

POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: May 6, 2013
Contact: Jane Pickering
Contact No.: 604.873.7456
RTS No.: 9967
VanRIMS No.: 08-2000-20
Meeting Date: May 15, 2013

TO: Vancouver City Council

FROM: General Manager of Planning and Development Services

SUBJECT: Amendments to the Laneway Housing Regulations and Guidelines and Expansion of the Laneway Housing Program

RECOMMENDATION

- A. THAT the General Manager of Planning and Development Services be instructed to make an application to:
- (i) repeal Section 11.24 (Laneway House) of the Zoning and Development By-law and substitute the revised regulations, generally in accordance with Appendix A, to respond to issues of neighbourliness, parking, livability and length of the permitting process;
 - (ii) amend District Schedules RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-4, RS-6, RS-7 of the Zoning and Development By-law, generally in accordance with Appendix A, to add laneway housing as a permitted use;
 - (iii) amend the Zoning and Development By-law for consequential amendments, generally in accordance with Appendix A;

FURTHER THAT the application be referred to a Public Hearing;

AND FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law for consideration at Public Hearing.

- B. THAT subject to enactment of the amending by-law, Council amend the Laneway Housing Guidelines, generally in accordance with Appendix B.

- C. THAT the Director of Legal Services be instructed to bring forward, at the time of enactment of the amending by-law, related amendments to the Parking By-law, to require one external on-site parking space, generally in accordance with Appendix C.
- D. THAT the Director of Legal Services be instructed to bring forward, at the time of enactment of the amending by-law, related amendments to the Zoning & Development Fee By-law generally in accordance with Appendix D.
- E. THAT the Director of Legal Services be instructed to bring forward, at the time of enactment of the amending by-law, amendments to the Strata Title Policies for RS, RT and RM Zones, generally in accordance with Appendix E, to include the RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-4, RS-6 and RS-7 Districts in policies to prohibit strata-titling of a laneway house.

REPORT SUMMARY

This report concludes the review of the laneway housing (LWH) program in single family areas, as directed by Council, by providing an update on the LWH initiative and recommending amendments to the LWH regulations and guidelines to address key issues that have been identified through the monitoring of LWH development. The proposed amendments address impacts on neighbouring properties, provision of parking, livability of the units and length of the permitting process. They aim to improve the fit of LWH into neighbourhoods by:

- encouraging the development of more one storey LWH which have fewer impacts in terms of height and massing on neighbouring sites, are less expensive to build, and would provide improved access for those with mobility challenges;
- requiring one external permeable parking space to support the provision of on-site parking;
- providing more floor area for living and storage space; and
- streamlining the permitting process by allowing an outright review process for one storey LWH.

Additionally, this report recommends expansion of the LWH program to the remaining RS zones to equalize opportunity for LWH across all single family areas.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

On July 28, 2009 Council approved amendments to the Zoning and Development By-law and a number of other by-laws to implement LWH in RS-1 and RS-5 single family zones, and directed that staff monitor and report back.

On November 2, 2010 after 100 LWH permits were issued, Council received the *Monitoring of Laneway Housing Implementation Report* and directed continued monitoring of LWH development as well as a scoped review of the current regulations and guidelines. The latter included review of the regulations to improve the neighbourliness and livability of LWH and to streamline the application process. It also included review of the timing of approvals for multiple laneway houses on an individual block and opportunities to reduce construction costs by delaying the requirement for sewer separation.

On July 28, 2011 Council approved Vancouver's Housing and Homelessness Strategy which includes a goal to enable an additional 6,000 secondary market rental units by 2021. To implement this strategy, the *3 Year Action Plan (2012-2014)* calls for expanding zones and housing types for LWH and secondary suites as a way of increasing the supply of these rental housing units.

