

The Corporation of the District of North Vancouver

Bylaw 8680

A bylaw to amend District of North Vancouver Zoning Bylaw 3210, 1965

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as “District of North Vancouver Rezoning Bylaw 1438 (Bylaw 8680)”.

2. Amendments

2.1 District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:

a) In Part 4 General Regulations:

i. Insert new section 415 Split-Zoned Parcels

“

415 Split-Zoned Parcels

Notwithstanding any provision in this bylaw that may indicate the contrary, where a parcel lies within more than one zone, uses, buildings, and structures may be located only within a zone in which they are permitted, and the permissible density of uses, buildings, and structures must be calculated on the basis on the area of the parcel that is within the zone in which the use, building, or structure in question is permitted.

”

b) In Part 5 Residential Zone Regulations:

i. Inserting the new subsection 530 as follows:

“

530 Small-Scale Multi-Family Residential Zone (RMS)

530.1 Interpretation

530.1.1 For the purposes of the Small-Scale Multi-Family Residential Zone (RMS), in addition to the definitions in Part 2 Interpretation of the Zoning Bylaw, the following definition(s) shall apply, but only to the RMS zone. For greater certainty, where a term defined in this section is defined differently in another

provision of the Zoning Bylaw, the definition in this section applies in the RMS zone, not the definition in the other provision.

“building depth” means the distance between the front and rear datum determination points of a building (See Diagram 530.1.1);

“building height base line” with reference to a building, means the line created by (See Diagram 530.1.1):

- i. A point equidistant between the building’s two front datum determination points; and
- ii. A point equidistant between the building’s two rear datum determination points; and
- iii. Longitudinally connecting a line joining the points identified in (i) and (ii) above;

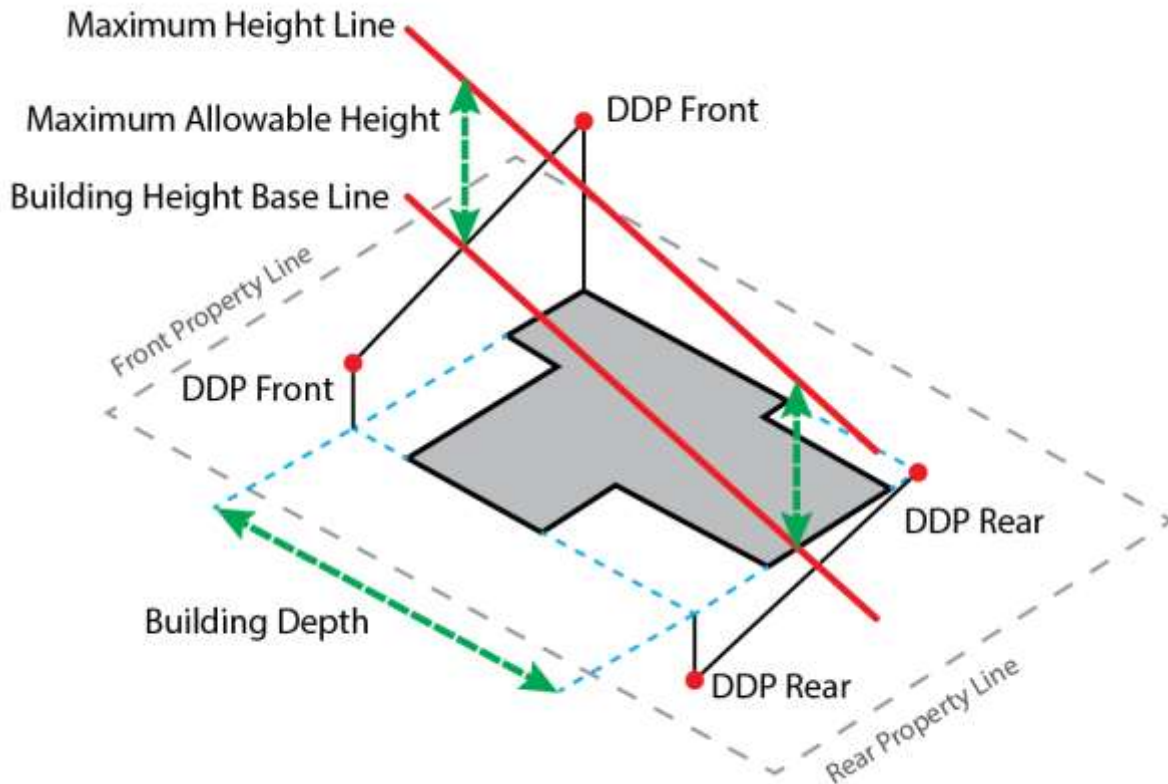


Diagram 530.1.1: Illustration of Datum Determination Points (DDPs), Building Height Base Line, Maximum Allowable Height, Maximum Building Height Line, and Building Depth

