

# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## BYLAW NO. 8464

### A Bylaw to amend “Zoning Bylaw, 1995, No. 6700” by establishing townhouse use and completing general maintenance of the Bylaw

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2016, No. 8464**” (Townhouse Use).
2. **Division I: Administration of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended as follows:**

- A. In Part 2: Interpretation, adding the definition of “Accessory Lock-Off Unit Use” as follows:

“**Accessory Lock-Off Unit Use**” means a separate, designated area containing a bathroom, cooking facilities, sleeping and living areas forming part of a Dwelling Unit that is accessible through both a lockable door from the remainder of the Dwelling Unit as well as through a separate exterior access;

- B. In Part 2: Interpretation, adding the definition of “Amenity Share” as follows:

“**Amenity Share**” means a contribution to the City of North Vancouver General Reserve Fund, as an amenity as per the Local Government Act and as allocated as per the City’s Density Bonus and Community Benefits Policy or at the direction of Council, to support the creation of community facilities or services city wide including, but not limited to, community centres, libraries, museums or archives, waterfront enhancements, parks or playgrounds, recreation facilities or swimming pools, child care, affordable housing and sustainable transportation projects subject to the provision of Section 418 of this Bylaw;

- C. In Part 2: Interpretation, deleting the definition of “Approved Energy Modeller” in its entirety;

- D. In Part 2: Interpretation, deleting the definition of “ASHRAE 90.1-2010 Energy Standard” in its entirety;

- E. In Part 2: Interpretation, deleting the definition of “ASHRAE 140-2011 Standard for Energy Modeling” in its entirety;

- F. In Part 2: Interpretation, adding the definition of “Building Envelope” as follows:

“**Building Envelope**” means a three dimensional space created by vertically projecting the Building Grades to the maximum Height level”;

- G. In Part 2: Interpretation, deleting the definition of “Building Envelope Specialist” in its entirety;

- H. In Part 2: Interpretation, deleting “CAN-QUEST” in its entirety;
- I. In Part 2: Interpretation, replacing the definition of “Cellar” as follows:  
  
“**Cellar**” means the space directly below the First Storey, the lower floor of which is more than 1.52 metres (5 feet) below Average Grade and the area of which does not exceed the area of the First Storey;
- J. In Part 2: Interpretation, deleting the definition of “Lock-Off Unit” in its entirety;
- K. In Part 2: Interpretation, deleting the definition of “Certified Energy Advisor” in its entirety;
- L. In Part 2: Interpretation, adding the definition of “Courtyard” as follows:  
  
“**Courtyard**” means the area of a Lot bounded on two or more sides by one or more Principal Buildings on the same Lot;
- M. In Part 2: Interpretation, deleting the definition of “EnerGuide Energy Standard” in its entirety;
- N. In Part 2: Interpretation, deleting the definition of “Exterior Cladding” in its entirety;
- O. In Part 2: Interpretation, adding the definition of “Exterior Wall” as follows:  
  
“**Exterior Wall**” means the vertical structure providing weather protection, insulation and/or structural support for a Building;
- P. In Part 2: Interpretation, deleting the definition of “Exterior Solid Wall System” in its entirety;
- Q. In Part 2: Interpretation, deleting the definition of “Fundamental Building Commissioning Report” in its entirety;
- R. Replacing all instances of “Garden Apartment Residential Use” in this Bylaw with “Ground-Oriented Apartment Residential Use”;
- S. In Part 2: Interpretation, deleting the definition of “Garden Apartment Residential Use” in its entirety;
- T. In Part 2: Interpretation, amending the definition of “Gross Floor Area” as follows:  
  
(1) Replacing subsection (1) as follows:  
  
(1) Exterior Wall thickness in excess of 0.165 metres (6.5 inches) up to a maximum exclusion of 0.305 metres (12 inches) provided that the wall thickness is utilized for the provision of insulating materials and/or protection against wind, water and vapour;

- (2) Replacing subsection (13) as follows:
- (13) for provision of Adaptable Design Dwelling Units as follows:
- (a) 1.9 square metres (20 square feet) for each Level 2 Adaptable Design Principal Dwelling Unit; and
  - (b) an additional 2.3 square metres (25 square feet) for each Level 3 Adaptable Design Principal Dwelling Unit;
- (3) Replacing subsection (17) as follows:
- (17) with the exception of Townhouse Use, common stairways and landings where:
- (a) the stairway is visible from the principal point of entry and no turns or obstacles prevent the visibility of or accessibility to the qualifying staircase;
  - (b) signage is located at elevators and escalators to encourage stair use; and
  - (c) the stairway is open to the surrounding floor area or includes transparent glazing at each floor level of at least 0.93 square metres (10 square feet);
- (4) Adding subsection (18) after subsection (17) as follows:
- (18) Cellars in a Ground-Oriented Residential, Apartment Residential or Mixed Use Zone provided that:
- (a) the floor area is part of a Dwelling Unit or Commercial Use not solely located in a Cellar; and
  - (b) a minimum of 40% of the floor area of the Dwelling Unit or Commercial Use is located on or above the First Storey;
- (5) Adding subsection (19) after subsection (18) as follows:
- (19) for provision of Accessory Lock-Off Dwelling Units to a combined maximum of 0.15 times the Lot Area as follows:
- (a) 14 square metres (151 square feet) for each Accessory Lock-Off Dwelling Unit; and
  - (b) an additional 10 square metres (108 square feet) for each Accessory Lock-Off Dwelling Unit that:
    - (i) meets Level 2 Adaptable Design Dwelling Unit requirements in accordance with 507(11) of this Bylaw; and
    - (ii) is accessible from a Street or public greenway without the use of stairs;
- (6) Adding subsection (20) after subsection (19) as follows:
- (20) any area of a Dwelling Unit located in a Basement or Cellar within:

- (i) a Rental Apartment Residential Use; or
  - (ii) Building issued a building permit for more than three Dwelling Units prior to 1985;
- (7) Adding subsection (21) after subsection (20) as follows:
  - (21) Open to below areas in a Residential or Mixed Use Zone shall be counted twice in Gross Floor Area calculations with the exception of areas that:
    - (a) measure less than 4.6 metres (15.1 feet) from the floor to the ceiling directly above;
    - (b) form part of a non-commercial social, recreational and amenity area held in common ownership;
    - (c) form part of a Commercial Use; or
    - (d) are used exclusively for Natural Ventilation (induced ventilation);
- U. In Part 2: Interpretation, amending the definition of “Gross Floor Area (One-Unit Residential)” by:
  - (1) Replacing all instances in the Bylaw of “Gross Floor Area (One-Unit Residential)” with “Gross Floor Area (One-Unit and Two-Unit Residential)”;
  - (2) Replacing subsection (1) as follows:
    - (1) Exterior Wall thickness in excess of 0.165 metres (6.5 inches) provided:
      - (a) a maximum exclusion of 0.25 metres (9.8 inches); and
      - (b) the excluded wall thickness is utilized for the provision of insulating materials and/or for the protection against wind, water and vapour;
  - (3) Replacing subsection (9) as follows:
    - (9) any portion of a mechanical room containing a Green Building System, up to a maximum of 9.3 square metres (100.1 square feet) provided that:
      - (a) the system is located in an accessible location within the building;  
and
      - (b) has a minimum headroom clearance of 2 metres (6.6 feet);
  - (4) Adding subsection (10) after subsection (9) as follows:
    - (10) recycling and garbage storage area on a Lot with:
      - (a) an Accessory Coach House Building:
        - (i) connected to, but with no access from, the interior of the Accessory Coach House Building; and
        - (ii) up to a maximum of 4.6 square metres (49.5 square feet); or

- (b) two or more Principal Dwelling Units
    - (i) provided for common use and held in common ownership;
    - (ii) located on any floor level; and
    - (iii) up to the maximum floor area in accordance with Figure 4-3;
- V. In Part 2: Interpretation, deleting the definition of “Gross Floor Area (Coach House, Accessory)” in its entirety;
- W. Deleting all instances in the Bylaw of “Gross Floor Area (Accessory Coach House)”
- X. Replacing all instances in the Bylaw of “Gross Floor Area (One-Unit Residential and Coach House Accessory)” with “Gross Floor Area (One-Unit and Two-Unit Residential);
- Y. In Part 2: Interpretation, amending the definition of “Gross Floor Area (Two-Unit Residential)” by:
  - (1) Deleting the definition of “Gross Floor Area (Two-Unit Residential)” in its entirety;
  - (2) Replacing all instances in the Bylaw of “Gross Floor Area (Two-Unit Residential)” with “Gross Floor Area (One-Unit and Two-Unit Residential);
- Z. In Part 2: Interpretation, deleting the definition of “Gross Residential Floor Area” in its entirety;
- AA. Replacing all instances of “Gross Residential Floor Area” in this Bylaw with “Gross Floor Area”;
- BB. In Part 2: Interpretation, deleting the definition of “High-Density Apartment Residential Use” in its entirety;
- CC. Replacing all instances of “Lot Size” in the Bylaw with “Lot Area”;
- DD. In Part 2: Interpretation, replacing “Lot Area” as follows:
 

“**Lot Area**” means the area of a Lot taken in a horizontal plan:

  - (a) excluding any land covered by a natural body of water; and,
  - (b) including any land:
    - (i) within a special setback identified in Section 411 of this Bylaw that has been dedicated for public road following the adoption of Amendment Bylaw, 2016, No. 8464; or
    - (ii) dedicated for public lane right-of-way purposes since January 1, 1997, for the purposes of One-Unit Residential Use;

EE. In Part 2: Interpretation, replacing subsection (1) of the definition of “Lot Coverage” as follows:

- (1) Exterior Wall thickness in excess of 0.165 metres (6.5 inches) provided:
  - (a) a maximum exclusion of 0.25 metres (9.8 inches); and
  - (b) the excluded wall thickness is utilized for the provision of insulating materials and/or for the protection against wind, water and vapour;

FF. In Part 2: Interpretation, adding the definition of “Lot Line, Mid” as follows:

“**Lot Line, Mid**” means the line connecting the midpoints of the Side Lot Lines; or, where the Lot is irregular, means the line running equidistant from the Front Lot Line and Rear Lot Line;

GG. In Part 2: Interpretation, deleting the definition of “Medium-Density Apartment Residential Use” in its entirety;

HH. In Part 2: Interpretation, deleting the definition of “Medium-Density Use” in its entirety;

II. Replacing, in order, all instances of the following terms in this Bylaw with “Apartment Residential Use”:

- (1) “Apartment, Medium-Density Apartment, High Density Apartment Residential Use”;
- (2) “Medium or High Density Apartment Residential Use”;
- (3) “Medium Density or High Density Apartment Residential Use”;
- (4) “medium density and high-density residential”;
- (5) “Medium-Density and High-Density Use”;
- (6) “Medium-Density Apartment Residential Use, High Density Apartment Residential Use”;
- (7) “Medium-Density Apartment Use, High Density Apartment Use”;
- (8) “Medium-Density Apartment Use, High-Density Apartment Use”;
- (9) “Medium-Density, High-Density”;
- (10) “Medium-Density Use and High-Density Use Residential”;
- (11) “High Density Apartment Residential Use”;
- (12) “High-Density Apartment Residential Use”;
- (13) “High Density Apartment Use”;
- (14) “High-Density Apartment Use”;
- (15) “High Density Residential Apartment Use”;
- (16) “high density residential use”;
- (17) “Medium Density Apartment Residential Use”;
- (18) “Medium-Density Apartment Residential Use”;
- (19) “Medium Density Apartment Use”; and
- (20) “medium density residential use”;