On October 2, 2012 Council received the final report of the Mayor's Task Force on Housing Affordability: *Bold Ideas Toward an Affordable City*, which calls for expansion of the LWH program to other single-family zones to increase the housing supply in low density residential areas.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

Moving ahead with enhancing affordability has required the City to take a multi-pronged approach, and a model which involves continually checking in and assessing both progress on results and quality improvement in regard to the outcomes. Laneway housing has had enormous appeal in all parts of the city. However understanding the impact on the whole neighbourhood is important. This report makes recommendations which will continue to enable the growth of laneway houses which are an important initiative in enhancing the availability of affordable housing in our single family neighbourhoods across the city while addressing learnings from our review of the first wave of these new forms of housing. Staff will continue to monitor and learn from our experience in this exciting new area of affordability.

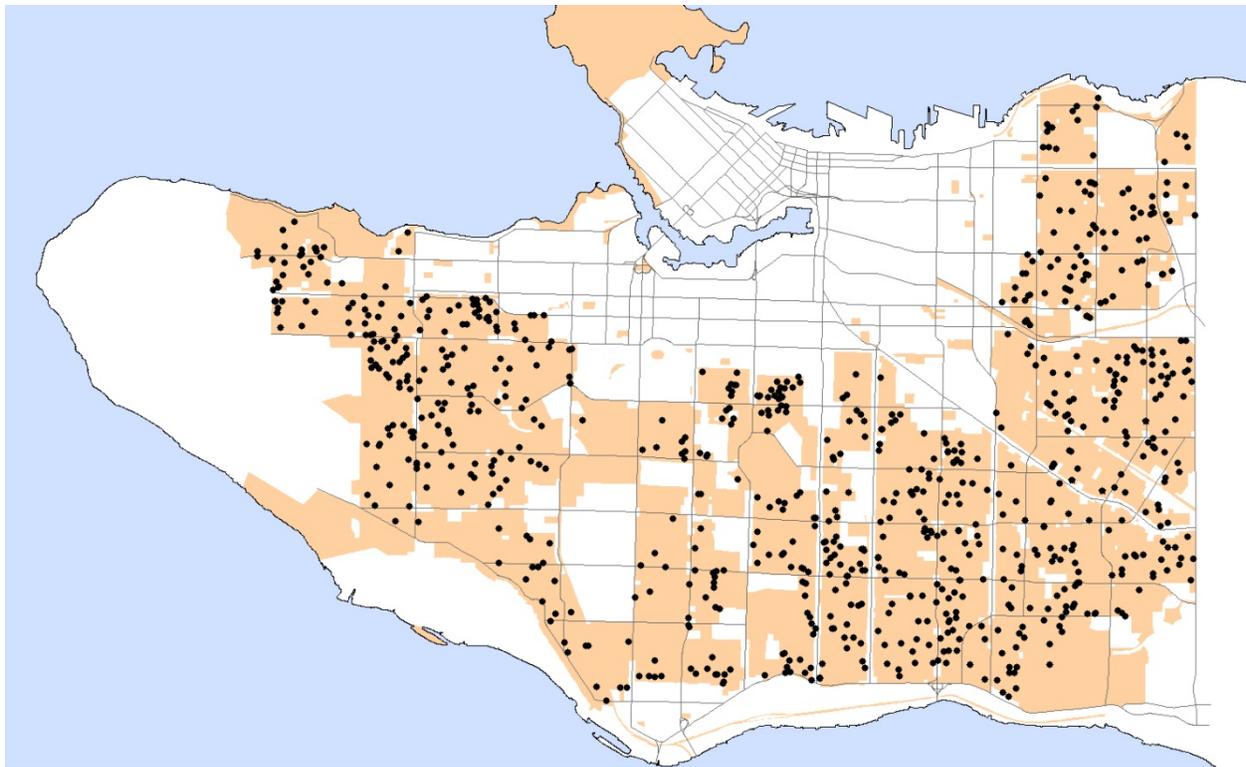
REPORT

Background/Context

Laneway housing plays an important role in achieving Council's priorities to increase the supply of rental housing options across the City by:

- providing an additional rental opportunity in single family neighbourhoods while maintaining the streetscape and neighbourhood character;
- creating more opportunity to live in detached and ground-oriented rental housing;
- expanding housing options beyond owning a house or renting a basement suite;
- increasing rental housing supply without subsidy or incentives; and
- adding to the rental housing stock with units that meet or exceed the Green Homes Program requirements.

