3.8.11\(c\)](#) and [11.3.8.18\(c\)](#) must be permeable and landscaped where not required for vehicle or fire access.

11.3.8.28 A laneway house must include:

- (a) a minimum 75 mm wide trim around all doors and windows, excluding door sill trim, except where a window or door is recessed no less than 100 mm behind the adjacent exterior wall faces; and
- (b) a canopy over the main entry door.

11.3.8.29 A main entry door that faces the lane must be set back at least 1.5 m from the ultimate rear property line.

11.3.8.30 On a corner site, the main entry door of a laneway house must face the flanking street.

11.3.8.31 At least 10% of the building elevation facing the lane must contain windows no smaller than 1.1 m².

- 11.3.8.32 Unless located at least 1.5 m above the floor of the partial upper storey, or facing the lane or a flanking street, windows with transparent glazing on a partial second storey must not exceed 1.1 m².
- 11.3.8.33 Wall cladding materials on a building elevation facing a lane or street must be continued in equal proportions, no less than 2.0 m along adjacent side walls or 1.2 m where the discontinuation of a material occurs at a change in the building wall plane, such as at a bay or chimney projection.
- 11.3.8.34 The Director of Planning may vary the design provisions in sections [11.3.8.15](#), [11.3.8.17](#), [11.3.8.28](#), [11.3.8.29](#), [11.3.8.30](#), [11.3.8.31](#), [11.3.8.32](#) and [11.3.8.33](#) if, in the opinion of the Director of Planning, the design of a laneway house meets the intent of this section [11.3.8](#) for quality and durability of design and architectural expression and the design is not compatible with 1 or more of the requirements in those sections.
- 11.3.8.35 If the Director of Planning considers the impact on neighbouring properties with regard to overlook, massing and neighbourhood privacy, and the intent of this section [11.3.8](#) and all applicable Council policies and guidelines, the Director of Planning may vary the provisions of sections [11.3.8.6](#), [11.3.8.7](#), [11.3.8.10](#), [11.3.8.11\(a\)](#), [11.3.8.11\(c\)](#), [11.3.8.11\(d\)](#), [11.3.8.14](#), [11.3.8.18\(a\)](#), [11.3.8.18\(c\)](#), [11.3.8.18\(d\)](#), [11.3.8.22](#), and [11.3.8.26](#) if:
- due to topography or other conditions peculiar to the site, literal enforcement would result in unnecessary hardship;
 - the variation is necessary to retain a tree; or
 - the variation is necessary to allow a green roof that does not have railings or stair access.

11.4 Institutional Uses

11.4.1 Community Care Facility – Class B or Group Residence

- 11.4.1.1 Before granting a development permit, the Director of Planning must:
- be satisfied that the landscaping and open space to be provided is appropriate for the size and nature of the development;
 - be satisfied that the site is suitable for the proposed community care facility – class B or group residence, and must consider:
 - the overall character of the development within the neighbourhood context,
 - the impact of the provision and location of off-street parking and loading on the amenity of the neighbourhood, and
 - the nature of the proposed community care facility – class B or group residence in terms of the service provided and the number of residents;
 - notify adjacent property owners and any others that the Director of Planning deems necessary; and
 - consider all applicable Council policies and guidelines.

11.4.1.2 In addition to the requirements of section [11.4.1.1](#), before granting a development permit for the conversion of an existing building to a community care facility – class B or group residence, the Director of Planning must also be satisfied that the building is suitable for the conversion, and must consider:

- (a) the size of the site and building; and
- (b) the proximity of adjacent buildings.

11.4.2 Hospital

11.4.2.1 Before granting a development permit, the Director of Planning must:

- (a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development;
- (b) have due regard to the design of all buildings, to the location and provision of off-street parking and loading, and to their impact on the amenity of the neighbourhood; and
- (c) notify adjacent property owners and any others that the Director of Planning deems necessary.

11.4.2.2 In the case of a specifically designed facility not being a conversion:

- (a) the site area must be at least 3,700 m² except as provided in section [11.4.2.2\(b\)](#);
- (b) the Director of Planning may increase the building height permitted by the applicable district schedule if the Director of Planning considers the impact of the additional height on the amenity of the neighbourhood, and if an increase in height is permitted, the Director of Planning may require a site area of larger than 3,700 m²; and
- (c) the floor space ratio must not exceed the maximum permitted for any residential use in the applicable district schedule.