JJ. Replacing, in order, all instances of the following terms in this Bylaw with “Local Government Act”:

- (1) “Section 219 of the Municipal Act”;
- (2) “Section 299 of the Municipal Act”;
- (3) “Section 513 of the Municipal Act”;
- (4) “Section 905 of the Municipal Act”;
- (5) “Section 964(2)(b) of the Municipal Act R.S.B.C. 1979, c.290” in this Bylaw with “the Local Government Act”; and
- (6) “Municipal Act”;

KK. In Part 2: Interpretation, replacing “Municipal Parking Facility” as follows:

**“Municipal Parking Facility”** is a Lot, Street, Lane, Building, Structure or portion thereof that contains a Parking facility operated for public Use by the City;

LL. In Part 2: Interpretation, deleting the definition of “NECB-2011” in its entirety;

MM. In Part 2: Interpretation, replacing the definition of “Parking Space” as follows:

**“Parking Space”** means an area of land or Building Used For Parking purposes only;

NN. Replacing all instances of “Parking Stall” in this Bylaw with “Parking Space”;

OO. In Part 2: Interpretation, replacing “Payment-In-Lieu of Parking” as follows:

**“Payment-in-Lieu of Parking”** means providing Parking through the payment of monies to the City to fund the provision or expansion of a Municipal Parking Facility subject to subsection 905(1);

PP. In Part 2: Interpretation, replacing “Rental Apartment Residential Use” as follows:

**“Rental Apartment Residential Use”** means a Residential Use on a Lot that:

- (1) is held in common ownership and not stratified in accordance with the Strata Property Act;
- (2) includes a minimum number of Dwelling Units rented to occupants of not less than:
  - (a) four Dwelling Units issued an occupancy permit prior to 1985; or
  - (b) six Dwelling Units for all other Lots;
- (3) is exclusive of any other Residential Uses on the Lot;

QQ. In Part 2: Interpretation, replacing all instances of “Residential Care Facility” in this Bylaw with “Residential Care Facility Use”;

RR. In Part 2: Interpretation, adding the definition of “Rowhouse Residential Use” as follows:

**“Rowhouse Residential Use”** means a Residential Use where the Principal Building is:

- (1) Used For one Dwelling Unit;
- (2) aligned in a row with other Buildings with the same Residential Use:
  - (a) each on a separate Lot; and
  - (b) that share at least one common wall;
- (3) constructed in accordance with the regulations for Rowhouse Residential Use as specified in this Bylaw;

SS. In Part 2: Interpretation, adding the definition of “Shared Vehicle” as follows:

**“Shared Vehicle”** means a four-wheeled automobile, van or pick-up truck owned and operated by an organization which provides car-sharing services to its members”;

TT. In Part 2: Interpretation, adding the definition of “Shared Vehicle Parking Space” as follows:

**“Shared Vehicle Parking Space”** means a parking space reserved for the exclusive use of a Shared Vehicle;

UU. In Part 2: Interpretation, adding the definition of “Townhouse Residential Use” as follows:

**“Townhouse Residential Use”** means a Residential Use where the Principal Building or Buildings on a Lot are:

- (1) Used For three or more Dwelling Units, each having access to the Street, Lane or Courtyard without the use of enclosed stairwells or corridors common to more than two Dwelling Units; and
- (2) constructed in accordance with the regulations for Townhouse Residential Use as specified in this Bylaw;

VV. In Part 3: Basic Provisions, subsection 302(4):

- (1) amending the definition of “Garden Apartment Residential 1” by:
  - (a) replacing the Short Form and Designation “Garden Apartment Residential 1” with “Ground-Oriented Residential 1”; and
  - (b) replacing all instances in this Bylaw of “Garden Apartment Residential 1” with “Ground-Oriented Residential 1”;
- (2) replacing “High Density Apartment Resident 1” with “High Density Apartment Residential 1”;



**3. Division II: General Zoning Standards of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended as follows:**

A. In Part 4: General Regulations, replacing Section 409 as follows:

**409 Height Exceptions**

The Heights of Buildings and Structures permitted elsewhere in the Bylaw may be exceeded for:

- (1) Industrial cranes, towers, bulkheads;
- (2) Accessory radio and television antennae other than satellite dishes;
- (3) Church spires, belfries and similar architectural appurtenances;
- (4) Monuments, chimney and smoke stacks, flag poles, stadium bleachers, lighting poles, elevator shafts, utility poles and posts;
- (5) Signs as permitted under Sign Bylaw 1992, No. 6363, as amended from time to time;
- (6) Solar Collectors to a maximum of:
  - (a) 1.2 metres (4 feet) for Buildings for One-Unit Residential Use, Townhouse Residential Use and Ground-Oriented Residential Use provided that the installation:
    - (i) does not shade an existing Solar Collector or properties on January 21<sup>st</sup>, at noon, any more than would a structure built to the maximum permitted elsewhere in this Bylaw;
    - (ii) projects no greater than 1.2 metres (4 feet) above a flat roof; and
    - (iii) projects no greater than 0.3 metres (1 foot) above a pitched roof.
  - (b) 1.8 metres (6 feet) for Buildings for all other Principal Uses provided that the installation:
    - (i) is set back a minimum of 1.8 metres (6 feet) from the roof edge for all portions of the Solar Collector that project over 1.2 metres (4 feet) above the roof;
    - (ii) projects no greater than 3 metres (10 feet) above a flat roof; and
    - (iii) projects no greater than 0.3 metres (1 foot) above a pitched roof;
- (7) Green Roofs to a maximum of:
  - (a) 0.5 metres (1.5 feet) for Buildings for One-Unit Residential Use, Townhouse Residential Use and Ground-Oriented Residential Use provided the installation is limited to a depth of 0.5 metres (1.5 feet);
  - (b) 0.5 metres (1.5 feet) for Buildings for all other Principal Uses provided the installation is an extensive green roof and covers no less than 50 percent of the roof area;
  - (c) 1.1 metres (3.5 feet) for Buildings for all other Principal Uses provided the installation is an intensive green roof and covers no less than 25 percent of the roof area;

B. In Part 4: General Regulations, amending subsection 410(1) as follows:

- (c) Replacing “For One Unit and Two Unit developments, the following siting exceptions shall apply” as follows:

For development in the RS-1, RS-2, RS-3, RT-1, RT-1A and RT-2 zones, the following siting exceptions shall apply;

- (d) Replacing subsection 410(1)(a) as follows:

(a) Exterior Wall thickness in excess of 0.165 metres (6.5 inches) provided:

- (i) a maximum exclusion of 0.25 metres (9.8 inches); and
- (ii) the excluded wall thickness is utilized for the provision of insulating materials and/or for the protection against wind, water and vapour;

- (e) Replacing subsection 410(1)(g) as follows:

(g) An Underground Structure may be sited in any portion of a Lot with the exception of any portion of the Lot within a Special Setback scheduled in Section 411 of this Bylaw;

- (f) Renaming Figure 4-1 to “Figure 4-1 Siting exceptions for One-Unit and Two-Unit Residential Zones”;

C. In Part 4: General Regulations, amending subsection 410(2) as follows:

- (1) Renumbering subsection 410(2) to 410(3) and replacing all instances in the Bylaw;

- (2) Replacing subsection 410(2) as follows:

(2) Deleted;

- (3) Renaming subsection 410(3) “Siting Exceptions for All Other Zones”;

- (4) Replacing “For all developments other than One Unit and Two Unit dwellings, the following siting exceptions shall apply” as follows:

For development in all other zones not subject to subsections 410(1) or 410(2), the following siting exceptions shall apply;

- (5) Replacing subsection 410(3)(a) as follows:

(a) Exterior Wall thickness in excess of 0.165 metres (6.5 inches) provided:

- (i) a maximum exclusion of 0.25 metres (9.8 inches); and
- (ii) the excluded wall thickness is utilized for the provision of insulating materials and/or for the protection against wind, water and vapour;

- D. In Part 4: General Regulations, replacing Section 411 inclusive of Figure 4-2 as follows:

**411 Special Setback**

- (1) where the road width is less than 30.48 metres (100 feet), the required Building setback from the Lot Line common to such road allowance for abutting Lots shall be measured from a line parallel to and 15.24 metres (50 feet) from the centreline of such road allowance as existing prior to 1967:
  - (a) Marine Drive;
  - (b) 3<sup>rd</sup> Street between Bewicke Avenue and Cotton Road;
  - (c) Lonsdale between TransCanada Highway and 27<sup>th</sup> Street;
- (2) where the road width is less than 20.12 metres (66 feet), the required Building setback from a Lot Line common to East 26<sup>th</sup> Street between Lonsdale and St. George's Avenue for abutting Lots shall be measured from a line parallel to and 20.12 metres (66 feet) from the northerly boundary of such road allowance as existing prior to 1967;
- (3) measurements for required Building setbacks in accordance with subsections 411(1) and 411(2) shall apply to all Underground Structures including Cellars and parking structures;

- E. In Part 4: General Regulations, adding "Section 418 Amenity Fund Contribution" after Section 417 as follows:

**418 Amenity Share**

An Amenity Share in accordance with the zone standard must be provided prior to building permit issuance in order to construct or extend a Building or Structure in said zone:

- (1) Amenity Share

\$215.28 per square metre (\$20 per square foot) Gross Floor Area

- (2) Exemption

No Amenity Share is required for Gross Floor Area up to the greater of the following:

- (a) permitted density prior to adoption of Amendment Bylaw, 2016, No. 8464; or
- (b) 0.5 times the Lot Area;

- (3) Heritage conservation

- (a) any person who applies for a building permit that includes a Building or Structure listed on the City of North Vancouver Heritage Registry, as amended from time to time, may be exempted from the Amenity Share to support the following to the satisfaction of the Director of Community Development:

- (i) conservation of a Building or Structure; and
  - (ii) legal protection through a registered Land Title Act covenant;
- (b) for the purposes of this provision, the maximum Amenity Share exemption shall be calculated based on the Lot that contains the Building or Structure on the Heritage Registry, as existing prior to the adoption of Amendment Bylaw, 2016, No. 8464;

(4) Time of payment

Provision of an Amenity Share is required prior to issuance of a building permit for the Gross Floor Area requiring the share.

- F. In Part 4: General Regulations, adding “Section 419 Energy efficiency” after Section 418 as follows:

**419 Energy efficiency**

As a community amenity to assist the City in achieving its OCP energy and emissions reduction targets, if and to the extent expressly contemplated in respect to each specific zone in this bylaw, any person who applies for a building permit must demonstrate compliance with the energy efficiency provisions in that zone as follows:

(1) EnerGuide in Canada demonstration of compliance

Compliance with the Energuide energy standard created and standardized by the Office of Energy Efficiency of Natural Resources Canada that is applied to British Columbia Buildings under Residential Use that are not more than four storeys shall be demonstrated through provision of the following:

- (a) prior to issuance of a building permit:
  - (i) EnerGuide enrollment form;
  - (ii) evaluation report prepared by a Certified Energy Advisor certified with a service organization licensed by the Office of Energy Efficiency of Natural Resources Canada, stating that the project has complied with the EnerGuide Energy Standard;
  - (iii) confirmation by a Certified Energy Advisor that the model does not assign any benefit or credit to a heat pump as a primary or secondary space heating source;
  - (iv) letter of credit for one percent of construction costs to be returned upon successful provision of the above and the fulfillment of the requirements in subsection 419(1)(b), all to the satisfaction of the Director of Community Development;
- (b) within 6 months of substantial completion:
  - (i) official EnerGuide rating report;
  - (ii) letter from a Certified Energy Advisor stating the building’s compliance with the standard;

(c) surrender of security

The letter of credit provided in accordance with subsection 419(1)(a)(iv) shall be surrendered as a contribution to the City of North Vancouver Carbon Fund to support the reduction of greenhouse gases should the following occur:

- (i) a building permit to construct or extend the Building or Structure has been issued; and
- (ii) it is determined, to the satisfaction of the Director of Community Development, that:
  - a. the applicable energy efficiency standard for the zone has not been met in accordance with subsection 419(1)(b); and
  - b. it is unlikely that any ongoing effort to otherwise demonstrate compliance will reach the applicable energy efficiency standard for the zone.