“datum determination points, front” for a building means the two points on a residential parcel created where the frontmost wall face of the building or projections thereof

intersect with the outermost sidewall faces or projections thereof measured at the lesser of natural or finished grade (See Diagram 530.1.1);

“datum determination points, rear” for a building means the two points on a residential parcel created where the rearmost wall face of the building or projections thereof intersect with the outermost sidewall faces or projections thereof measured at the lesser of natural or finished grade (See Diagram 530.1.1);

“floor space ratio” means that figure obtained when the gross floor area of all buildings and structures, except those areas exempted by Section 530.8.2, is divided by the residential parcel area upon which the buildings and structures are situated;

“frequent transit proximity area” means the areas delineated on the maps in Schedule A;

“height” with reference to a building, means the vertical distance measured from the building height base line to the:

- i. Highest point of a flat roof (including parapet);
- ii. Mid-line of any sloped roof (See Diagram 530.1.3); or
- iii. Highest point of any other structure;

“maximum allowable height” means heights in Table 530.9.1;

“maximum height line” with respect to a building, means the line created by adding the maximum allowable height to the building height base line (See Diagram 530.1.2);

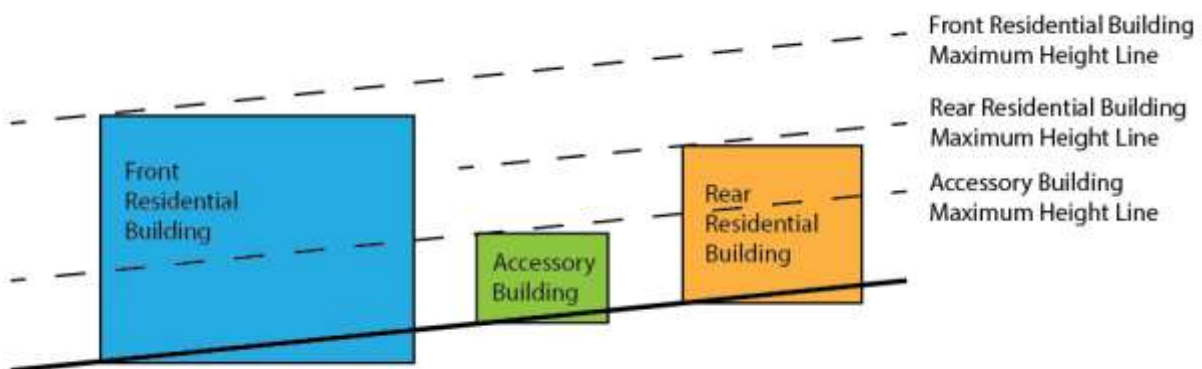


Diagram 530.1.2: Maximum Height Lines

“mid-line” with reference to the roof a building, means a line created by bisecting a roof plane (See Diagram 530.1.3);

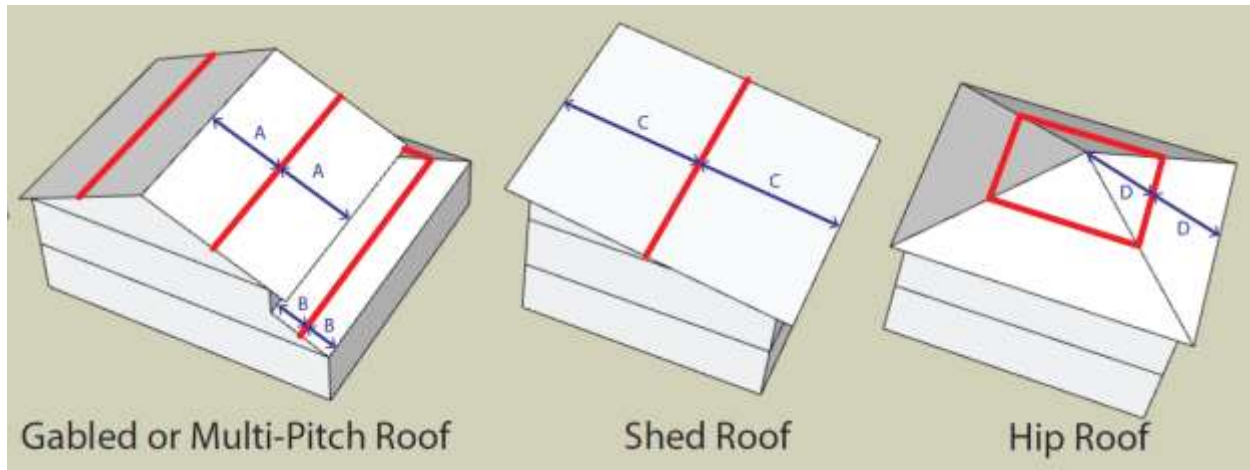


Diagram 530.1.3: Illustration depicting the mid-line of various roof types. Lengths denoted by the same letters are equal.