Since the LWH program was adopted in 2009, over 900 permits have been issued, of which more than 500 have been built. Laneway houses are currently allowed in two single family zones (RS-1 and RS-5) which make up 94% of the single family areas in the City. Map 1 illustrates that laneway houses are widely distributed across the City.



Map 1. Approved LWHs in RS-1 and RS-5 Zones to February 2013

Strategic Analysis

Proposed Regulatory Amendments

In November 2010, Council received a report on the monitoring of LWH development after the first 100 LWH permits were issued. Based on the results of that report, Council directed staff to continue monitoring, to conduct a scoped review of the LWH regulations and guidelines to address concerns about neighbourliness and livability, and to streamline the permit process. The provision of on-site parking has since also been identified as an issue.

The following section summarizes the monitoring data and discusses the issues for each of the key areas of concern followed by the proposed regulatory response. Additional monitoring data is provided in Appendix F. Also, as requested by Council, discussion of the timing of approvals of multiple laneway houses on a block and delaying requirements for sewer separation costs is provided in the discussion of monitoring results in Appendix F.

1. Neighbourliness - Impact of Height and Massing on Neighbouring Properties

(a) Key Monitoring Findings and Issues:

While a variety of LWH designs are being built, most (94 percent) achieve the maximum permitted floor area in a 1½ storey configuration, have a traditional pitched roof and include enclosed parking. The predominance of 1½ storey LWH is due to the difficulty of achieving the allowable floor area in one storey on most lots: the permitted floor area plus the enclosed parking space exceed the area of the prescribed footprint (which is the same as for

a garage)¹. One storey LWH typically do not include enclosed parking in order to maximize living space.

To reduce the impacts of the partial upper storey on neighbouring properties, the current regulations and guidelines control the height, massing, siting, and architectural expression of the unit (e.g. the upper storey is limited to 60 percent of the ground floor footprint and the maximum height is 18 feet to 20 feet, depending on roof form). The permitting process includes a design review focussed on upper storey massing and window and balcony placement to reduce overlook and shadowing on neighbouring properties.

While complaints about the impacts of the partial upper storey have decreased since the first 100 LWH were built, concerns continue to be received about:

- shadowing on neighbouring yards and gardens;
- loss of privacy - upper storey windows and balconies creating overlook;
- perceived size - particularly where a LWH is developed on a previously vacant rear yard and/or adjacent to a vacant rear yard; and
- loss of private views.

Alternatively, some developers and builders have indicated that the regulations and guidelines on massing are too restrictive. We have primarily heard from builders who specialize in custom design and build, and incorporate innovative design features to improve energy efficiency and optimize the use of floor area.

(b) Proposed Regulatory Response:

To reduce impacts on neighbours, the proposed regulatory amendments encourage the development of 1 storey LWH through changes to siting which will enable all the permitted floor area to be built on one level on a standard 33 foot lot. Encouraging more one storey homes also increases accessibility for those with mobility challenges, enabling LWH to better serve a more diverse population. Additionally, they are less expensive to build (e.g. use of trusses for the roof rather than hand-framing), supporting the affordability of units.

The proposed amendments include:

- increasing the permitted footprint of a one storey home by allowing it to extend into the rear yard up to 6 feet so that all floor area can be built at grade;
- continuing to require a 16 foot separation between a LWH and the main house to maintain backyard open space;
- limiting the height of one storey units to the maximum allowed for a garage (12 to 15 feet depending on roof form);
- allowing a 2 foot side yard on one side; and
- allowing a 5 percent increase in site coverage (area that buildings can occupy on a site) to a maximum of 45 percent.