(2) ANSI/ASHRAE/IES Standard 90.1 demonstration of compliance.

Compliance with the ANSI/ASHRAE/IES Standard 90.1 created and standardized by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), to provide minimum requirements for the energy-efficient design of buildings shall be demonstrated through provision of the following:

- (a) prior to issuance of a building permit:
  - (i) Energy model prepared by an Approved Energy Modeller, evaluated and approved by either Natural Resources Canada, the Canada Green Building Council, or BC Hydro, specifying carbon emissions per kilowatt hour per year, in compliance with ASHRAE 140-2011 Standard Method of Test for the Evaluation of Building Energy Analysis Computer Programs;
  - (ii) Design Verification Report, accompanied with the applicable Design Verification Letters as required by the Design Verification Report;
  - (iii) confirmation by an Approved Energy Modeller that the model does not assign any benefit or credit to a heat pump or any other mechanical equipment that is not fully integrated and operational within the full system design;
  - (iv) letter of credit for one percent of construction costs to be returned upon successful provision of the above and the fulfillment of the requirements in subsection 419(2)(b), all to the satisfaction of the Director of Community Development;

(b) within 6 months of substantial completion:

- (i) Letter of Completion signed by the Coordinating Registered Professional or Registered Professional of Record (as defined in the British Columbia Building Code), stating that the building has been completed and its energy performance should, based on best knowledge and practices, meet the minimum requirement of the Energy Standard pursued. This Letter will be provided by the City and may be amended from time to time to the satisfaction of the Director of Community Development;
- (ii) Fundamental Building Commissioning Report provided by a commissioning authority that does not include individuals directly responsible for project design or construction management, stating that the fundamental building elements and systems are designed, installed and calibrated to operate as modeled, as per a template provided by the City and amended from time to time to the satisfaction of the Director of Community Development;

(c) surrender of security

The letter of credit provided in accordance with subsection 419(2)(a)(iv) shall be surrendered as a contribution to the City of North Vancouver Carbon Fund to support the reduction of greenhouse gases should the following occur:

- (i) a building permit to construct or extend the Building or Structure has been issued; and
- (ii) it is determined, to the satisfaction of the Director of Community Development, that:
  - a. the applicable energy efficiency standard for the zone has not been met in accordance with subsection 419(2)(b); and
  - b. it is unlikely that any ongoing effort to otherwise demonstrate compliance will reach the applicable energy efficiency standard for the zone.

(3) National Energy Code of Canada for Buildings demonstration of compliance

Compliance with the National Energy Code of Canada for Buildings created and standardized by the Canadian Commission on Building and Fire Codes that is applied to new Buildings except buildings covered in Part 9 of the National Building Code of Canada shall be demonstrated through provision of the following:

- (a) prior to issuance of a building permit:
  - (i) Energy model prepared by an Approved Energy Modeller, evaluated and approved by either Natural Resources Canada, the Canada Green Building Council, or BC Hydro, specifying carbon emissions per kilowatt hour per year, in compliance with CAN-QUEST energy simulation software used to generate building energy models and to compare the energy impact of different design options, in the current version released by Natural Resources Canada at time of building permit application
  - (ii) Design Verification Report, accompanied with the applicable Design Verification Letters as required by the Design Verification Report;
  - (iii) letter of credit for one percent of construction costs to be returned upon successful provision of the above and the fulfillment of the requirements in subsection 419(3)(b), all to the satisfaction of the Director of Community Development;
  
- (b) within 6 months of substantial completion:
  - (i) Letter of Completion signed by the Coordinating Registered Professional or Registered Professional of Record (as defined in the British Columbia Building Code), stating that the building has been completed and its energy performance should, based on best knowledge and practices, meet the minimum requirement of the Energy Standard pursued. This Letter will be provided by the City and may be amended from time to time to the satisfaction of the Director of Community Development;
  - (ii) Fundamental Building Commissioning Report provided by a commissioning authority that does not include individuals directly responsible for project design or construction management, stating that the fundamental building elements and systems are designed, installed and calibrated to operate as modeled, as per a template provided by the City and amended from time to time to the satisfaction of the Director of Community Development;
  
- (c) surrender of security

The letter of credit provided in accordance with subsection 419(3)(a)(iii) shall be surrendered as a contribution to the City of North Vancouver Carbon Fund to support the reduction of greenhouse gases should the following occur:

- (i) a building permit to construct or extend the Building or Structure has been issued; and
- (ii) it is determined, to the satisfaction of the Director of Community Development, that:
  - a. the applicable energy efficiency standard for the zone has not been met in accordance with subsection 419(3)(b); and
  - b. it is unlikely that any ongoing effort to otherwise demonstrate compliance will reach the applicable energy efficiency standard for the zone;

(4) Passive House demonstration of compliance

Compliance with the Passive House energy standard created and standardized by the Passive House Institute shall be demonstrated through provision of the following:

(a) prior to issuance of a building permit:

- (i) Energy model prepared by a Certified Passive House Designer or Certified Passive House Consultant approved by the Passive House Institute that:
  - a. specifies the modeled design meets or exceeds the Passive House Classic or EnerPHit requirements in the current version released by the Passive House Institute at the time of building permit application; and
  - b. should the model not meet the maximum total primary energy demand, that the deficiency is solely due to the domestic hot water demand modeled in accordance with subsection 420(1) community energy system, and specifying the efficiency required to otherwise meet the maximum total primary energy demand;
- (ii) Design stage assurance letter, subject to subsection 419(4)(a)(ii) if applicable, prepared by a Building Certifier accredited by the Passive House Institute, accompanied with the applicable Design Verification Letters as required by the Design Verification Report;
- (iii) letter of credit for one percent of construction costs to be returned upon successful provision of the above and the fulfillment of the requirements in subsection 419(4)(b), all to the satisfaction of the Director of Community Development;

(b) within 6 months of substantial completion:

- (i) Letter of Completion signed by the Coordinating Registered Professional or Registered Professional of Record (as defined in the British Columbia Building Code), stating that the building has been completed and its energy performance should, based on best knowledge and practices, meet the minimum requirement of the Energy Standard pursued, subject to subsection 419(4)(a)(ii) if applicable. This Letter will be provided by the City and may be amended from time to time to the satisfaction of the Director of Community Development;
- (ii) commissioning report provided by a commissioning authority that does not include individuals directly responsible for project design or construction management, stating that the fundamental building elements and systems are designed, installed and calibrated to operate as modeled, as per a template provided by the City and amended from time to time to the satisfaction of the Director of Community Development;
- (iii) confirmation from a Building Certifier accredited by the Passive House Institute that the final Passive House Planning Package and relevant documentation have been received and are under review for certification, subject to subsection 419(4)(a)(ii) if applicable.



(c) surrender of security

The letter of credit provided in accordance with subsection 419(4)(a)(iv) shall be surrendered as a contribution to the City of North Vancouver Carbon Fund to support the reduction of greenhouse gases should the following occur:

- (i) a building permit to construct or extend the Building or Structure has been issued; and
- (ii) it is determined, to the satisfaction of the Director of Community Development, that:
  - a. the applicable energy efficiency standard for the zone has not been met in accordance with subsection 419(1)(b); and
  - b. it is unlikely that any ongoing effort to otherwise demonstrate compliance will reach the applicable energy efficiency standard for the zone;

(5) Provincial stretch building code

Compliance with the Provincial stretch building code for energy efficiency requirements, created and standardized by the Province of British Columbia, shall be demonstrated through provision of the following:

- (a) prior to issuance of a building permit providing:
  - (i) in entirety all required materials in accordance with Provincial regulation including, but not limited to, confirmation from certified professionals of models, modeled energy demand, assurance letters and design verification.
  - (ii) letter of credit for one percent of construction costs to be returned upon successful provision of the above and the fulfillment of the requirements in subsection 419(5)(b), all to the satisfaction of the Director of Community Development;
- (b) within 6 months of substantial completion providing:
  - (i) in entirety all required materials in accordance with Provincial regulation including, but not limited to, Letter of Completion from Coordinating Registered Professionals, commissioning reports and confirmation from certified professionals; and
  - (ii) all other relevant documentation to the satisfaction of the Director Community Development;
- (c) surrender of security

The letter of credit provided in accordance with subsection 419(5)(a)(ii) shall be surrendered as a contribution to the City of North Vancouver Carbon Fund to support the reduction of greenhouse gases should the following occur:

- (i) a building permit to construct or extend the Building or Structure has been issued; and
- (ii) it is determined, to the satisfaction of the Director of Community Development, that:
  - a. the applicable energy efficiency standard for the zone has not been met in accordance with subsection 419(1)(b); and
  - b. it is unlikely that any ongoing effort to otherwise demonstrate compliance will reach the applicable energy efficiency standard for the zone.

- G. In Part 4: General Regulations, adding “Section 420 Hydronic energy service” after Section 419 as follows:

#### **420 Hydronic energy service**

As a community amenity to assist the City in achieving its OCP energy and emissions reduction targets, if and to the extent expressly contemplated in respect to each specific zone in this bylaw, any person who applies for a building permit must demonstrate compliance with the hydronic energy service provisions in that zone as follows:

- (1) prior to issuance of a building permit providing:
  - (a) registration of a statutory right-of-way and covenant in favour of the City to permit the installation and continued access across the Lands and Buildings of any community energy plant and/or system for the purposes of supplying hydronic energy; and
  - (b) confirmation that the design and construction of the Building is such that space heating, domestic hot water and other thermal energy uses can be supplied by a Community Energy System in accordance with the City of North Vancouver Hydronic Energy Service Bylaw 2004, No. 7575, all to the satisfaction of the Director of Community Development;
- (2) Buildings which achieve the Passive House energy standard in accordance with subsection 419(4), featuring a designed and installed space heating capacity not exceeding ten watts per square meter shall be required to connect to a Community Energy System for the provision of hydronic energy in accordance with the City of North Vancouver Hydronic Energy Service Bylaw 2004, No. 7575, with the exception of heat for space heating purposes.