“open site space” means a portion or portions of a residential parcel that is landscaped with lawns, trees, plants, and other permeable natural or decorative features, which may include permeable decks, but must not include any buildings or portion of buildings, paved areas, sidewalks, driveways, or parking surfaces;

“private outdoor amenity space” means a level, contiguous area in the form of open site space, deck, patio, balcony, or rooftop deck that allows for outdoor seating and is available for exclusive use by the residents of a single dwelling unit;

“residential building” means a building for residential use that contains one or more dwelling units;

“residential building, front” means a residential building that is the only residential building on the residential parcel, or when there are two residential buildings on a residential parcel, the residential building closest to the front lot line;

“residential building, rear” means the residential building that is located closest to the rear lot line when there are two residential buildings on a residential parcel;

“residential building, single-family” means a building consisting of one dwelling unit or a combination of one dwelling unit and one secondary suite;

“residential parcel” means a parcel as that term is used in Section 481.3 of the Local Government Act;

“secondary suite” means a non-stratified, accessory dwelling unit contained within a residential building;

530.2 Zone Purpose

- 530.2.1 The purpose of the Small-Scale Multi-Family Residential Zone (RMS) is to permit up to three (3) or four (4) [residential dwelling units](#) with compatible accessory uses on [residential parcels](#) in the RMS zone that are not within [Frequent Transit Proximity Areas](#), or up to six (6) [residential dwelling units](#) with compatible accessory uses on [residential parcels](#) in the RMS zone that are within [Frequent Transit Proximity Areas](#) (Schedule A to Section 530).
- 530.2.2 The RMS Zone is required for the purpose of complying with Section 481.3 of the Local Government Act and is intended to enable a variety of small-scale residential options that include, but are not limited to: [secondary suites](#), [single-family residential buildings](#), [rear residential buildings](#), [two-family residential buildings](#), [multiple-family townhouse residential buildings](#) that are generally ground-oriented and compatible in scale and form with established single-family neighbourhoods.

530.3 Permitted Uses

- 530.3.1 All uses of land, buildings, and structures on [residential parcels](#) in the RMS zone are prohibited except as described in Table 530.3.1.

Table 530.3.1: Permitted Uses

Permitted Uses	Use Type	Use-Specific Regulations
Front Residential Buildings	Principal Use	530
Rear Residential Buildings	Principal Use	530
Accessory Buildings and Structures	Accessory Use	530.12.1
Boarders and Lodgers	Accessory Use	530.12.2
Bed and Breakfast	Accessory Use	405A; 530.12.3
Home Occupation	Accessory Use	405
Secondary Suite	Accessory Use	530.12.4

530.4 Subdivision Requirements

- 530.4.1 The minimum area, width, and depth of [residential parcels](#) to be created by subdivision shall be as described in Table 530.4.1, unless otherwise provided in this Bylaw.

Table 530.4.1: Minimum Residential Parcel Size and Dimensions for Subdivision

Measurement	Minimum Requirement
Min. Residential Parcel Area	550 m ²
Min. Residential Parcel Width	15 m
Min. Residential Parcel Depth	34 m
Min. Residential Parcel Width for corner lots	18 m

530.5 Dwelling Units

- 530.5.1 The maximum permitted number of **dwelling units**, in any combination (**secondary suites**, **single-family residential buildings**, **rear residential buildings**, **two-family residential buildings**, **multiple-family townhouse residential buildings**), on a **residential parcel** is as described in Table 530.5.1.
- 530.5.2 A **secondary suite** is considered a **dwelling unit** for the purpose of determining the maximum permitted **dwelling units** on a **residential parcel** in the RMS zone.

Table 530.5.1: Dwelling Units

		Development Scenarios					
Residential Parcel Size and Location		A 1 unit	B 2 units	C 3 units	D 4 units	E 5 units	F 6 units
Residential Parcels \leq 280 m ²		✓	✓	✓	-	-	-
Residential Parcels > 280 m ²	Not within Frequent Transit Proximity Area (Schedule A to Section 530)	✓	✓	✓	✓	-	-
	Within Frequent Transit Proximity Area	✓	✓	✓	✓	✓	✓

530.6 Residential Buildings

- 530.6.1 A maximum of two (2) residential buildings is permitted on a residential parcel.
- 530.6.2 A maximum of one (1) front residential building and a maximum of one (1) rear residential building is permitted on a residential parcel.

530.7 Coverage

- 530.7.1 The regulations outlined in Table 530.7.1 apply to all buildings and structures on residential parcels in the RMS zone.