11.4.2.3 In the case of a hospital resulting from the conversion of an existing building, before granting a development permit the Director of Planning must be satisfied that the building is suitable for the conversion, having regard to the size of the site and building, open space on the site and the proximity of adjacent buildings.

11.4.3 School – Elementary or Secondary

11.4.3.1 The site must have a minimum frontage of 20.1 m.

11.4.3.2 The Director of Planning may permit a greater height than permitted by the applicable district schedule, if the Director of Planning considers the impact of the additional height on the amenity of the neighbourhood.

11.4.3.3 Yards must be provided in accordance with the applicable district schedule except that side yards must have a minimum width of 6.0 m plus an additional 0.3 m for every 0.6 m by which the height of the building exceeds 10.7 m.

11.4.4 Church

- 11.4.4.1 The site must have a minimum frontage of 20.1 m.
- 11.4.4.2 The Director of Planning may increase the building height permitted by the applicable district schedule for a church, if the Director of Planning considers the impact of the additional height on the amenity of the neighbourhood.
- 11.4.4.3 Yards must be provided in accordance with the applicable district schedule, except that interior side yards must have a minimum width of 4.5 m plus an additional 0.3 m for every 0.6 m by which the height of the building exceeds 10.7 m.

11.5 Manufacturing Uses

11.5.1 [reserved]

11.6 Office Uses

11.6.1 Temporary Sales Office

- 11.6.1.1 The site area must be at least 2,000 m², except that the Director of Planning may permit a smaller site if all parking required by the Parking By-law is provided on site.
- 11.6.1.2 The site must be within 100.0 m of the development project to which the temporary sales office relates.
- 11.6.1.3 The site must be located on an arterial or major street, which generally have 2 or more lanes of travel in each direction and are usually designated as truck and bus routes.
- 11.6.1.4 The site must be more than 800.0 m from a commercial district, except that the Director of Planning may permit a temporary sales office closer to a commercial district if the applicant can demonstrate that suitable commercial vacancy opportunities are not available.
- 11.6.1.5 Before permitting a temporary sales office, the Director of Planning must consider the submission of any advisory group, property owner or tenant and all applicable Council policies and guidelines.
- 11.6.1.6 The site must be fully restored to its original condition immediately following the expiration of the development permit.

11.7 Parking Uses

11.7.1 [reserved]

11.8 Retail Uses

11.8.1 Farmers' Market

- 11.8.1.1 A farmers' market must be in:
- (a) open air stalls or booths;
 - (b) stalls or booths partially or totally covered by tents or similar temporary structures; or
 - (c) stalls or booths in a building approved for use as a farmers' market.
- 11.8.1.2 A farmers' market must have at least 11 stalls or booths, except that the Director of Planning may permit a lesser number of stalls or booths, if the Director of Planning considers all applicable Council policies and guidelines.
- 11.8.1.3 The site area of a farmers' market must not exceed 2,323 m², except that the Director of Planning may permit an increase in site area, if the Director of Planning considers all applicable Council policies and guidelines.
- 11.8.1.4 A vendor at a farmers' market must only sell: local fresh, dried or frozen fruit and vegetables; local dried or frozen meat and seafood; local eggs; local dairy products; local plants; local prepared foods; local ready-to-eat foods; local artisan crafts; or local wine, cider, beer or spirits.
- 11.8.1.5 No more than 40% of the total number of stalls or booths in a farmers' market may be used for the sale of local ready-to-eat foods and local artisan crafts.
- 11.8.1.6 There must be no more than 3 vendors selling or providing samples of local wine, cider, beer or spirits at a farmers' market.

11.8.2 Neighbourhood Grocery Store

- 11.8.2.1 Neighbourhood grocery stores are permitted in any R district except the FM-1 district and the RA-1 district.
- 11.8.2.2 The maximum permitted frontage for a site is 15.3 m.
- 11.8.2.3 The maximum permitted floor area for all retail and storage space is 110 m².
- 11.8.2.4 The maximum permitted number of indoor and outdoor seats is 16.
- 11.8.2.5 Live entertainment is not permitted.
- 11.8.2.6 Before granting a development permit, the Director of Planning must:
- (a) notify surrounding property owners and residents; and
 - (b) consider:

- (i) the design of any proposed building addition,
- (ii) the proposed solid waste program for collecting, storing and disposal of garbage and recycling,
- (iii) the proposed delivery, loading and goods movement program, and
- (iv) the impact on adjacent property owners and residents of a proposed building addition or solid waste program.