- H. In Part 4: General Regulations, adding “Section 421 Noise mitigation” after Section 420 as follows:

#### **421 Noise mitigation**

As a community amenity to assist the City in addressing industrial, heavy traffic, and/or commercial noise impacts on the liveability of multi-family buildings, if and to the extent expressly contemplated in respect to each specific zone in this bylaw, any person who applies for a building permit must demonstrate improved noise mitigation through provision of an acoustical report delivered to the City, prepared by a Professional Engineer specializing in acoustics that:

- (1) certifies that the interior space of all Dwelling Units constructed on the Lands has been designed to the minimum standards stipulated in the British Standard BS 8233:2014 “Guidance on sound insulation and noise reduction for buildings” (2014) or the World Health Organization’s “Guidelines for Community Noise” (1999), as amended from time to time;
  - (2) confirms that all Dwelling Units to be constructed on the Lands that will be directly affected by industrial, heavy traffic, and/or neighbouring commercial uses have been designed assuming an external equivalent continuous sound level (Leq) of not less than 65 A-weighted decibels (dBA), all to the satisfaction of the Director of Community Development; and
  - (3) recommends exterior and interior design and construction features and practices including, without limitation, the installation of a mechanical heat recovery ventilation system, to mitigate the impact of external and structure borne sound penetration between:
    - (i) neighbouring industrial, residential, commercial, community, entertainment, traffic, street pedestrian activities and other uses situated on or off the Lands; and
    - (ii) the interior space of all residential dwelling units to be constructed on the Lands;
- I. In Part 4: General Regulations, adding “Section 422 Green building” after Section 421 as follows:

#### **422 Green building**

As a community amenity to assist the City in achieving its OCP energy and emissions reduction and water conservation targets, if and to the extent expressly contemplated in respect to each specific zone in this bylaw, any person who applies for a building permit must demonstrate compliance with the Green Building provisions scheduled in that zone as follows:

- (1) LEED® Gold demonstration of compliance

Compliance with the LEED® Gold standard as defined by the Canada Green Building Council (CaGBC) shall be demonstrated through provision of the following:

- (a) prior to issuance of a building permit:
  - (i) design stage assurance letter prepared by a LEED® Accredited Professional confirming a commitment to building, designing and constructing a building that enables a LEED® Gold standard as defined by the CaGBC. The Letter will demonstrate that the project is on a pathway to compliance with the above stated standard and outline the LEED credits the project will pursue;
  - (ii) demonstration that the project has been submitted for LEED® certification with the CaGBC;

- (iii) letter of credit for one percent of construction costs
  - a. to be returned upon successful provision of the above and the fulfillment of the requirements in subsection 422(5)(b),
  - b. any letter of credit provided to meet the provisions of Section 420 may be applied to this requirement, with the shared letter of credit released only after all commitments in Section 420 and Section 422 are met;
  - c. all to the satisfaction of the Director of Community Development;

(b) within 6 months of substantial completion a LEED® Gold compliance report:

- (i) stating that the building has been completed and has been constructed to achieve the LEED® Gold standard;
- (ii) accompanied by a credit-by-credit outline of how each targeted credit was addressed;
- (iii) committing to make reasonable commercial efforts to obtain CaGBC LEED® Gold certification within two years after an occupancy permit is issued for the Building;
- (iv) committing to keep the City reasonably informed as to the status of certification;
- (v) signed by a LEED® Accredited Professional.

J. In Part 4: General Regulations, adding “Section 423 Adaptable design” after Section 422 as follows:

#### **423 Adaptable design**

As a community amenity to assist the City in improving liveability of multi-family buildings, if and to the extent expressly contemplated in respect to each specific zone in this Bylaw, any person who applies for a Building Permit for Townhouse Residential Use, Apartment Residential Use, Rental Apartment Residential Use or Accessory Apartment Use must demonstrate compliance with the Adaptable design provisions in that zone as follows:

- (1) a minimum 25% of the total number of Dwelling Units, representing a proportional mix of each Dwelling Unit type in the Building, shall be designed to meet Level 2 of the Adaptable Design Guidelines; and
- (2) all other Dwelling Units shall be designed to meet Level 1 of the Adaptable Design Guidelines, to the satisfaction of the Director of Community Development.

**4. Division III: Zone Standards of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended as follows:**

A. In Part 5: Residential Zone Regulations, amending Section 504 as follows:

- (1) Replacing “Uses in Medium-Density Apartment Residential Zone” with “Uses in Apartment Residential zones”;
- (2) Replacing “Subject to the regulations contained in this Bylaw, the following Uses and no others shall be permitted in the RM-1 Medium Density Apartment Residential Zone:” as follows:

Subject to the regulations contained in this Bylaw, the following Uses and no others shall be permitted in the RM-1 and RH-1 zones:

B. In Part 5: Residential Zone Regulations, replacing Section 505 as follows:

**Deleted;**

C. In Part 5: Residential Zone Regulations, replacing Section 506 as follows:

**506 Minimum Lot Area**

- (1) Subject to the regulations contained in this Bylaw, the following Uses shall not be permitted on a Lot with a Lot Area less than area indicated:
  - (a) One-Unit Residential Use shall not be permitted on a Lot with a Lot Area of less than 557.4 square metres (6,000 square feet), except:
    - (i) where such a Lot was existing at the effective date of this bylaw;
    - (ii) where 50 percent or more of the existing Lots on the same side of the Street and with the same zoning designation have a frontage of 12.2 metres (40 feet) or less, in which case the Lot Area may be reduced to:
      - a. not less than 334.4 square metres (3,600 square feet); or
      - b. not less than 371.6 square metres (4,000 square feet) where curvilinear road design and linear Lot design necessitates the introduction of Lots based on a radial design;
    - (iii) in the RS-2 Zone, where the minimum Lot Area shall be 464.5 square metres (5,000 square feet); or
    - (iv) in the RS-3 Zone, where the minimum Lot Area shall be 334.4 square metres (3,600 square feet);
  - (b) Two-Unit Residential Use shall not be permitted on a Lot with a Lot Area of less than 548.1 square metres (5,900 square feet);
  - (c) Rowhouse Residential Use shall not be permitted on a Lot with a Lot Area of:
    - (i) less than 150 square metres (1,615 square feet); or
    - (ii) greater than 334.5 square metres (3,600 square feet);

- (d) Townhouse Residential use shall not be permitted on a Lot with a Lot Area of less than:
  - (i) 360 square metres (3,875 square feet) where such a Lot was existing prior to adoption of Amendment Bylaw, 2016, No. 8464; or
  - (ii) 540 square metres (5,813 square feet) in any other Ground-Oriented Residential, Apartment Residential or Mixed Use Zones;
- (e) Apartment Residential Use shall not be permitted on a Lot with a Lot Area of less than 650 square metres (6,997 square feet);
- (2) Subject to the regulations contained in this Bylaw, the following Uses shall not be permitted on a Lot with a Front Lot Line length less than the length indicated:
  - (a) One-Unit Residential Use and Two-Unit Residential Use shall not be permitted on a Lot with a Front Lot Line length less than 10 metres (32.81 feet) except:
    - (i) where such a Lot was existing at the effective date of this bylaw;
    - (ii) where curvilinear road design and linear Lot design necessitates the introduction of Lots based on a radial design the minimum Front Lot Line length shall be 7.5 percent of the sum of the lengths of the perimeter Lot Lines;
    - (iii) in the RS-2 Zone or RS-3 Zone;
  - (b) Rowhouse Residential Use shall not be permitted on a Lot with a Front Lot Line length of:
    - (i) less than 5 metres (16.4 feet); or
    - (ii) greater than 8 metres (26.2 feet);
  - (c) Townhouse Residential Use shall not be permitted on a Lot with a Front Lot Line length of less than 10 metres (32.9 feet);
  - (d) Apartment Residential Use shall not be permitted on a Lot with a Front Lot Line length of less than 18 metres (59.1 feet);

D. In Part 5: Residential Zone Regulations, amending Section 507 as follows:

- (1) Replacing subsection 507(2) as follows:
- (2) Open Site Space

The maximum portion of a Lot that may be covered by any of the following, in aggregate, shall be limited to 35 percent of the Lot Area for Townhouse Use and 20 percent of the Lot Area for all other Residential Uses:

- (a) Unenclosed Parking, Unenclosed Loading, maneuvering aisles, vehicle access and all other paved surfaces similar to the above;
- (b) Porches, decks and balconies; and
- (c) Structures except Garden Structures, Greenhouses, Underground Structures and Fences;

- (2) Replacing subsection 507(7)(f) as follows:
- (f) not be allowed on a Lot where the Dwelling Unit to which it is accessory contains an Accessory Boarding Use, Accessory Secondary Suite Use, Accessory Coach House Use, Accessory Dwelling Unit, Accessory Lock-off Unit or another Accessory Home Occupation Use;
- (3) Replacing subsection 507(11) inclusive of Figure 5-1 as follows:
- (11) Deleted;
- (4) Adding subsection 507(14) after 507(13) as follows:
- (14) Accessory Lock-Off Unit Use
- An Accessory Lock-Off Unit Use shall be:
- (a) accessory to a Townhouse Use or Apartment Use;
- (b) limited to one Accessory Lock-Off Unit of not less than 20 square metres (215 square feet) floor area per Dwelling Unit; and
- (c) not stratified as a separate unit in accordance with the Strata Property Act;
- E. Replacing, in order, all instances of the following terms in this Bylaw with “Section 423”:
- (1) “Section 507(11) Adaptable Design Requirements”;
- (2) “Section 507(11) of this Bylaw, adaptable Design Requirements”;
- (3) “Section 507(11)(b)”;
- (4) “Section 507(11)”;
- F. In Part 5: Residential Zone Regulations, adding Section 507(15) after 507(14) as follows:
- (15) Accessory Lock-Off Unit Use
- An Accessory Lock-Off Unit Use shall be:
- (a) accessory to a Townhouse Use or Apartment Use;
- (b) limited to one Accessory Lock-Off Unit of not less than 20 square metres (215 square feet) floor area per Dwelling Unit; and
- (c) not stratified as a separate unit in accordance with the Strata Property Act;
- G. In Part 5: Residential Zone Regulations, replacing Section 509(2) as follows:
- (2) Gross Floor Area (One-Unit and Two-Unit Residential)
- (a) combined and in total, shall not exceed the lesser of:
- (i) 0.5 times the Lot Area; or
- (ii) 0.3 times the Lot Area plus 92.9 square metres (1,000 square feet);

- (b) notwithstanding subsection 509(2)(a):
  - (i) Cellars may be excluded from Gross Floor Area (One-Unit and Two-Unit Residential) through provision of EnerGuide 80 energy standard subject to subsection 419(1);
  - (ii) of the total allowed in Section 509(2), the maximum Gross Floor Area for Accessory Coach House Use shall not exceed the lesser of:
    - a. 0.17 times the Lot Area; or
    - b. 92.9 square metres (1,000 square feet);
  
- H. In Part 5: Residential Zone Regulations, replacing Section 509A(2) as follows:
  - (2) Gross Floor Area (One-Unit and Two-Unit Residential)
    - (a) combined and in total, shall not exceed the lesser of:
      - (i) 0.35 times the Lot Area plus 92.9 square metres (1,000 square feet); or
      - (ii) 408.76 square metres (4,400 square feet)
    - (b) notwithstanding subsection 509(2)(a), Cellars may be excluded from Gross Floor Area (One-Unit and Two-Unit Residential) through provision of EnerGuide 80 energy standard subject to subsection 419(1);
  
- I. In Part 5: Residential Zone Regulations, replacing subsection 509B(2) as follows:
  - (2) Gross Floor Area (One-Unit and Two-Unit Residential)
    - (a) combined and in total, shall not exceed 0.50 times the Lot Area plus 92.9 square metres (1,000 square feet);
    - (b) shall include the following in Gross Floor Area (One-Unit and Two-Unit Residential) calculation:
      - (i) Basements;
      - (ii) Cellars; and
      - (iii) any portion of a crawl space with a Height more than 1.2 metres (4 feet);
    - (c) notwithstanding subsection 509B(2)(a), the Gross Floor Area (One-Unit and Two-Unit Residential) calculation may be increased by 0.17 times the Lot Area through provision of EnerGuide 80 energy standard subject to subsection 419(1);
  