Table 530.7.1: Coverage

		Development Scenarios					
		A 1 unit	B 2 units	C 3 units	D 4 units	E 5 units	F 6 units
Max. Building Coverage	Residential Parcels < or equal to 464 m ²	35%	40%	45%	55%	55%	55%
	Residential Parcels > than 464 m ²	35%	35%	40%	45%	50%	50%
Min. Open Site Space	Residential Parcels < or equal to 464 m ²	45%	40%	35%	25%	25%	25%
	Residential Parcels > than 464 m ²	45%	45%	40%	35%	30%	30%
Max. Building Depth		20 m			-		

530.8 Floor Space

530.8.1 The regulations outlined in Table 530.8.1 apply to all buildings and structures on **residential parcels** in the RMS zone.

Table 530.8.1: Floor Space

		Development Scenarios					
		A 1 unit	B 2 units	C 3 units	D 4 units	E 5 units	F 6 units
Max. Floor Space Ratio (FSR)	Residential Parcels < or equal to 464 m ²	0.80	0.85	1.00	1.20	1.20	1.20
	Residential Parcels > than 464 m ²	0.65	0.70	0.85	1.00	1.20	1.20
Max. Total Gross Floor Area		700 m ²					
Min. Private Outdoor Amenity Space per Dwelling Unit		4.5 m ²					

530.8.2 For the purposes of the Small-Scale Multi-Family Residential Zone (RMS), the following floor space ratio exemptions, and not those listed in Section 410, shall apply:

- (a) Balconies and verandas not exceeding in total area 10% of the allowable gross floor area of all residential buildings on a residential parcel;
- (b) Uncovered and unenclosed patios and roof decks;
- (c) Open spaces below elevated buildings;
- (d) Parking structures not exceeding 50 m² on a residential parcel;
- (e) Accessory buildings, other than parking structures, not exceeding 25 m² on a residential parcel; and
- (f) Trellises, pergolas and similar incidental open-sided structures not exceeding in total area 20 m² on a residential parcel and having overhead framing members spaced to leave not less than 80% of the horizontal surface open to the sky.

530.9 Height

- 530.9.1 The regulations outlined in Table 530.9.1 apply to all buildings and structures on **residential parcels** in the RMS zone.
- 530.9.2 **Height** of a building or structure must not be higher than the **maximum height line** of that building or structure.

Table 530.9.1: Building Height

	Development Scenarios					
	A 1 unit	B 2 units	C 3 units	D 4 units	E 5 units	F 6 units
Max. Front Residential Building Height	11.0 m and 3 storeys					
Max. Rear Residential Building Height	6.7 m and 2 storeys					
Max. Accessory Building Height	4.5 m and 1 storey					

- 530.9.3 **Basements** are not permitted in **residential buildings** or **accessory buildings**.
- 530.9.4 The level of the floor of the **first storey** of a **residential building** or **accessory building** must not be lower than the lowest point of **natural grades** along the perimeter of the **building** (see Diagram 530.9.1).

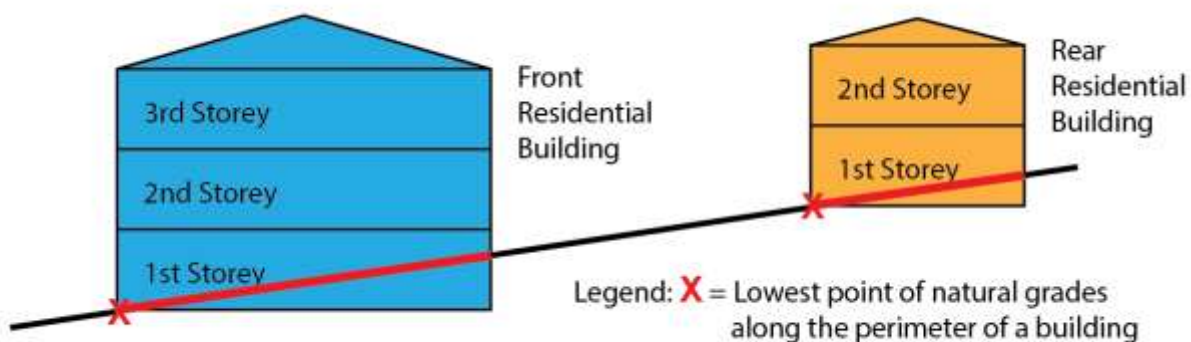


Diagram 530.9.1: Illustration of the floor elevation of the first storey

- 530.9.5 Where floor area has a ceiling that is greater than 3.66 m high, the area above that height shall be counted as if it were an additional floor level for the purpose of determining the **total gross floor area** of a **building** to be included in the calculation of **floor space ratio**.