Most lots will be able to accommodate a 6 foot extension into the rear yard and still maintain the required 16 foot separation between the main house and the LWH. Currently, the average

¹ Garages can be located in the rear 26 ft of a property. The objective in using the garage footprint for LWH was to retain site permeability and backyard open space.

separation distance is 29 feet, considerably more than the requirement. While it will mean a smaller rear yard for the property, a one storey LWH that is no higher than a garage will have less impact on neighbouring sites in terms of overlook, loss of privacy, and loss of private views. Roof decks would not be permitted on one storey LWH to prevent overlook into neighbouring yards.

The current regulations for one storey LWH require side yards that are 10 percent of the site width. A narrower side yard on one side is proposed to reduce the required extension into the rear yard. The implications for LWH design are that no windows or unprotected openings can be built on that side. Although a narrower side yard does increase the proximity to the adjacent property, the lower height limit and absence of windows will increase privacy and feel similar to a garage.

Regulations for site coverage restrict the area that a house and garage/LWH can occupy on a site. In most RS zones this is limited to 40 percent of the lot area. Flexibility to increase this to 45 percent is proposed to accommodate the larger one storey LWH footprint. Additional regulations limit the area of all impermeable materials (e.g. paved surfaces, such as walkways, as well as buildings) on a site to a maximum of 60 percent of the site area. These regulations will be maintained to ensure that LWH continues to meet green site and building priorities.

Building a 1½ storey LWH will remain an option, but extension into the rear yard will not be permitted and current height regulations (maximum 20 feet) and side yard regulations (which are the same as for the main house) will be maintained. By enabling the development of one storey LWH, the proposed amendments will encourage more variety of LWH form and provide more options to meet a diversity of needs.

2. Parking

(a) Key Monitoring Findings and Issues:

A property with a LWH is currently required to provide a minimum of one on-site parking space (either enclosed or external)². The regulations provide an extra 226 square feet of floor area for enclosed parking, in addition to the permitted floor area for living space. The available data indicates that most sites (54 percent) provide only one parking space (92 percent of which are enclosed). The remainder provide two or three spaces in a combination of enclosed and surface parking.

Residents have expressed concern about the parking requirement for LWH, usually focused on:

- one space is inadequate for a single family site that could have up to three dwelling units;
- new LWH development would contribute to on-street parking congestion; and
- enclosed parking would be used as living space.

²The requirement for one parking space balances the provision of on-site parking with the retention of backyard open space.

It is difficult to determine the on-street parking impacts caused specifically by LWH, however staff are not aware of any significant problems that have arisen with their introduction. Since 2010, only 5 calls were received by 311 that include reference to LWH and parking issues. In single-family neighbourhoods the combination of parking supplied both on-street (as curbside parking) and off-street (through garages, carports and driveways) is typically more than sufficient to meet the demands of the local residents. As the number of laneway homes increases, it is expected that the total parking supply will continue to meet residents' needs³.

Concerns regarding the enclosed garage space being used for living space appear to be warranted as demonstrated by the inclusion of design and construction features not typical of garages (and, therefore, not anticipated in the regulations) such as swinging garage doors that open in, French doors to the garden, and insulated and heated space. These "garages" often have a door connecting it directly to the living space. Rental ads also suggest that enclosed garage space is being considered as living space. However, not all enclosed parking spaces are intended for living space. Builders have also indicated that enclosed parking is valued for security reasons and that these garages are designed with no access to the living space.

Given that the majority of LWH have only one parking space, largely provided in the form of an enclosed garage, use of the parking space as living space could contribute to on-street parking difficulties. To address these concerns, City Property Use Inspectors have been inspecting LWH garages and enforcing where the space has been converted to living space. However, amendments to the regulations are proposed to better support the provision of on-site parking without the need for enforcement and the possibility of re-conversion after inspection.