- J. In Part 5: Residential Zone Regulations, replacing subsection 509D(2) as follows:
  - (2) Gross Floor Area (One-Unit and Two-Unit Residential)
    - (a) combined and in total, shall not exceed the lesser of:
      - (i) 0.35 times the Lot Area plus 92.9 square metres (1,000 square feet); or
      - (ii) 408.76 square metres (4,400 square feet)



- (b) notwithstanding subsection 509(2)(a), Cellars may be excluded from Gross Floor Area (One-Unit and Two-Unit Residential) through provision of EnerGuide 80 energy standard subject to subsection 419(1);
- K. In Part 5: Residential Zone Regulations, amending Section 510 by replacing “In addition to Sections 511, 512 and 513, Principal Buildings for Ground-Oriented Residential Use, Apartment Use, or Accessory Apartment Use” as follows:
- In addition to Sections 511, 512 and 513, the following provisions apply to Principal Buildings in the RG-1, RM-1 and RH-1 zones:
- L. In Part 5: Residential Zone Regulations, amending Section 511 by:
- (1) replacing “Size, shape and siting of Buildings for Ground-Oriented Residential Use” with “Size, shape and siting of Buildings for Ground-Oriented Residential Use in the RG-1 zone”
- (2) replacing “In addition to regulations in Section 510, Principal Buildings for Ground-Oriented Residential Use” as follows:
- In addition to Section 510, Principal Buildings for Ground-Oriented Residential Use in the RG-1 zone:
- (3) replacing subsection 511(2) as follows:
- (2) Gross Floor Area
- (a) combined and in total, shall not exceed 0.40 times the Lot Area;
- (b) notwithstanding subsection 509(2)(a), the Gross Floor Area may be increased to a maximum of 0.49 times the Lot Area through provision of EnerGuide 80 energy standard subject to subsection 419(1);
- M. In Part 5: Residential Zone Regulations, amending Section 512 by
- (1) replacing “Size, shape and siting of Buildings for Apartment Residential Use” with “Size, shape and siting of Buildings for Apartment Residential Use in the RM-1 zone”
- (2) replacing “In addition to regulations in Section 510, Principal Buildings for Apartment Residential Use” as follows:
- In addition to Section 510, Principal Buildings for Apartment Residential Use in the RM-1 zone:
- (3) replacing subsection 512(1) as follows:
- (1) Gross Floor Area
- (a) combined and in total, shall not exceed 1.0 times the Lot Area;

(b) notwithstanding subsection 512(1)(a), the Gross Floor Area may be increased to a maximum of 1.6 times the Lot Area through provision of:

- (i) EnerGuide 80 energy standard subject to subsection 419(1); and
- (ii) Adaptable design subject to Section 423;

N. In Part 5: Residential Zone Regulations, amending Section 513 by:

(1) replacing “Size, shape and siting of Buildings for Apartment Residential Use” with “Size, shape and siting of Buildings for Apartment Residential Use in the RH-1 zone”;

(2) replacing “In addition to regulations in Section 510, Principal Buildings for Apartment Residential Use” as follows:

In addition to Section 510, Principal Buildings for Apartment Residential Use in the RH-1 zone:

(3) replacing subsection 513(1) as follows:

(1) Gross Floor Area

- (a) combined and in total, shall not exceed 1.2 times the Lot Area;
- (b) notwithstanding subsection 513(1)(a), the Gross Floor Area may be increased to a maximum of 2.6 times the Lot Area through provision of:

(i) one of the following energy standards:

- a. ASHRAE 90.1-2010 subject to Section 419(2); or
- b. NECB 2011 subject to Section 419(3); and

(ii) Adaptable design subject to Section 423;

O. In Part 5: Residential Zone Regulations, replacing subsection 514(1) as follows:

(1) Floor area

The total floor area for all Accessory Buildings on the Lot shall not exceed the lesser of 0.1 times the Lot Area or 55.7 square metres (600 square feet) except:

- (a) when accessory to a Two-Unit Residential Use, shall not exceed the lesser of 0.13 times the Lot Area or 81.8 square metres (880 square feet);
- (b) when accessory to a Rowhouse Residential Use, shall not exceed the 24 square metres (258 square feet);
- (c) on any Lot with an Accessory Coach House Use, shall not exceed 10 square metres (108 square feet); and
- (d) Greenhouses up to a maximum of 10 square metres (108 square feet) shall be exempt from floor area calculation.

P. In Part 5: Residential Zone Regulations, deleting Section 516 in its entirety;

- Q. In Part 6: Commercial Zone Regulations, replacing subsection 610(2) as follows:
- (2) Gross Floor Area
    - (a) combined and in total with Structures, shall not exceed 1.0 times the Lot Area;
    - (b) notwithstanding subsection 610(2)(a), the Gross Floor Area may be increased to a maximum of 2.6 times the Lot Area through provision of:
      - (i) one of the following energy standards:
        - a. ASHRAE 90.1-2010 subject to Section 419(2); or
        - b. NECB 2011 subject to Section 419(3); and
      - (ii) a minimum Gross Floor Area of 1.0 times the Lot Area located below the third Storey of the Principal Building;
- R. In Part 6: Commercial Zone Regulations, replacing subsection 611(2) as follows:
- (2) Gross Floor Area
    - (a) combined and in total with Structures, shall not exceed 1.0 times the Lot Area;
    - (b) notwithstanding subsection 611(2)(a), the Gross Floor Area may be increased to a maximum of 2.3 times the Lot Area through provision of one of the following energy standards:
      - (i) ASHRAE 90.1-2010 subject to Section 419(2); or
      - (ii) NECB 2011 subject to Section 419(3);
- S. In Part 6: Commercial Zone Regulations, replacing subsection 612(2) as follows:
- (2) Gross Floor Area
    - (a) combined and in total with Structures, shall not exceed 1,000 square metres (10,764 square feet);
    - (b) notwithstanding subsection 612(2)(a), the Gross Floor Area may be increased through provision of one of the following energy standards:
      - (i) ASHRAE 90.1-2010 subject to Section 419(2); or
      - (ii) NECB 2011 subject to Section 419(3);
- T. In Part 6: Commercial Zone Regulations, replacing subsection 613(2) as follows:
- (2) Gross Floor Area
    - (a) combined and in total with Structures, shall not exceed 1,000 square metres (10,764 square feet);
    - (b) notwithstanding subsection 612(2)(a), the Gross Floor Area may be increased through provision of one of the following energy standards:
      - (i) ASHRAE 90.1-2010 subject to Section 419(2); or
      - (ii) NECB 2011 subject to Section 419(3);

- U. In Part 6: Commercial Zone Regulations, replacing subsection 614(2) as follows:
- (2) Gross Floor Area
    - (a) combined and in total with Structures, shall not exceed 1,000 square metres (10,764 square feet);
    - (b) notwithstanding subsection 614(2)(a), the Gross Floor Area may be increased through provision of one of the following energy standards:
      - (i) ASHRAE 90.1-2010 subject to Section 419(2); or
      - (ii) NECB 2011 subject to Section 419(3);
- V. In Part 6: Commercial Zone Regulations, replacing subsection 615(2) as follows:
- (2) Gross Floor Area
    - (a) combined and in total with Structures, shall not exceed 1,000 square metres (10,764 square feet);
    - (b) notwithstanding subsection 615(2)(a), the Gross Floor Area may be increased through provision of one of the following energy standards:
      - (i) ASHRAE 90.1-2010 subject to Section 419(2); or
      - (ii) NECB 2011 subject to Section 419(3);
- W. In Part 6A: Lower Lonsdale Zones, replacing subsection 6A04(2) as follows:
- (2) Gross Floor Area
    - (a) combined and in total with Structures, shall not exceed 1.2 times the Lot Area;
    - (b) notwithstanding subsection 6A04(2)(a), the Gross Floor Area may be increased to a maximum of 2.6 times the Lot Area through provision of:
      - (i) one of the following energy standards:
        - a. ASHRAE 90.1-2010 subject to Section 419(2); or
        - b. NECB 2011 subject to Section 419(3); and
      - (ii) a minimum Gross Floor Area of 1.0 times the Lot Area located below the third Storey of the Principal Building for development in the LL-1 and LL-2 zones;
- X. In Part 7: Industrial Zones, replacing subsection 703(1) as follows:
- (1) Gross Floor Area
    - (a) combined and in total with Structures, shall not exceed 1,000 square metres (10,764 square feet);
    - (b) notwithstanding subsection 703(1)(a), the Gross Floor Area may be increased through provision of one of the following energy standards:
      - (i) ASHRAE 90.1-2010 subject to Section 419(2); or
      - (ii) NECB 2011 subject to Section 419(3);

Y. In Part 7A: Light Industrial Zone Regulations, replacing subsection 7A03(1) as follows:

(1) Gross Floor Area

- (a) combined and in total with Structures, shall not exceed 1,000 square metres (10,764 square feet);
- (b) notwithstanding subsection 7A03(1)(a), the Gross Floor Area may be increased to a maximum of 0.65 times the Lot Area through provision of one of the following energy standards:
  - (i) ASHRAE 90.1-2010 subject to Section 419(2); or
  - (ii) NECB 2011 subject to Section 419(3);

Z. In Part 7B: Waterfront Zone Regulations, replacing subsection 7B03(1) as follows:

(1) Gross Floor Area

- (a) combined and in total with Structures, shall not exceed 1,000 square metres (10,764 square feet);
- (b) notwithstanding subsection 7B03(1)(a), the Gross Floor Area may be increased to a maximum of 1.0 times the Lot Area through provision of one of the following energy standards:
  - (i) ASHRAE 90.1-2010 subject to Section 419(2); or
  - (ii) NECB 2011 subject to Section 419(3);

AA. In Part 8: Public Use and Assembly Zone Regulations, replacing subsection 804(1) as follows:

(1) Gross Floor Area

- (a) combined and in total with Structures, shall not exceed 1,000 square metres (10,764 square feet);
- (b) notwithstanding subsection 804(1)(a), the Gross Floor Area may be increased through provision of one of the following energy standards:
  - (i) ASHRAE 90.1-2010 subject to Section 419(2); or
  - (ii) NECB 2011 subject to Section 419(3);

5. **Division IV: Parking and Loading Standards of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended as follows:**

A. In Part 9: Parking and Access Regulations, replacing Section 902 as follows:

**902 Methods of Parking Provision**

Subject to Sections 903, 904 and 905, required Parking may be provided On-site, Off-site or by means of Alternative Parking Provision.

B. In Part 9: Parking and Access Regulations, replacing subsection 904(1) as follows:

(a) Off-Site Parking Location

A required Parking Space may be located Off-Site on a Lot within 121.9 metres (400 feet) of the Building or Use for which Parking is required, provided that the Off-Site parking shall be secured by:

- (a) agreement subject to subsection 904(2); or
- (b) registered Land Title Act covenant subject to subsection 904(3).