11.8.2.7 The Director of Planning may vary the provisions of this section [11.8.2](#) with regards to maximum frontage and the applicable district schedules with regard to setbacks, floor space ratio or site coverage in order to facilitate the rehabilitation of an existing neighbourhood grocery store.

11.8.3 Small-Scale Pharmacy

11.8.3.1 A small-scale pharmacy must include at least 25 m² of publicly accessible space except that if the Director of Planning considers all applicable Council policies and guidelines and potential impacts on the site and the surrounding properties, the Director of Planning may decrease the amount of space required.

11.8.3.2 Any development permit for a small-scale pharmacy must be limited in time to 2 years.

11.8.4 Public Bike Share

11.8.4.1 Despite anything to the contrary in this by-law, public bike share is only a permitted use on lands that fall within the area identified in [Map 1: Area Where Public Bike Share is Permitted](#) below.

11.8.4.2 The Director of Planning may approve a public bike share use, if the Director of Planning considers:

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

but no development permit approving the use will be required if the use complies with section [4.8.1\(s\)](#) of this by-law.

11.8.4.3 Floor area necessary for public bike share or a public bike share station must be excluded from the calculation of floor space ratio on any site.

Map 1: Area Where Public Bike Share is Permitted



11.8.5 Gasoline Station – Full Serve and Gasoline Station – Split Island

11.8.5.1 Despite section 10.4 of this by-law and the front, side and rear yard regulations as set out in the **C-1 District Schedule**, in the case of a gasoline station – full serve or gasoline station – split island located in the C-1 district:

- (a) the minimum width of the side yard on a street that flanks a corner site is 4.5 m;
- (b) a rear yard with a minimum depth of 4.5 m must be provided, except that where the rear property line of the site adjoins a dedicated lane, the minimum depth of the rear yard may be decreased by the width of that portion of the lane equal to the distance from the ultimate centre line of the lane to the rear line of the site;
- (c) pump islands are permitted in the front yard if they are set back a minimum of 4.5 m from the front property line; and
- (d) canopies over the pump islands may be located to the satisfaction of the Director of Planning in the front and side yards as long as all such canopies are set back at least 1.5 m from the front or side property line of the site, as the case may be, and no canopy is longer than 33% of the length of the street boundary of the yard in which it is located, to a maximum of 12.2 m.

- 11.8.5.2 Despite any other provisions of this by-law, no merchandise may be displayed outdoors on any gasoline station – full serve or gasoline station – split island site except for the following:
- (a) if located at a pump island, a small sample display of new tires, lubricating oils and automotive accessories;
 - (b) if located adjacent to the principal building, tires and vending machines; and
 - (c) if located within an accessory building approved by the Director of Planning, merchandise including fireplace logs, garden equipment, garden furniture and similar items.
- 11.8.5.3 No truck, bus, utility or camper trailer, camper or similar vehicle may be stored or parked at any time, other than the necessary waiting period for service, on a gasoline station – full serve or gasoline station – split island site in a C district except for the following:
- (a) in the C-1 district, trucks with a registered gross vehicle weight not exceeding 4,550 kg;
 - (b) in all other C districts, trucks and small buses with a registered gross vehicle weight not exceeding 6,825 kg;
 - (c) 5 utility trailers, if they do not exceed 1.5 m in width and 3.1 m in length and are located in the rear or side yards;
 - (d) 1 service truck operated by the gasoline station – full serve or gasoline station – split island; and
 - (e) trucks or equipment temporarily required for the construction, repair, servicing or maintenance of the premises.
- 11.8.5.4 Gasoline station – full serve or gasoline station – split island in all districts are subject to the following:
- (a) except for points of access to and from the perimeter, every gasoline station – full serve or gasoline station – split island site must be screened to the satisfaction of the Director of Planning along those boundaries that adjoin or are across the lane from any R district or any dwelling use in a C, M or I district; and
 - (b) the site of every gasoline station – full serve or gasoline station – split island must be properly landscaped and maintained with lawns, shrubs, trees or other suitable landscaping of a type and location to the satisfaction of the Director of Planning, such landscaping to constitute a minimum of 5% of the site subject to such minor variations as the Director of Planning may approve.
- 11.8.5.5 The total width of vehicular access to a gasoline station – full serve or gasoline station – split island from a lane in a C, M or I district must not exceed an amount equal to 15% of the total length of the lane abutting the site, except that the total width of vehicular access need not be less than 3.7 m.