(b) Proposed Regulatory Response:

To support the provision of parking on-site, the proposed amendments will require:

- one external parking space for both one and 1½ storey LWH; and
- continued use of permeable materials for surface parking (e.g. gravel or paved wheel strips which allow absorption of rain).

The external parking space will be mandatory, must be a standard size, and cannot be covered (e.g. carport) in order to meet the permeability regulations and to prevent future conversion to an enclosed space. Enclosed parking will continue to be permitted, in addition to the required surface parking space, but no additional floor area will be provided and the space will be counted as part of the permitted floor area. This will enable those who value enclosed parking to continue to build it and will also provide flexibility for the garage to be converted to living space in the future, if so desired.

³ A standard 33 foot lot with 3 dwelling units (main house, secondary suite and LWH) can accommodate parking for about 3 vehicles, the typical number of vehicles on a site with 3 units, when taking into account the required on-site space and the curbside frontage.

3. Livability

(a) Key Monitoring Findings and Issues:

The LWH regulations provide for a variety of unit types to accommodate a diversity of households. The permitted size of a LWH is proportional to the lot size: the floor area can be up to .125 times the lot area, to a maximum of 750 square feet⁴. The average size of a LWH has remained constant at approximately 590 square feet.

Approximately 60 percent of LWH continue to be developed as one bedroom units, although there has been an increase (from 28 percent to 38 percent of the total number of LWH) in the proportion of two bedroom units since the first 100 LWH were built. Two bedroom units are well suited to accommodating families or two unrelated occupants (e.g. students). Given that the number of bedrooms is increasing without a corresponding increase in floor area adequate provision of common space is a potential concern.

Feedback from both LWH occupants and developers indicates that larger units would contribute to increased livability and provide opportunity for more storage space, particularly for those downsizing from single family houses. The use of the enclosed parking space as living space also indicates the desire for more living space.

(b) Proposed Regulatory Response:

To provide more living area and storage space an increase in the permitted floor area is proposed:

- increase permitted floor area to .16 times the lot area, to a maximum of 900 square feet; and
- allow an additional 40 square feet for storage space (either for closet space or a separate storage room, e.g. for bike storage).

The proposed changes will increase the living space by approximately 140 square feet, depending on lot size, plus the additional space for storage⁵. This will not increase the overall massing of LWH as the increased floor area for living space replaces some of the additional floor area previously available for enclosed parking (226 square feet).

4. Permit Processing

(a) Key Monitoring Findings and Issues:

LWH is being developed at an average pace of 22 permits per month. As the program matures and builders become more familiar with it, the number of permits issued annually is increasing steadily: for example in 2010 the average number of permits issued per month was 16, while in 2012 the average number increased to 29.

⁴ On a standard 33 foot lot (4026 square feet), a LWH house of 503 square feet is achievable. On a standard 50 foot lot (6100 square feet) a 750 square foot LWH is achievable.

⁵ On a standard 33 foot lot the permitted floor area would increase by 141 square feet to 644 square feet and on lots 50 feet and wider the maximum 900 square feet (an increase of 150 square feet) would be permitted.

When the program was in its early stages, there were concerns from builders and designers about the length of the permitting process, the consistency in application of the regulations and guidelines and that the design review process was adding time and cost to laneway housing development. Concerns about the length of the process focused on the lengthy wait to book a pre-application meeting. At the time all LWH designs were required to have an initial review by a development planner before an application could be submitted. This was beneficial when the LWH regulations were first introduced and builders/designers were unfamiliar with expectations.

In the fall of 2012, changes were made to the permitting process to address concerns. The new process allows experienced LWH developers to by-pass the pre-application meeting and submit an application without prior review. Given that over two-thirds of LWH are designed by applicants who have designed/built five or more LWH and that many have developed standard plans, this change has decreased processing times by almost half (from 10.6 weeks to 5.7 weeks) and increased the number of permits issued on a monthly basis (see Appendix F).