C. In Part 9: Parking and Access Regulations, replacing Section 905 as follows:

**905 Alternative Parking Provision**

(1) Limited application

Alternate parking provision shall not reduce the minimum required Parking Spaces for:

- (a) Parking Spaces for One-Unit Residential Use and Two-Unit Residential Use; or
- (b) Disability Parking Spaces in accordance in subsection 906(6) for any Use;

(2) Payment-in-Lieu of Parking

- (a) as a payment to fund the future creation of a Municipal Parking Facility, Payment-in-Lieu of Parking shall reduce the minimum provision of Parking spaces required in accordance with Section 908 by one Parking Space for every payment of \$35,000;
- (b) Parking Spaces provided in this section are not available on a reserved or dedicated basis within the Municipal Parking Facility;
- (c) Time of Payment

Payments referred to in subsection 905(1) are required at the time of:

- (i) building permit issuance for the Gross Floor Area that requires the Parking Space specified in this Bylaw; or
- (ii) business license issuance for the Use that requires the Parking Space specified in this Bylaw.

### (3) Car share Parking

#### (a) Car sharing service

The service shall:

- (i) provide neighbourhood car-sharing services to its members by making available vehicles for short-term, two-way, use, meaning that each Shared Vehicle is returned to the same location that it is picked up;
- (ii) have a membership generally open to a substantial segment of the population;
- (iii) operate within the City of North Vancouver;
- (iv) provide, prior to issuance of a Development Permit, a letter of commitment to operate the Shared Vehicle at the Shared Vehicle Parking Space;

#### (b) Shared Vehicle

A letter of credit for \$50,000 shall be provided to the City to secure the provision of one Shared Vehicle, with the letter of credit:

- (i) reduced to \$25,000 after provision of the following:
  - a. a legal agreement with a car-sharing service to operate the Shared Vehicle at the Shared Vehicle Parking Space;
  - b. confirmation from the car-sharing service identified in subsection 905(3)(a) that funds sufficient to purchase the Shared Vehicle have been provided or that the car acquisition has been otherwise completed; and
  - c. a Shared Vehicle Parking Space has been secured in accordance with subsection 905(3)(c);
- (ii) returned in full with confirmation from the car-sharing service that it has operated a Shared Vehicle at the Shared Vehicle Parking Space for a minimum of six years after an occupancy permit has been issued for the Building;

#### (c) Shared Vehicle Parking Space

A Shared Vehicle Parking Space provided as part of the required Parking shall:

- (i) be clearly accessible to the public at all times:
  - a. in common ownership and not be assigned to any strata lot;
  - b. secured exclusively for the use of a Shared Vehicle through a covenant registered on title pursuant to Section 215 of the Land Title Act;

c. include all necessary reciprocal access easements and such other agreements to ensure access to, egress from and the right for the public use of the Shared Vehicle Parking Space;

- (ii) be individually labelled for the exclusive use of a Shared Vehicle;
- (iii) not be counted towards the minimum required visitor Parking Spaces;
- (iv) may be provided off-site in accordance with the Street and Traffic Bylaw, 1991, No. 6234, as amended from time to time; and
- (v) subject to the approval of the City Engineer at the time of building permit issuance;

(d) Parking reduction

The minimum vehicle Parking requirement in accordance with subsection 908(8), with no reduction in the minimum Visitor Parking requirement in accordance with Section 908(7), shall be reduced by four Parking Spaces, for provision of all of the following:

- (i) one Shared Vehicle subject to subsection 905(3)(b); and
- (ii) one Shared Vehicle Space subject to subsection 905(3)(c);

D. In Part 9: Parking and Access Regulations, amending Section 906 as follows:

(1) Amending Figure 9-2 Parking and Maneuvering Dimensions in subsection 906(2) by adding, after the last row, the following:

Angle X	Regular A	Small Car A1	Space Width B	Effective Length C	Maneuvering Aisle D	Direction of Traffic
Laneway	6.71 (22.0')	-	2.10 (6.9')	-	Lane	two-way or one-way

(2) Replacing subsection 906(3) as follows:

(3) Parking Design Standards

(a) Parking Space dimensions

(i) Parking Space shall not be less than:

- a. 2.50 metre (8.2 foot) width;
- b. 5.49 metre (18 foot) length;
- c. 2.13 metre (7 foot) clear headroom;

(ii) notwithstanding 906(3)(a)(i), a maximum of 35% of the required Parking Spaces may be provided as small car parking spaces that meet the following standards:

- a. 2.44 metre (8 foot) width;
- b. 4.65 metres (15.25 foot) length;
- c. 2.13 metre (7 foot clear headroom); and
- d. each Parking Space is clearly marked "SMALL CAR ONLY";



(b) Laneway Parking Space

Notwithstanding 906(3)(a), a laneway Parking Space shall be located so that the length of the Parking Space is common to an open Lane provided:

- (i) when width is located in its entirety on a Lot, the laneway Parking Space shall be:
  - a. set back a minimum of 4.6 metres (15 feet) from the point of intersection of two Lanes, or of a Street and a Lane, when such road allowances intersect at an interior angle of 135 degrees or less;
  - b. set back a minimum of 1.0 metre (3.3 feet) from the point of intersection of a driveway and a Lane or from an Interior Side Lot Line; and
  - c. subject to the approval of the City Engineer;
- (ii) when Parking Space width is projecting into the Lane, the laneway Parking Space shall:
  - a. project a maximum of 1.0 metre (3.3 feet) into the Lane;
  - b. reduce the minimum laneway Parking Space width in accordance with subsection 906(2), measured as the width on the Lot, by an amount no greater than the width of the projection into the Lane;
  - c. be set back a minimum of 5.6 metres (18.4 feet) from the point of intersection of two Lanes, or of a Street and a Lane, when such road allowances intersect at an interior angle of 135 degrees or less;
  - d. be set back a minimum of 1.8 metres (6 feet) from the point of intersection of a driveway and a Lane or from an Interior Side Lot Line; and
  - e. maintain a sufficient clear vehicle travel width on the Lane; and
  - f. subject to the approval of the City Engineer at the time of building permit issuance;

(c) Parking Space setbacks and projections

A Parking Space shall be:

- (i) set back a minimum of 0.3 metres (1 foot) from a Lot Line common to a Lot and a Street or a Lot and a Lane with the exception of a laneway Parking Space; and
- (ii) set back a minimum of 0.3 metres (1 foot) from any wall, fence or other Structure over 0.3 metre (1 foot) height with the exception of:
  - a. Parking for One-Unit Residential Use or Two-Unit Residential Use;
  - b. a structural column located within 1.52 metres (5 feet) of the midpoint of the Parking Space length; or
  - c. a structural column located within the rear 0.3 metres (1 foot) adjoining the maneuvering aisle;
- (iii) free of any column projection; and

(iv) free of any other projection provided that a maximum 5% of the required Parking Spaces may include an obstruction that:

- a. projects a maximum 1.2 metres (4 feet) into the front of the Parking Space furthest from the maneuvering aisle;
- b. maintains a minimum 1.2 metres (4 feet) head clearance; and
- c. includes a leading edge angled at 45 degrees and clearly marked “CAUTION – LOW CLEARANCE” in black letters on a bright yellow background;

(d) Parking Space delineation

Each Parking Space, with the exception of a Lot in a One-Unit Residential or Two-Unit Residential zone, shall be clearly:

- (i) delineated by painted solid lines or other acceptable pavement marking device for each Parking Space; and
- (ii) numbered for identification;

(e) Parking areas

Each Parking Space, maneuvering aisle and driveway, with the exception of Parking on a Lot in a One-Unit Residential or Two-Unit Residential zone, shall be:

- (i) surfaced with asphalt, concrete or permeable paving with the exception of Parking for a farmer’s market;
- (ii) designed with adequate curbs and wheel stops of not less than 0.15 metres (6 inches) in Height to ensure that vehicles are kept back from fences, exterior walls and landscaped areas; and
- (iii) in the case of unconcealed Parking areas, Bounded By a Landscape Screen with a minimum Height of 0.91 metres (3 feet) subject to subsection 906(4)(h);

(f) Parking area lighting

Parking areas shall be illuminated only with shielded lighting so that:

- (i) direct rays of light do not fall on an adjacent Lot; and
- (ii) glare does not impact motorists on adjacent Streets or Lanes.

(3) Replacing all instances of “906(3)(a)” in this Bylaw with “906(3)(a)(i)”;

(4) Replacing all instances of “906(3)(b)” in this Bylaw with “906(3)(a)(ii)”;

(5) Replacing all instances of “906(3)(c)” in this Bylaw with “906(3)(c)(i)”;

(6) Replacing all instances of “906(3)(d)” in this Bylaw with “906(3)(c)(ii)”;

(7) Replacing all instances of “906(3)(f)” in this Bylaw with “906(3)(e)(ii)”;

(8) Replacing all instances of “906(3)(j)” in this Bylaw with “906(3)(c)(iv)”;

(9) Replacing subsection 906(4)(d) as follows:

(d) Parking Space access directly from Lane

Access to individual Parking Spaces located directly off a Lane, with the exception of laneway Parking Spaces, shall only be permitted in:

- (i) One-Unit and Two-Unit Residential zones;
- (ii) Ground-Oriented Residential zones provided that the Lot has a:
  - a. Rear Lot Line length of less than 16 metres (52.5 feet); and
  - b. density no greater than 1.0 times the Lot Area;
- (iii) Commercial and Industrial zones; and
- (iv) Shared Vehicle Parking Space in any zone subject to the approval of the City Engineer;

(10) Adding subsection 906(6)(g) as follows:

- (g) notwithstanding subsection 906(6)(b), no Disability Parking Spaces are required for Townhouse Residential Use that has a total number of required Parking Spaces of less than 10 spaces.

E. In Part 9: Parking and Access Regulations, amending Figure 9-3 as follows:

- (1) Deleting Class of Building “A residential building with 3 or more units in a CD Zone developed at 0.5 FSR to 1.0 FSR” and required number of spaces “1.5 spaces per dwelling unit”;
- (2) Deleting Class of Building “Apartment Residential Use, or an Accessory Apartment Use” and required number of spaces “1.2 spaces per dwelling unit”;
- (3) Adding Class of Building “All other Residential Uses” and required number of spaces “1.2 spaces per Dwelling Unit, not including Lock-Off Units” after Class of Building “Rental Apartment Residential Use” and required number of spaces “0.75 Spaces per Dwelling Unit”;

F. In Part 9: Parking and Access Regulations, amending Figure 9-4 by replacing “Disability Parking Requirements for Apartment Residential Use and Accessory Apartment Residential Uses” with “Minimum Disability Parking Space Requirements for Townhouse Residential Use, Apartment Residential Use, Rental Apartment Residential Use and Accessory Apartment Residential Use”;

G. In Part 9: Parking and Access Regulations, after subsection 908(7)(d) adding subsection 908(7)(e) as follows:

- (e) visitor stalls provided in the form of laneway stalls may be permitted subject to the approval of the City Engineer;

- H. In Part 10A: Bicycle Parking and Access Regulations, amending Figure 10A-02 as follows:
- (5) Replacing “Required Bicycle Spaces” with “Required Bicycle Parking Spaces”;
  - (6) Deleting Class of Building “A residential building with 3 or more units in a CD Zone developed at 0.5 FSR to 1.0 FSR” and related short-term and secure Required Bicycle Parking Spaces;
  - (7) Replacing Class of Building “Apartment Residential Use, or an Accessory Apartment Use” with “Townhouse, Apartment, Rental Apartment, or Accessory Apartment Residential Use, not including Lock-Off Units”;