11.8.6 Cannabis Store

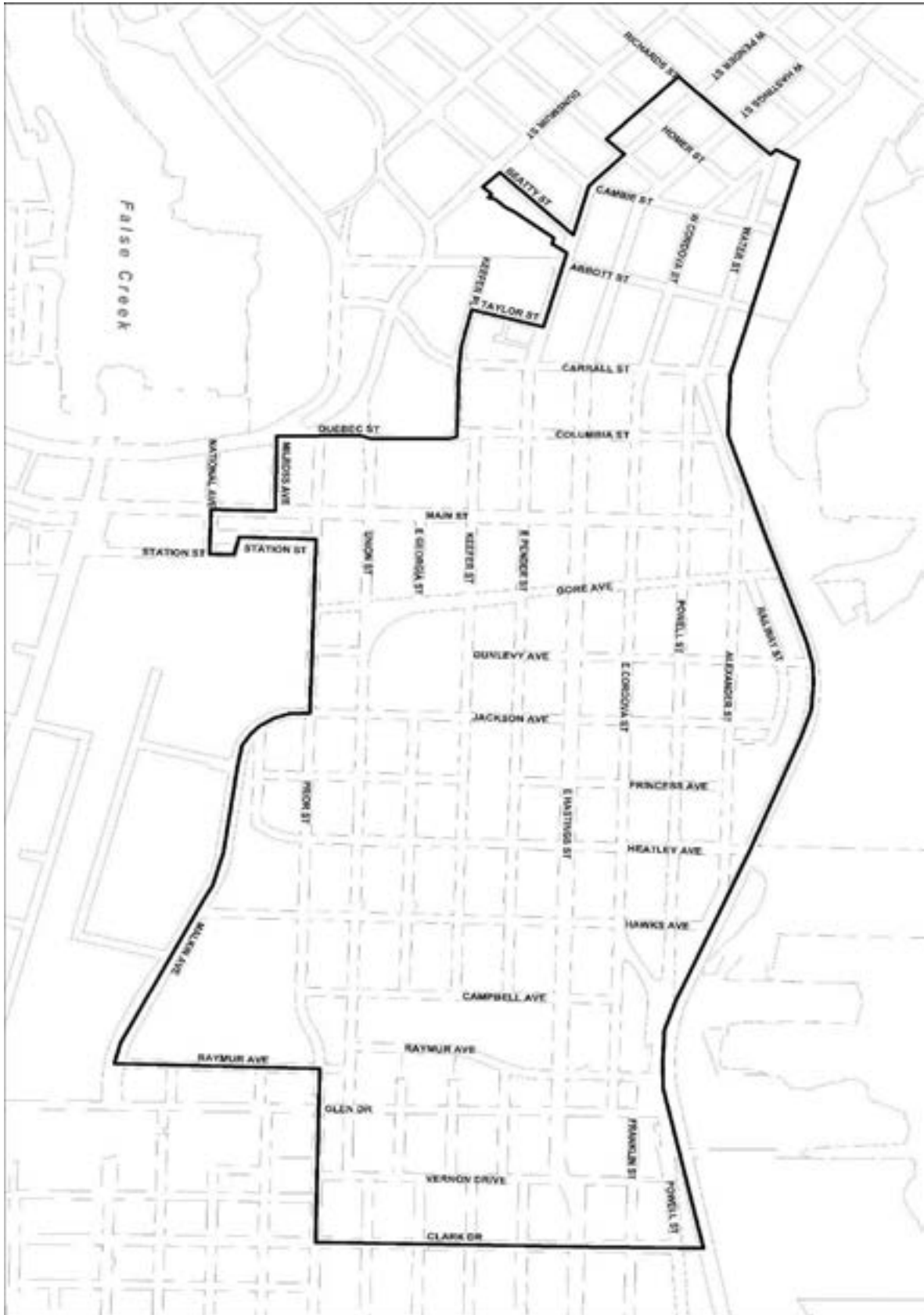
- 11.8.6.1 Before granting a development permit for a cannabis store, the Director of Planning must:
- (a) notify surrounding property owners and residents and consider their opinions;

- (b) consider the liveability of neighbouring residents; and
- (c) consider all applicable Council policies and guidelines.