There have also been improvements to the consistency of the design review process as familiarity with the objectives of the regulations and guidelines has increased. In the fall of 2011 an administrative bulletin was developed to assist in interpreting the regulations and guidelines and to clarify their intent. However some builders/developers continue to have concerns about the length of the process and the application of design guidelines.

(b) Proposed Regulatory Response:

In addition to the improvements made in 2012, the permitting process will be further streamlined by:

- providing an outright review process for one storey LWH; and
- amending the Laneway House Guidelines to further clarify requirements.

All LWH applications are currently reviewed by a development planner for compliance to design guidelines, which focus on the upper storey massing, in addition to being reviewed against the LWH regulations. The proposed changes would result in applications for one storey LWH being reviewed against the LWH regulations only with no additional review by a development planner, similar to how applications for most single family homes are processed. It is proposed that external design regulations be added to the LWH regulations to ensure a minimum standard of design and provide requirements for window and door trim, canopies over entry doors and windows on the lane. These will be applied to both one and 1½ storey LWH.

Applications for 1½ storey LWH will continue to have a Planner review the upper storey massing. However, the Laneway House Guidelines will be amended to clarify desired massing and roof form to allow more consistency in application (see Appendix B).

Permit fees will be amended to reflect the different permit review processes for the one and 1 ½ storey LWH:

- permit fees for one storey LWH will be maintained at the current fee of \$1000; and
- permit fees for 1½ storey LWH will be increased to \$1,520, which is the same for a new outright single family dwelling.

Because the outright review process for one storey LWH involves less time, a lower permit fee is warranted. A lower fee will also encourage the development of one storey units and contribute to their affordability. When LWH fees were established in 2009 the amount of time required for application review was uncertain. It has since been determined that the applications for 1½ storey LWH require at least as much time as the processing of outright single family dwelling applications. Therefore, the fee for the 1½ storey units will be increased to the same amount applied to outright single family dwelling applications.

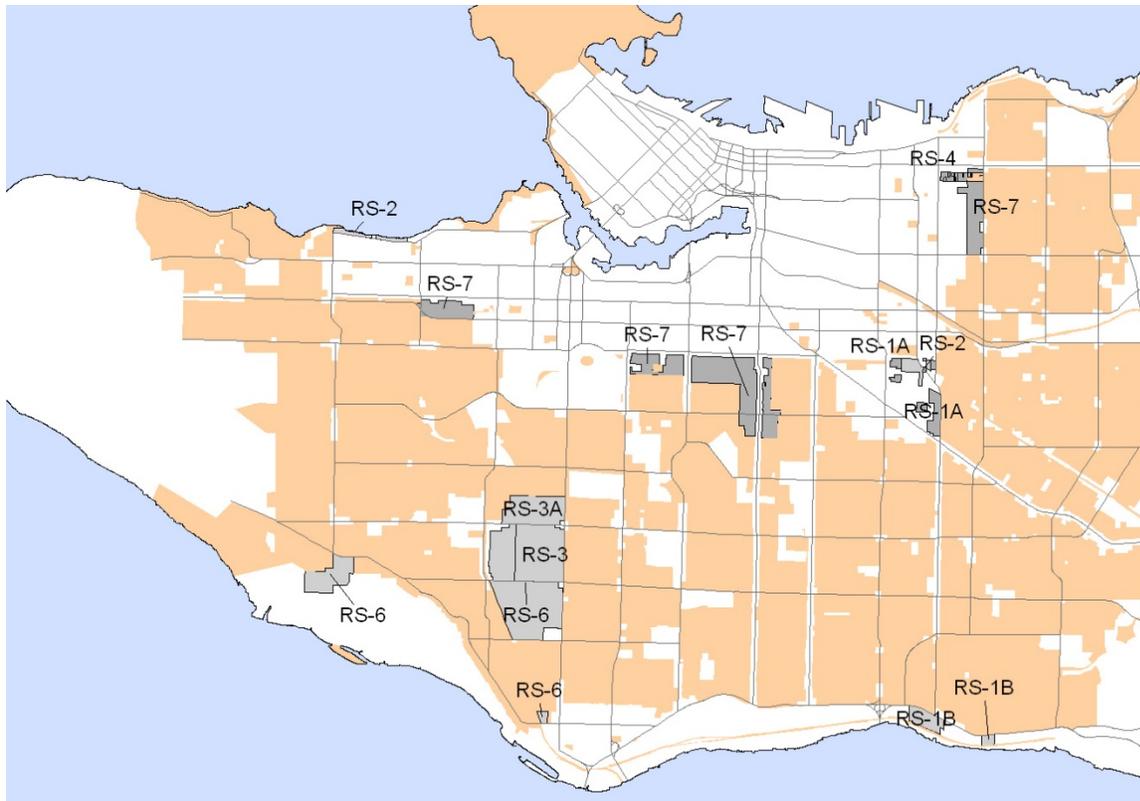
5. Other Changes to the LWH Regulations and Guidelines:

Several miscellaneous amendments to the LWH regulations, guidelines and support documents are proposed to provide clarification and incorporate sections of the administrative bulletin. The proposed changes include:

- reducing the required width of a site eligible for LWH from 33 feet to 32.2 feet to correspond with the requirements for single family house development in RS zones;
- clarifying the maximum height for various roof forms;
- clarifying how the partial upper storey of a 1½ storey LWH is measured;
- increasing the landscaped setback at the lane from 2 feet to 3 feet so that the landscaped area is wider than the eave line to expose it to rainfall;
- allowing LWH on long lots to extend into the rear yard to the same proportion permitted on a standard lot;
- requiring LWH on sites in the RS-3, RS-3A, RS-5 and RS-6 zones to meet maximum width regulations also applicable to accessory buildings in those zones in order to maintain the character of the lane;
- encouraging mechanical doors and utility meters to be located on a side wall rather than at the lane;
- encouraging design of front entry porches on the lane that provides safe access for occupants;
- encouraging soft landscaping in the rear yard and discouraging fences which block landscaped areas on the lane from view;
- creating a list of drought tolerant plants to be offered to each LWH applicant to encourage appropriate planting on the lane; and
- updating the Laneway Housing How-To Guide, which has been a valuable tool for homeowners and builders/designers new to LWH, to reflect amendments to the program.

Expansion of LWH Program to Other RS Zones

While LWH is currently a permitted use in the RS-1 and RS-5 districts only, Council has provided direction to expand the LWH program into the remaining RS zones (which represent 6 % of single family properties): RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-4, RS-6, and RS-7 (see Map 2). Residents have also indicated support for expanding the program into these zones.



Map 2. RS Zones for Expansion of LWH Program

Expansion of the program will add to the supply of rental housing and equalize opportunity across all single family zones by making an additional 2,800 lots eligible for LWH development. These zones were not included in the LWH program initially because the objective was to increase housing choice in lower density neighbourhoods and many of these zones already allow for additional density, on larger lots, in the form of infill, two-family dwellings or multiple-family dwellings. LWH will be an attractive housing option for standard size sites, and can only be built on a lot with a single family house or a single family house with a suite.

In the final report of the Mayor's Task Force on Housing Affordability, *Bold Ideas Toward an Affordable City*, it was suggested that there be an exploration of the feasibility of laneway houses in duplex zones (RT zones). As new duplex provisions are being piloted in the Norquay area and the outcomes of the amendments provided in this report are unknown at this time, it may be premature to explore the further expansion of the laneway housing program into duplex zones. However, in the future further direction could be provided.

Consultation Process and Outcomes

Builders Workshops

The consultation process included two workshops with LWH builders and designers in November 2012 and January 2013 to receive feedback on the proposed amendments. Industry representatives from the 26 companies who had designed/built 5 or more LWH were invited to attend. Seventeen industry representatives attended the first workshop and twelve attended

the second. Feedback received at the first workshop was incorporated into an updated set of amendments, which were presented at the second workshop for discussion. The builders/designers are supportive of the proposed amendments and the approach to encourage both 1 storey LWH and the provision of parking. Those who plan to continue to include enclosed parking in laneway house designs advised that the increase in allowable floor area would enable them to continue to design livable floor area at grade.