530.9.6 The following are exempted from **height** calculations in all Development Scenarios:

- (a) Solar collectors and associated mechanical components no more than 0.5 m above the **maximum height line** of the **residential building**.

530.9.7 The following are exempted from **height** calculations in Development Scenarios E and F only:

Rooftop deck railings provided they do not extend more than 1.2 m above the **maximum height line** of the **front residential building**; and

Rooftop deck access structures provided they do not extend more than 3.0 m above the **maximum height line** of the **front residential building** and combine for a total footprint of less than 5 m² per **dwelling unit** within a **residential building**.

530.10 Setbacks

530.10.1 The regulations outlined in Table 530.10.1 and Diagram 530.10.1 apply to all **buildings** and structures on **residential parcels** in the RMS zone.

Table 530.10.1: Building Setbacks

		Development Scenarios					
		A 1 unit	B 2 units	C 3 units	D 4 units	E 5 units	F 6 units
Front and Rear Residential Building Setbacks							
Min. Front Residential Building Setbacks to	Front Lot Line	7.62 m				3.0 m	
	Rear Lot Line	7.62 m				6.0 m	
	Side Lot Line	1.2 m					
	Side Lot Line Abutting Flanking Street	Greater of 1.2 m or 10% of lot width up to a max. of 3.0 m, such that the building is not required to be less than 7.5 m measured from outside edge of exterior walls					

		Development Scenarios					
		A 1 unit	B 2 units	C 3 units	D 4 units	E 5 units	F 6 units
	Ocean Natural Boundary Line	7.62 m					
Min. Rear Residential Building Setbacks to	Rear Lot Line Abutting Lane	1.2 m					
	Rear Lot Line Not Abutting Lane	3.0 m					
	Side Lot Line	1.2 m					
	Side Lot Line Abutting Flanking Street	Greater of 1.2 m or 10% of lot width up to a max. of 3.0 m, such that the building is not required to be less than 7.5 m measured from outside edge of exterior walls					
	Ocean Natural Boundary Line	7.62 m					
Min. Separation between Front and Rear Residential Buildings		6.0 m					
Accessory Building Setbacks							
Min. Setback to Front Lot Line		3.0 m					
Min. Setback to Rear Lot Line		1.2 m					
Min. Setback to Side Lot Line		1.2 m					

	Development Scenarios					
	A 1 unit	B 2 units	C 3 units	D 4 units	E 5 units	F 6 units
Min. Setback to Side Lot Line Abutting Flanking Street	Greater of 1.2 m or 10% of lot width up to a max. of 3.0 m					
Min. Setback to Residential Building	1.2 m					