11.8.6.2 A cannabis store is not permitted:

- (a) within 300.0 m of the nearest property line of a site on which another cannabis store is located;
- (b) within 300.0 m of the nearest property line of a site containing a school – elementary or secondary, or community centre or neighbourhood house;
- (c) within the area identified in [Map 2: Area Where Cannabis Store is Not Permitted](#) below, except for sites with a property line on Hastings Street or Main Street;
- (d) on any site with a property line on Granville Street between Robson Street and Pacific Boulevard;
- (e) on any site other than a site located on a block where all or part of the street in that block has a painted centre line;
- (f) in combination with any other use; or
- (g) in combination with an automated banking machine.

Map 2: Area Where Cannabis Store is Not Permitted



11.8.7 Liquor Store

- 11.8.7.1 Wherever the words “retail store”, “retail or business establishment”, “retailing”, “convenience commercial”, or similar use descriptions that imply the sale of merchandise as a permitted use appear in this by-law or in any by-law passed pursuant to this by-law, such permitted use must not include a liquor store without the approval of the Director of Planning or the Development Permit Board, as the case may be.
- 11.8.7.2 Wherever “commercial”, “commercial uses”, “retail”, “retail uses”, or “drive-through service” appear in this by-law or in any by-law passed pursuant to this by-law, such permitted use must not include a liquor store unless otherwise specifically provided by this by-law.

11.8.8 Pawnshop and Secondhand Store

- 11.8.8.1 Any development permit issued for a pawnshop or secondhand store will be limited in time to 1 year.

11.8.9 Retailing Used Merchandise

- 11.8.9.1 Any retail store is be permitted to use up to a maximum of 2.5 m² of floor area of premises for the retailing of:
- (a) used electronic equipment, including, but not limited to, audio or video equipment or accessories, computers or printers; or
 - (b) 2 or more of the following types of used merchandise: bicycles, sports equipment, luggage, jewellery, cameras, musical equipment or tools,
- if this floor area is clearly demarcated and readily visible and accessible to the public.

11.8.10 Adult Retail Store

- 11.8.10.1 Premises used as an adult retail store will not be issued a permit for an arcade and premises used as an arcade will not be issued a permit for an adult retail store.
- 11.8.10.2 Adult retail stores must not exceed a maximum floor area of 278 m² and a maximum premise frontage of 7.6 m.
- 11.8.10.3 Any development permit issued for an adult retail store will be limited in time to 3 years.

11.9 Service Uses

11.9.1 Short Term Rental Accommodation

- 11.9.1.1 In this section [11.9.1](#):

- (a) “principal residence unit” means the dwelling where an individual lives, makes their home and conducts their daily affairs, including, without limitation, paying bills and receiving mail, and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver’s licenses, personal identification, vehicle registration and utility bills; and
- (b) “booking” means a confirmed reservation of the dwelling unit, or of 1 or more bedrooms, as short term rental accommodation.

- 11.9.1.2 Short term rental accommodation is only permitted in a lawful dwelling unit, secondary suite, laneway house, or lock-off unit that is a principal residence unit.
- 11.9.1.3 Short term rental accommodation is not permitted in an accessory building or vehicle.
- 11.9.1.4 Short term rental accommodation is not permitted in a dwelling unit in combination with bed and breakfast accommodation.
- 11.9.1.5 No more than 2 adults may occupy each bedroom used as short term rental accommodation.
- 11.9.1.6 Short term rental accommodation is only permitted in dwelling units that comply with all applicable occupancy limits as set out in the [Fire By-law](#).
- 11.9.1.7 No more than 1 booking may be permitted as short term rental accommodation in each dwelling unit at 1 time.
- 11.9.1.8 Short term rental accommodation is permitted in all CD-1 districts where dwelling uses are permitted.
- 11.9.1.9 Any development permit or exemption from a development permit for a short term rental accommodation must be limited in time to 2 years.

11.9.2 Bed and Breakfast Accommodation

- 11.9.2.1 A maximum of 2 bedrooms accommodating a maximum of 4 bed and breakfast guests may be permitted in a dwelling unit.
- 11.9.2.2 The provision of bed and breakfast accommodation must not be permitted coincidentally with the keeping of boarders and lodgers.
- 11.9.2.3 The operator of the bed and breakfast accommodation must reside in the dwelling unit.