**6. Division V: Comprehensive Development Zones of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by:**

A. In Part 11: Comprehensive Development Zones, replacing subsection (7) of Section 1101(CD-328) as follows:

(7) Section 906(3)(e)(ii) shall be waived;

B. In Part 11: Comprehensive Development Zones, replacing subsection (9) of Section 1101(CD-372) as follows:

(9) Section 906(3)(e)(ii) shall be waived;

C. In Part 11: Comprehensive Development Zones, replacing subsection (11) of Section 1101(CD-373) as follows:

(11) Section 906(3)(e)(ii) shall be waived;

D. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-382) as follows:

(2) Gross Floor Area

(a) Gross Floor Area shall not exceed 1.20 times the Lot Area;

(b) for the purposes of subsection (2)(a), the following shall be excluded from Gross Floor Area calculation by a maximum of 0.6 times the Lot Area through provision of ASHRAE 90.1-2007 energy standard in accordance with subsection 419(2):

(i) 1.13 times the Lot Area through provision of a minimum of 50 Dwelling Units under Apartment Residential Use on a floor level above the First Storey; and

(ii) exterior balconies and decks which are at least 25% unenclosed, based on the total of all sides and overhead planes;

E. In Part 11: Comprehensive Development Zones, amending Section 1101(CD-383) as follows:

(1) Replace subsection (9) with “Subsection 906(3)(c)(ii) shall be waived for a maximum of 4 Parking Spaces”;

(2) Replace subsection (10) with “Subsection 906(3)(e)(ii) shall be waived;

F. In Part 11: Comprehensive Development Zones, amending Section 1101(CD-384) as follows:

(1) Replace subsection (8) with “Subsection 906(3)(c)(ii) shall be waived for a maximum of 4 Parking Spaces”;

(2) Replace subsection (9) with “Subsection 906(3)(e)(ii) shall be waived;

- G. In Part 11: Comprehensive Development Zones, replacing subsection (7) of Section 1101(CD-388) as follows:
- (7) Section 906(3)(c)(i) shall be waived for two tandem Parking Spaces located along the southernmost Interior Side Lot Line;
- H. In Part 11: Comprehensive Development Zones, replacing subsection (25) of Section 1101(CD-393) as follows:
- (25) Pursuant to the Local Government Act, this bylaw shall come into force and effect on the date that the “VPA Lands Exchange”, as defined in the Covenant granted to the City, pursuant to Section 219 of the Land Title Act, in respect of the lands described in Section 2 herein, is completed;
- I. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-428) as follows:
- (4) combined and in total with all Structures shall not exceed 1,000 square metres (10,764 square feet), provided that this amount may be increased attaining a minimum 5% better than ASHRAE 90.1-2010 energy standard in accordance with subsection 419(2), to a maximum of 2.05 times the Lot Area;
- J. In Part 11: Comprehensive Development Zones, amending Section 1101(CD-453) as follows:
- (1) Replace subsection (B 8) with “Subsection 906(3)(c)(ii) shall be waived”;
- (2) Replace subsection (E 8) with “Subsection 906(3)(c)(ii) shall be waived”;
- K. In Part 11: Comprehensive Development Zones, replacing subsection (2)(a)(ii) of Section 1101(CD-430) as follows:
- (ii) Apartment Residential Use subject to Section 510;
- L. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-588) as follows:
- (2) Principal Buildings shall not exceed a Gross Floor Area of 1.0 times the Lot Area provided that:
- (a) roof top access to a maximum of 200 square metres (2,153 square feet) shall be excluded; and
- (b) a density bonus to a maximum of 514 square metres (5,527 square feet) for the provision of the following:
- (i) minimum Energuide 82 energy standard in accordance with subsection 419(1);
- (ii) Built Green Gold; and
- (iii) LEED for Homes Platinum in accordance with subsection 422(1);

- M. In Part 11: Comprehensive Development Zones, replacing subsection (2)(b) of Section 1101(CD-592) as follows:
- (b) units subject to a Housing Agreement with the City of North Vancouver pursuant to the Local Government Act on terms satisfactory to the City, and;
- N. In Part 11: Comprehensive Development Zones, replacing subsection (A2)(c) of Section 1101(CD-610) as follows:
- (c) Gross Floor Area for Site “Z” shall be 2.6 times the Lot Area subject to attaining a minimum ASHRAE 90.1-2007 energy standard in accordance with subsection 419(2);
- O. In Part 11: Comprehensive Development Zones, replacing subsection (2)(d) of Section 1101(CD-612) as follows:
- (d) The Gross Floor Area for Site “B” shall be increased by 800.5 square metres (8,617 square feet) through:
    - (i) best commercial efforts to attain 30% better than ASHRAE 90.1-2007 energy standard in accordance with subsection 419(2);
    - (ii) attaining a minimum 20% better than ASHRAE 90.1-2007 energy standard in accordance with subsection 419(2); and
    - (iii) provision of hydronic cooling and heating mechanical systems for all commercial floor area in accordance with subsection 420;
- P. In Part 11: Comprehensive Development Zones, replacing subsection (3) of Section 1101(CD-613) as follows:
- (3) Principal Buildings on each lot shall not exceed a combined Gross Floor Area of:
    - (a) 0.61 times the Lot Area for the easterly Lot containing the Heritage Building; and
    - (b) 0.58 times the Lot Area for the westerly Lot;

Attached Parking, Basements and Cellars shall be excluded from Gross Floor Area calculation through attaining a minimum EnerGuide 80 energy standard in accordance with subsection 419(1);
- Q. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-613A) as follows:
- (2) Gross Floor Area
    - (a) Principal buildings together with Structures shall not exceed 1.0 times the Lot Area, provided that this amount may be increased through attaining a minimum ASHRAE 90.1-2007 energy standard in accordance with subsection 419(2), to a maximum of 2.6 times the Lot Area;
    - (b) shall exclude the secondary lobby and corridor, meaning a 30.1 square metre (324 square feet) portion of the Basement providing exterior building access from the Dwelling Units located in the Basement; and

(c) shall be allocated in accordance with Table CD-613A-1 below:

**Table CD-613A-1: Summary of Density and Density Transfers**

<b>Site</b>	<b>3d</b>	<b>3b</b>
Lot Area (sq. ft.)	1,367	23,080
Density (FSR)	2.6	2.6
Gross Floor Area (sq. ft.)	3,553	60,008
Density Transfer (sq. ft.)	- 2,749	+ 2,749
Effective Gross Floor Area (sq. ft.)	804	62,757

R. In Part 11: Comprehensive Development Zones, replacing subsection (4) of Section 1101(CD-616) as follows:

(4) Principal Buildings shall not exceed a combined Gross Floor Area (One-Unit and Two-Unit Residential) of 0.75 times the Lot Area. Attached Parking and Cellars shall be excluded from Gross Floor Area calculation through attaining a minimum EnerGuide 80 energy standard in accordance with subsection 419(1);

S. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-620) as follows:

(2) Section 509A(2) shall be varied as follows:

Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.50 times the Lot Area provided that Cellars may be excluded through attaining a minimum EnerGuide 80 energy standard in accordance with subsection 419(1);

T. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-622) as follows:

(2) Section 509A(2) shall be varied as follows:

Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.50 times the Lot Area provided that Cellars may be excluded through attaining a minimum EnerGuide 80 energy standard in accordance with subsection 419(1);

U. In Part 11: Comprehensive Development Zones, replacing subsection (6) of Section 1101(CD-624) as follows:

(6) Section 511(2) shall be varied as follows:

Gross Floor Area shall not exceed of 1.0 times the Lot Area, provided:

(a) the provision of attaining a minimum EnerGuide 80 energy standard in accordance with subsection 419(1) for all new construction; and



- (b) the following shall be excluded from Gross Floor Area calculation:
  - (i) staircases to Underground Parking, laundry, storage and Secure Bicycle Parking that are continuous with a Principal Use, to a maximum of 0.16 times the Lot Area;
  - (ii) staircases providing roof top access, to a maximum of 0.02 times the Lot Area; and
  - (iii) total floor area of the heritage building, subject to the designation of the heritage building on the site;
  
- V. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-625) as follows:
  - (2) Principal Building shall not exceed a Gross Floor Area of 1.0 times the Lot Area, provided:
    - (a) this amount may be increased through attaining a minimum ASHRAE 90.1-2007 energy standard in accordance with Section 419(2), to a maximum of 2.0 times the Lot Area; and
    - (b) the following shall be excluded from Gross Floor Area calculation:
      - (i) exterior balconies and decks which are at least 20% unenclosed, based on the total of all sides and overhead planes;
      - (ii) garage and storage areas, mechanical/electrical rooms and access thereto located on the First Storey, and one access stairwell providing maintenance access to the First Storey roof; and
      - (iii) rooftop stairwell access hatches to a maximum of 93 square metres (1,000 square feet);
  
- W. In Part 11: Comprehensive Development Zones, replacing subsection (1) of Section 1101(CD-626) as follows:
  - (1) Principal Building shall not exceed a Gross Floor Area (One-Unit and Two-Unit Residential) of 0.35 times the Lot Area plus 92.9 metres (1,000 square feet) provided that Cellars may be excluded through attaining a minimum EnerGuide 82 energy standard in accordance with Section 419(1);
  
- X. In Part 11: Comprehensive Development Zones, replacing subsection (A2) of Section 1101(CD-627) as follows:
  - (A2) The Principal Buildings, combined and in total with all Structures, on Sites "A" and "B" shall not exceed a Gross Floor Area of 1.0 times the Lot Area, provided:
    - (a) this amount may be increased through attaining a minimum ASHRAE 90.1-2007 energy standard in accordance with Section 419(2), to a maximum of 1.64 times the Lot Area; and
    - (b) the Gross Floor Area shall be allocated in accordance with Table CD-627-1:

**Table CD-627-1: Summary of Density and Density Transfers**

<b>Site</b>	<b>“A”</b>	<b>“B”</b>
Description	Heywood Park	972 Marine Drive
Lot Area (sq. ft.)	13,438.	24,834
Density (FSR)	0	2.52
Gross Floor Area (sq. ft.)	0	62,516

Y. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-628) as follows:

(2) Gross Floor Area

Section 509(2)(b) shall be varied to permit a maximum Gross Floor Area (One-Unit and Two-Unit Residential) for Accessory Coach House Use of 84.5 square metres (910 square feet);

Z. In Part 11: Comprehensive Development Zones, replacing subsection (2)(a) of Section 1101(CD-629) as follows:

(a) Gross Floor Area

- (i) together shall not exceed 2.6 times the Lot Area, provided that a minimum ASHRAE 90.1-2007 energy standard in accordance with subsection 419(2) is attained; and
- (ii) for the purposes of the CD-629 Zone, Gross Floor Area calculation shall exclude:

- a. Rental Apartment Residential Use and related circulation area to a maximum of 0.81 times the Lot Area; and
- b. Roof top access stairs and elevators to a maximum of 50 square metres (538 square feet);

AA. In Part 11: Comprehensive Development Zones, replacing subsection (5) of Section 1101(CD-630) as follows:

(5) Gross Floor Area

- (a) Gross Floor Area shall not exceed 0.75 times the Lot Area; and
- (b) for the purposes of the CD-630 Zone, Cellar areas shall be:
  - (i) excluded from Gross Floor Area calculation through attaining a minimum EnerGuide 80 energy standard in accordance with subsection 419(1); and
  - (ii) defined as floor area in which the lower floor is greater than 1 metre (3.3 feet) below Average Grade;