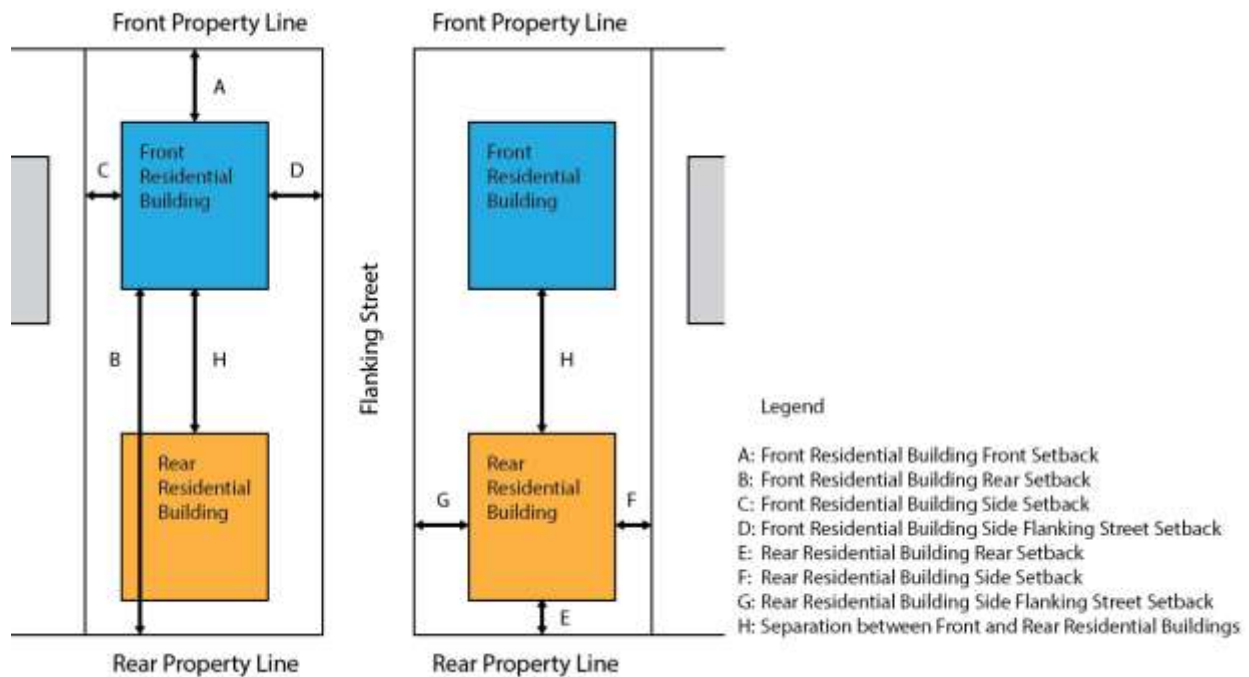


Diagram 530.10.1: Siting and Setbacks of Front and Rear Residential Buildings

530.11 Off-Street Vehicle Parking

- 530.11.1 Off-street vehicle parking spaces shall be provided in accordance with Part 10 of this Bylaw, except minimum parking requirements as described in Table 530.11.1.
- 530.11.2 Should the regulations in Table 530.11.1 result in a non-whole number of minimum required off-street vehicle parking spaces, the result must be rounded up.
- 530.11.3 Not more than one (1) off-street vehicle parking space per dwelling unit may be fully enclosed within a rear residential building.

530.11.4 Notwithstanding the minimum **building** setbacks in Table 530.10.1, the minimum setback for a **parking structure** attached to a **front residential building** from a **front lot line** facing a street shall be 6.0 m for straight-in entry access or 3.0 m for side entry access.

Table 530.11.1: Off-Street Vehicle Parking Minimum Requirements

	Development Scenarios					
	A 1 unit	B 2 units	C 3 units	D 4 units	E 5 units	F 6 units
Residential Parcels not within a Frequent Transit Proximity Area (Schedule A to Section 530)	2 spaces per dwelling unit	1 space per dwelling unit			-	-
Residential Parcels within a Frequent Transit Proximity Area (Schedule A to Section 530)	No Min. Parking Requirement					

530.12 General Regulations

530.12.1 Accessory Buildings and Structures

(a) Accessory **buildings** must not contain any residential use;

Accessory **buildings**, excluding **parking structures**, shall not exceed a combined area of 25 m²; and

Swimming pools must be sited not less than 3 m from a **front lot line** and not less than 3 m from a **rear lot line**.

530.12.2 Boarders or Lodgers

(a) Accommodation of not more than two (2) boarders or lodgers is permitted in only one (1) **dwelling unit** on a **residential parcel**;

Accommodation of not more than two (2) boarders or lodgers is permitted only in a **front residential building** and only if one of the following two alternate conditions are met:

- i. the front residential building contains only one (1) dwelling unit, or
- ii. the front residential building contains only a principle dwelling unit and an attached secondary suite.

530.12.3 Bed and Breakfast

- (a) Only one (1) bed and breakfast business is permitted on a residential parcel;

A bed and breakfast business is permitted only in a front residential building and only if one of the following two alternate conditions are met:

- i. the front residential building contains only one (1) dwelling unit, or
- ii. the front residential building contains only a principle dwelling unit and an attached secondary suite.

530.12.4 Secondary Suites

- (a) A secondary suite is considered a dwelling unit, including for the purpose of determining the maximum permitted dwelling units on a residential parcel in the RMS zone;

A secondary suite must be an accessory use that is subordinate to the principal dwelling unit in gross floor area, extent, and purpose; and

The principal dwelling unit and secondary suite must constitute a single real estate entity.

530.12.5 Private Outdoor Amenity Space

- (a) Private outdoor amenity spaces are subject to the following regulations:

- i. Must be provided for each dwelling unit on a residential parcel as a contiguous space that has a minimum area of 4.5 m² with one dimension of at least 1.8 m;
- ii. Must be adjacent to the dwelling unit to which it relates;
- iii. Must be for the exclusive use of residents of the dwelling unit to which it relates; and
- iv. May be provided in the form of patios, localized depressions, balconies or rooftop decks, and excludes areas used for off-street parking, driveways, or area within the required front setback.

Rooftop decks are subject to the following regulations:

- i. Only permitted under Development Scenarios E and F (5 or 6 units); and
- ii. Not permitted in [rear residential buildings](#).

530.12.6 Access and Fire Safety

- (a) At least one [dwelling unit](#) on a residential parcel must have its main entrance oriented to an abutting street or, in the case of a [residential parcel](#) fronting two streets with two [residential buildings](#), at least one [dwelling unit](#) in each [residential building](#) must have its main entrance oriented to the abutting street closest to the [residential building](#); and

Each [dwelling unit](#) on a [residential parcel](#) shall have a minimum 1.0 m wide paved pedestrian walkway that:

- i. Provides direct pedestrian access from the [dwelling unit's](#) main entrance to a lot line abutting a street, or abutting a constructed lane where direct access to a street is not feasible; and
- ii. Is clear of any projections or obstructions to a minimum of 2.5 m in height.