11.9.3 Body-Rub Parlour

- 11.9.3.1 Wherever “commercial”, “commercial uses”, or “service uses” appear in this by-law or in any by-law passed pursuant to this by-law, such permitted use must not include a body-rub parlour unless otherwise specifically permitted by this by-law.

11.9.4 Wedding Chapel

- 11.9.4.1 The floor area of a wedding chapel must not exceed 140 m², except that the Director of Planning may increase the floor area if the Director of Planning considers the siting and location of the proposed development, the type and hours of operation, generation of traffic, parking facilities, and any impact on adjacent property and the amenity of the neighbourhood, and will notify such owners of adjoining property as the Director of Planning deems necessary.

11.10 Transportation and Storage Uses

11.10.1 Marine Terminal or Berth

- 11.10.1.1 A marine terminal or berth must not be used for the bulk storage and handling and trans-shipment of coal.

11.10.2 Mini-Storage Warehouse

- 11.10.2.1 Mini-storage warehouse is not permitted:

- (a) on the first storey, or on any storey with its floor level within 2.0 m above finished grade, in any I or M districts, except for entrances;
- (b) in the following areas of the I-2 district:
 - (i) east of Ash Street, north of West Kent Avenue North, west of Manitoba Street, and south of Southwest Marine Drive,
 - (ii) east of Slocan Street, north of Grandview Highway, west of Boundary Road, and south of East Broadway and Lougheed Highway, and
 - (iii) east of Clark Drive, north of East 7th Avenue, west of McLean Drive, and south of East 6th Avenue;
- (c) in the area of the I-1 district west of Columbia Street, south of West 5th Avenue, and south of East 5th Avenue; or
- (d) in the area of the IC-2 district south of East 5th Avenue.

11.11 Utility and Communication Uses

11.11.1 [reserved]

11.12 Wholesale Uses

11.12.1 [reserved]

11.13 Uncategorized

11.13.1 Homecraft

- 11.13.1.1 No person other than 1 resident member of the family occupying the dwelling may be engaged in the homecraft on the premises.
- 11.13.1.2 Where located in an R district, there must be nothing to indicate from the exterior of the dwelling unit or building that it is being used for any purpose other than its principal or approved use.
- 11.13.1.3 No products or material may be sold from or within the dwelling unit.
- 11.13.1.4 No products or materials may be stored outside of the dwelling unit, building or accessory building.
- 11.13.1.5 No offensive noise, odour, vibration, smoke, heat or other objectionable impact may be produced.

11.13.2 Housekeeping Units

- 11.13.2.1 No housekeeping unit may be used or occupied by more than 1 family.
- 11.13.2.2 Every housekeeping unit must have a floor area of at least 13.4 m², or a floor area of at least 11.1 m² if the unit is occupied by only 1 person and adequate lounge facilities are provided on the premises.
- 11.13.2.3 There must be a separate and properly ventilated kitchen or kitchenette equipped with a sink and cooking facilities provided within the housekeeping unit.
- 11.13.2.4 There must be at least 1 complete bathroom unit for every 3 housekeeping units, except that where the housekeeping units have single occupancy the provisions of section 11.13.3.3 of this by-law apply.
- 11.13.2.5 No person may use or permit to be used any housekeeping unit for a period of less than 1 month unless such unit forms part of a hotel.

11.13.3 Sleeping Units

- 11.13.3.1 No sleeping unit may contain a sink or cooking facilities.
- 11.13.3.2 Every sleeping unit must include a main habitable room with a floor area of not less than 9.7 m².
- 11.13.3.3 There must not be:
 - (a) less than 1 hand basin provided for every 3 sleeping units, and such basins may not be located in public hallways;
 - (b) at least 1 water closet for every 10 sleeping units; and
 - (c) at least 1 bathing unit for every 12 sleeping units.

11.13.3.4 No person may use or permit to be used any sleeping unit for a period of less than 1 month unless such unit forms part of a hotel.

11.13.4 Live-Work Use

11.13.4.1 The floor area of a live-work unit must be at least 47 m².

11.13.5 Lounge

11.13.5.1 Wherever “restaurant” appears in this by-law or in any by-law passed pursuant to this by-law, such permitted use must not include a lounge as defined in the Liquor Control and Licensing Regulation under the Liquor Control and Licensing Act (British Columbia) unless otherwise specifically provided by this by-law.