- BB. In Part 11: Comprehensive Development Zones, replacing “3. The above to be secured in accordance with section 611(1)(a)(ii)-(v)” in the “Additional (Bonus) Density” table of subsection (4) of Section 1101(CD-631) as follows:
3. The above to be secured in accordance with subsection 419(2)
- CC. In Part 11: Comprehensive Development Zones, replacing subsection (5) of Section 1101(CD-633) as follows:
- (5) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.50 times the Lot Area provided that Cellars may be excluded through attaining a minimum Energuide 82 energy standard in accordance with subsection 419(1);
- DD. In Part 11: Comprehensive Development Zones, replacing subsection (4) of Section 1101(CD-634) as follows:
- (4) Gross Floor Area
    - (a) Principal Buildings shall not exceed a combined Gross Floor Area of 0.43 times the Lot Area provided that this amount may be increased through attaining a minimum Energuide 80 energy standard in accordance with subsection 419(1), to a maximum of 0.64 times the Lot Area; and
    - (b) for the purposes of the CD-634 Zone, attached vehicle parking up to a maximum of 55.7 square metres (600 square feet) shall be excluded from Gross Floor Area calculation;
- EE. In Part 11: Comprehensive Development Zones, replacing subsection (5) of Section 1101(CD-635) as follows:
- (5) Gross Floor Area
    - (a) Principal Buildings shall not exceed a combined Gross Floor Area of 0.5 times the Lot Area provided that this amount may be increased through attaining a minimum Energuide 84 energy standard in accordance with subsection 419(1), to a maximum of 1.0 times the Lot Area; and
    - (b) for the purposes of the CD-634 Zone, Cellar areas shall be excluded from Gross Floor Area calculation;
- FF. In Part 11: Comprehensive Development Zones, replacing subsection (1) of Section 1101(CD-637) as follows:
- (1) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.35 times the Lot Area provided that Cellars may be excluded through attaining a minimum Energuide 82 energy standard in accordance with subsection 419(1);
- GG. In Part 11: Comprehensive Development Zones, replacing subsection (3) of Section 1101(CD-638) as follows:
- (3) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 584.5 square metres (6,290 square feet) provided that Cellars may be excluded through attaining a minimum Energuide 81 energy standard in accordance with subsection 419(1);

- HH. In Part 11: Comprehensive Development Zones, replacing subsection (3) of Section 1101(CD-639) as follows:
- (3) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.48 times the Lot Area provided that Cellars may be excluded through attaining a minimum Energuide 84 energy standard in accordance with subsection 419(1);
- II. In Part 11: Comprehensive Development Zones, replacing subsection (3) of Section 1101(CD-640) as follows:
- (3) Gross Floor Area
    - (a) Principal Buildings shall not exceed a combined Gross Floor Area of 0.4 times the Lot Area provided that this amount may be increased through attaining a minimum Energuide 81 energy standard in accordance with subsection 419(1), to a maximum of 1.0 times the Lot Area; and
    - (b) for the purposes of the CD-640 Zone, an accessory parking garage up to a maximum of 0.08 times the Lot Area attached to the northernmost Principal Building shall be excluded from Gross Floor Area calculation;
- JJ. In Part 11: Comprehensive Development Zones, replacing subsection (3) of Section 1101(CD-641) as follows:
- (3) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 319.6 square metres (3,440 square feet) provided that Cellars may be excluded through attaining a minimum Energuide 84 energy standard in accordance with subsection 419(1);
- KK. In Part 11: Comprehensive Development Zones, replacing subsection (3)(a) of Section 1101(CD-642) as follows:
- (a) Principal Buildings together with Structures shall not exceed 0.25 times the Lot Area, provided that this amount may be increased to a maximum of 2.6 times the Lot Area, through attaining a minimum:
    - (i) ASHRAE 90.1-2010 energy standard in accordance with subsection 419(2); or
    - (ii) NECB 2011 energy standard in accordance with subsection 419(3);
- LL. In Part 11: Comprehensive Development Zones, replacing subsection (3)(a) of Section 1101(CD-643) as follows:
- (a) Gross Floor Area shall not exceed 3.2 times the Lot Area, comprised as follows:

Category	Description	Gross Floor Area
<b>BASE DENSITY</b>		
Energy standard	Minimum ASHRAE 90.1-2007 energy standard in accordance with subsection 419(2)	2,051.3 m <sup>2</sup> (22,080 ft <sup>2</sup> ) or 2.3 FSR
<b>ADDITIONAL (BONUS) DENSITY</b>		
Employment Generating Office Use	Construction of up to 401.3 m <sup>2</sup> (4,320 ft <sup>2</sup> ) of Employment Generating Office Use in addition to required base density 1.0 FSR commercial floor area	401.3 m <sup>2</sup> (4,320 ft <sup>2</sup> ) or 0.45 FSR Employment Generating Office Use only
Civic Amenity Reserve Fund	\$172,800 contribution to the Civic Amenity Reserve Fund	401.3 m <sup>2</sup> (4,320 ft <sup>2</sup> ) or 0.45 FSR Employment Generating Office Use only
<b>TOTAL DENSITY</b>		
		2,854 m <sup>2</sup> (30,720 ft <sup>2</sup> ) or 3.2 FSR

MM. In Part 11: Comprehensive Development Zones, replacing subsection (3) of Section 1101(CD-644) as follows:

- (3) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.5 times the Lot Area, provided that Cellars may be excluded through attaining a minimum Energuide 84 energy standard in accordance with subsection 419(1);

NN. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-650) as follows:

- (2) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.67 times the Lot Area, provided that Cellars may be excluded through attaining a minimum Energuide 84 energy standard in accordance with subsection 419(1);

OO. In Part 11: Comprehensive Development Zones, replacing subsection (1) of Section 1101(CD-652) as follows:

- (1) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.6 times the Lot Area, provided that Cellars may be excluded through attaining a minimum Energuide 84 energy standard in accordance with subsection 419(1);

PP. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-653) as follows:

- (2) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.6 times the Lot Area, provided that Cellars may be excluded through attaining a minimum Energuide 84 energy standard in accordance with subsection 419(1);

- QQ. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-654) as follows:
- (2) Principal Buildings together with Structures shall not exceed 1,000 square metres (10,764 square feet), provided that this amount may be increased to a maximum of 0.65 times the Lot Area, through attaining a minimum:
    - (i) ASHRAE 90.1-2010 energy standard in accordance with subsection 419(2); or
    - (ii) NECB 2011 energy standard in accordance with subsection 419(3);
- RR. In Part 11: Comprehensive Development Zones, replacing subsection (3) of Section 1101(CD-655) as follows:
- (3) Gross Floor Area
    - (a) Principal Buildings together with Structures shall not exceed 1.0 times the Lot Area, provided that this amount may be increased to a maximum of 2.0 times the Lot Area, through attaining a minimum:
      - (i) ASHRAE 90.1-2010 energy standard in accordance with subsection 419(2); or
      - (ii) NECB 2011 energy standard in accordance with subsection 419(3);
    - (b) for the purposes of the CD-655 Zone, a rooftop stairwell access to a maximum of 140 square metres (1,507 square feet) shall be excluded from Gross Floor Area calculation;
- SS. In Part 11: Comprehensive Development Zones, replacing subsection (3) of Section 1101(CD-656) as follows:
- (3) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.49 times the Lot Area, provided that, through attaining a minimum Energuide 84 energy standard in accordance with subsection 419(1):
    - (a) Gross Floor Area (One-Unit and Two-Unit Residential) may be increased to a maximum of 0.75 times the Lot Area; and
    - (b) Cellars may be excluded;
- TT. In Part 11: Comprehensive Development Zones, replacing subsection (1) of Section 1101(CD-657) as follows:
- (1) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 335.1 square metres (3,607 square feet), provided that Cellars may be excluded through attaining a minimum Energuide 84 energy standard in accordance with subsection 419(1);

- UU. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-658) as follows:
- (2) Principal Building shall not exceed 1.0 times the Lot Area, provided that this amount may be increased to a maximum of 1.6 times the Lot Area, through attaining a minimum:
    - (i) ASHRAE 90.1-2010 energy standard in accordance with subsection 419(2); or
    - (ii) NECB 2011 energy standard in accordance with subsection 419(3);
- VV. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-659) as follows:
- (2) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.5 times the Lot Area, provided that Cellars may be excluded through attaining a minimum Energuide 84 energy standard in accordance with subsection 419(1);
- WW. In Part 11: Comprehensive Development Zones, replacing subsection (2)(A) of Section 1101(CD-660) as follows:
- (A) Principal Building shall not exceed 1.0 times the Lot Area, provided that this amount may be increased to a maximum of 1.6 times the Lot Area, through attaining a minimum:
    - (i) ASHRAE 90.1-2010 energy standard in accordance with subsection 419(2); or
    - (ii) NECB 2011 energy standard in accordance with subsection 419(3);
- XX. In Part 11: Comprehensive Development Zones, replacing subsection (3) of Section 1101(CD-662) as follows:
- (3) Gross Floor Area (One-Unit and Two-Unit Residential) combined and in total shall not exceed 0.42 times the Lot Area allocated as follows:
    - (i) no greater than 257 square metres (2,760 square feet) on the Eastern Lot, excluding any Basement in a Principal Building issued a Building Permit prior to 1930; and
    - (ii) no greater than 331 square metres (3,560 square feet) on the Western Lot, provided that, for the purposes of the CD-662 Zone, Cellar areas shall be:
      - a. excluded through attaining a minimum Energuide 82 energy standard in accordance with subsection 419(1); and
      - b. defined as floor area in which the lower floor is greater than 1.2 metres (4 feet) below Average Grade;

YY. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-663) as follows:

- (2) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.5 times the Lot Area, provided that:
  - (a) Cellars may be excluded through attaining a minimum Energuide 82 energy standard in accordance with subsection 419(1);
  - (b) Bay Windows may be excluded to a combined total of 12.4 square metres (133 square feet);

ZZ. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-664) as follows:

- (2) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.75 times the Lot Area, provided that:
  - (a) for the purposes of the CD-664 Zone, Cellar areas shall be:
    - (i) excluded through attaining a minimum Energuide 82 energy standard in accordance with subsection 419(1); and
    - (ii) defined to include floor area beneath Porches;
  - (b) Bay Windows may be excluded to a combined total of 12.4 square metres (133 square feet);

AAA. In Part 11: Comprehensive Development Zones, replacing subsection (2) of Section 1101(CD-665) as follows:

- (2) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.5 times the Lot Area, provided that Cellars may be excluded through attaining a minimum Energuide 84 energy standard in accordance with subsection 419(1);

BBB. In Part 11: Comprehensive Development Zones, replacing subsection (3) of Section 1101(CD-667) as follows:

- (3) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.97 times the Lot Area, provided that Cellars may be excluded through attaining a minimum Energuide 83 energy standard in accordance with subsection 419(1);

CCC. In Part 11: Comprehensive Development Zones, replacing subsection (3) of Section 1101(CD-668) as follows:

- (3) Gross Floor Area (One-Unit and Two-Unit Residential) shall not exceed 0.5 times the Lot Area, provided that Cellars may be excluded through attaining a minimum Energuide 83 energy standard in accordance with subsection 419(1);



READ a first time by the Council on the <> day of <>, 2016.

READ a second time by the Council on the <> day of <>, 2016.

READ a third time and passed by the Council on the <> day of <>, 2016.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 2016.

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MAYOR

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CITY CLERK