530.12.7 Solid Waste and Recycling

- (a) Enclosures for solid waste carts and recycling bins must be provided on a [residential parcel](#) for [residential buildings](#) that contain three (3) or more [dwelling units](#) that are not [secondary suites](#); and
- (b) Enclosures for solid waste carts and recycling bins must be wildlife resistant per the Solid Waste Management Bylaw 8436.

530.12.8 Tree Retention and Replacement

- (a) A new [front or rear residential building](#) is only be permitted if:
 - i. On a [residential parcel](#) with a [lot width](#) of less than 15.5 m, a minimum of one (1) existing tree located in the front yard of the residential parcel meeting the requirements set out in Subsection 530.12.9(b)(i) is retained (a "Qualifying Tree") or, where a Qualifying Tree cannot be retained or where there are no Qualifying Trees in the front yard, the [owner](#) of the [residential parcel](#) has planted, or provided to the District a deposit in an amount satisfactory to the Municipal Engineer to secure the planting of, a minimum of one (1) tree meeting the requirements set out in Subsection 530.12.9(b)(ii) (a "Replacement Tree") in the

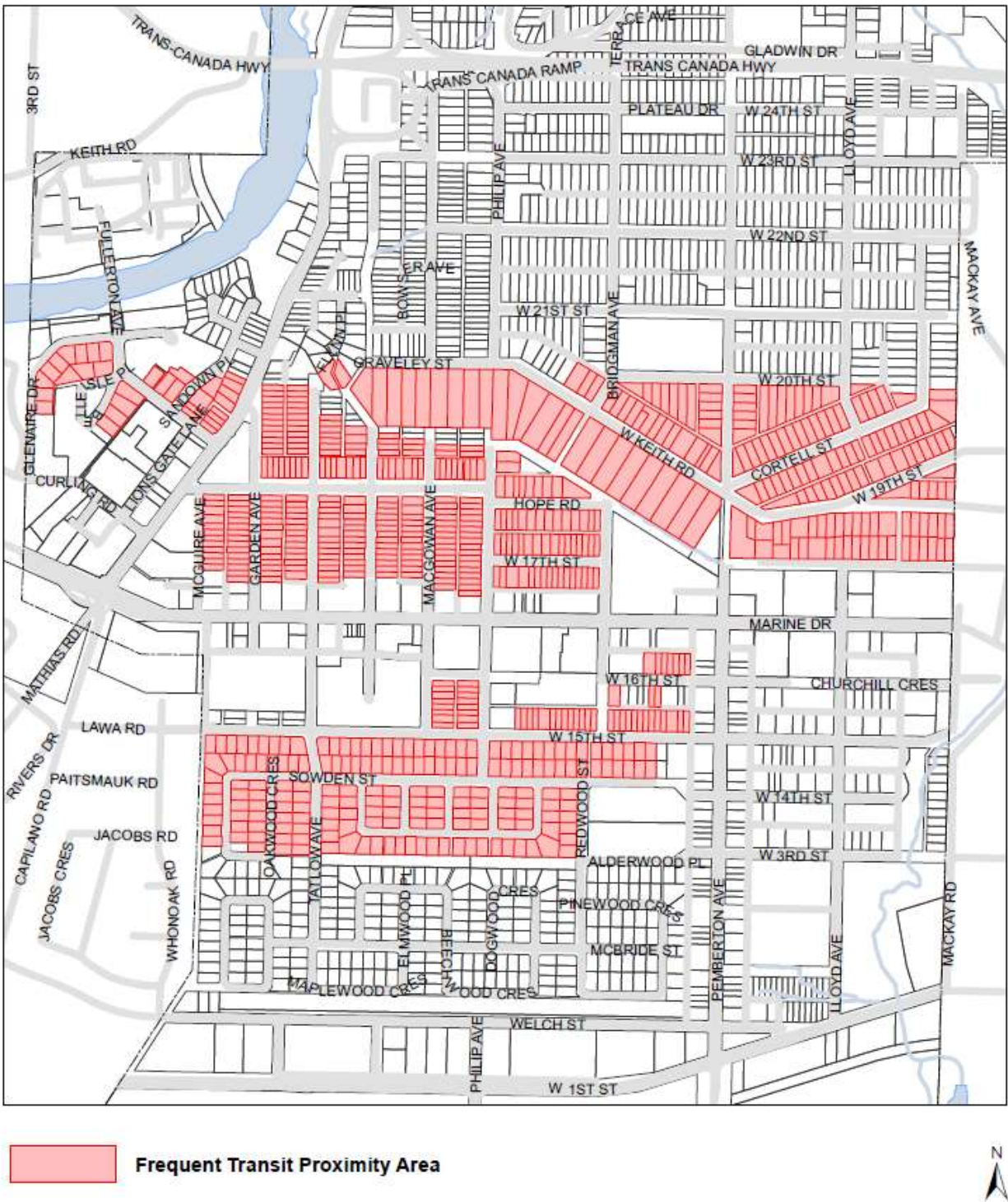
front yard, rear yard, or required separation between [front and rear residential buildings](#); and

- ii. On a [residential parcel](#) with a [lot width](#) greater than or equal to 15.5 m, a minimum of two (2) Qualifying Trees located in the front yard of the residential parcel are retained or, where Qualifying Trees in the front yard cannot be retained or where there are no Qualifying Trees in the front yard or only one (1) Qualifying Tree in the front yard, the [owner](#) of the [residential parcel](#) has planted, or provided to the District a deposit in an amount satisfactory to the [Municipal Engineer](#) to secure the planting of, one (1) replacement tree in the case where one (1) Qualifying Tree has been retained or two (2) replacement trees in the case where no Qualifying Trees have been retained, in the in front yard, rear yard, or required separation between front and [rear residential buildings](#);

For the purposed of fulfilling the requirements of Section 530.12.9(a):

- i. Qualitifying Trees that are retained must have a trunk or stem the diameter of which, or 2 or more trunks or stems the combined diameter of the 2 or 3 largest trunks or stems of which, measured 1.4 m above the existing grade of the ground adjoining its base, is 20 cm or more; and
- ii. Required replacement trees must meet the requirements of Schedule B to Section 530.

Frequent Transit Proximity Area Map 1



Schedule B to Section 530

Replacement Tree Planting Criteria

1. Each specimen shall be tagged with the botanical name and the tag should be left attached until after an inspection is completed;
2. Tree stock shall be a min. of 1 m in height at time of planting (root ball excluded); and
3. Tree stock must be planted in a suitable location to allow the tree to grow to full mature height.

Replacement Tree Species List

Deciduous Trees

Common Name	Botanical Name	Mature Height (m)	Best Growth Conditions¹	Streamside	Wildfire	Sloping Terrain
Bigleaf maple	<i>Acer macrophyllum</i>	to 35	d-m	✓	✓	✓
Bitter cherry	<i>Prunus emarginata</i>	2-15	m		✓	
Black cottonwood	<i>Populus balsamifera ssp. trichocarpa</i>	to 50	m-w	✓	✓	
Black hawthorn	<i>Crataegus douglasii</i>	to 10	m		✓	
Douglas maple	<i>Acer glabrum var. douglasii</i>	to 10	d-m	✓	✓	✓
Pacific crabapple	<i>Malus fusca</i>	2-12	m-w		✓	
Pacific madrone	<i>Arbutus menziesii</i>	to 30	d		✓	
Red alder	<i>Alnus rubra</i>	to 25	m	✓	✓	✓
Sitka mountain ash	<i>Sorbus scopulina</i>	to 4.5	m	✓	✓	

Vine maple	<i>Acer circinatum</i>	to 7	m-w	✓	✓	✓
Western flowering dogwood	<i>Cornus nuttallii</i>	to 20	d-m		✓	
(1) d = dry; m = moist; w = wet						

Coniferous Trees

Common Name	Botanical Name	Mature Height (m)	Best Growth Conditions ¹	Streamside	Wildfire	Sloping Terrain
Douglas fir	<i>Pseudotsuga menziesii</i>	to 70	d	✓	✓ ²	✓
Grand fir	<i>Abies grandis</i>	to 75	m	✓	✓ ²	✓
Shore pine	<i>Pinus contorta</i> <i>var. contorta</i>	to 20	d-w		✓ ²	✓
Sitka spruce	<i>Picea sitchensis</i>	to 70	m	✓	✓ ²	✓
Western hemlock	<i>Tsuga heterophylla</i>	to 60	d-w	✓	✓ ²	
Western red cedar ³	<i>Thuja plicata</i> ³	to 60	m-w	✓	✓ ²	
Western white pine	<i>Pinus monticola</i>	to 40	m-d		✓ ²	✓
<p>(1) d = dry; m = moist; w = wet</p> <p>(2) Conifers must be planted 10 metres away from the dwelling to meet FireSmart Standards</p> <p>(3) Cedars require moist to wet soil conditions to grow – Do not plant cedars in dry areas</p>						

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- c) The Zoning Map is amended in the case of the lands illustrated on the attached maps within Schedule A.

READ a first time

READ a second time

READ a third time

Certified a true copy of "Rezoning Bylaw 1438 (Bylaw 8680)" as at Third Reading

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure on

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8680

(Schedule A provided on the following page)