Public Information Sessions

Two public information sessions were held in March 2013. The sessions were advertised for two consecutive weeks in the Courier and Vancouver Sun. Over 350 residents and industry representatives attended the open houses and 73 people provided feedback through comment forms. Information about the proposed amendments and expansion of the program was also provided on the LWH website.

Responses from the comment forms indicate support for the proposed amendments and expansion of the program into the remaining RS zones. Most felt that encouraging one storey LWH by allowing an extension into the rear yard is an appropriate response to concerns about massing and loss of privacy; that one storey LWH are a better fit for smaller lots, and will be more suitable for seniors and those with mobility issues. Those opposed were either not in support of the LWH program due to the impacts of increased density on neighbours, or were concerned about the loss of backyard space. The proposed additional floor area for living and storage space was seen as an improvement for livability, with some respondents suggesting that the basement space could be used for storage space and possibly living space⁶.

While most agreed with an improved permitting process for one storey LWH, some thought that permit reviews should be more extensive to consider impacts on neighbours. Some also felt that 1½ storey LWH should be eligible for a faster processing time. Depending on the take up for 1 storey LWH, processing times for 1½ storey units will likely decrease as development planners have fewer 1½ storey LWH applications to review.

Finally, the requirement for one external parking space was viewed as a positive change with many noting that it would eliminate the use of the garage for living space and reduce parking congestion on the street. However, several respondents were concerned that one space is not sufficient, while several others suggested that requiring any parking conflicts with the City's sustainability goals. A few also noted that they prefer an enclosed garage for both storage and parking and were opposed to the elimination of the extra floor area for garages.

Expansion of the program into the remaining RS zones was supported by most respondents because it will be more equitable for the other RS zones. Many noted that they have been waiting for LWH to be permitted in their neighbourhood. Those who were opposed would like to see a moratorium on new LWH development.

⁶A basement crawl space is not counted as part of the permitted floor area, but to date very few LWH (2 percent) include them because it is more expensive to excavate than to build a slab foundation. Full height basement space can be used as living space, but is counted as part of the permitted floor area. Only a few LWH (1 percent) include living space below grade due to the costs of excavation and accommodating drainage.

FINANCIAL IMPLICATIONS

There are no financial implications to the City, although permit fees will be adjusted to reflect the amount of staff time involved in processing applications: fees for one storey laneway houses will remain the same, while permit fees for 1½ storey laneway houses will be increased to cover the cost of the additional review by planning staff.

CONCLUSION

The laneway housing program has been successful in achieving City goals to increase the supply and variety of rental housing units and rental housing potential across the City, without subsidy or incentives. As directed by Council proposed amendments to the LWH regulations and guidelines have been developed to address concerns from neighbours and industry. The amendments encourage one storey LWH which have fewer impacts on neighbouring properties, are more accessible for a wider population and, because they are cheaper to build, will contribute to the affordability of laneway homes. Additional living and storage space will enhance livability for LWH occupants without increasing the massing of LWH. The regulatory changes will also ensure the provision of on-site parking to prevent parking congestion on neighbourhood streets and will further streamline the permitting process. Finally, expansion of the program will equalize opportunity for LWH across all single family zones, adding to the supply of secondary rental housing units. These amendments complete the work on the LWH program in single family zones directed by Council.

* * * * *

BY-LAW NO. _____

**A By-law to amend
Zoning and Development By-law No. 3575
Regarding expansion of the Laneway Housing Program**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This by-law amends the indicated provisions of By-law No. 3575.
2. Council strikes out Section 11.24 and substitutes:

"Section 11.24 Laneway House

- 11.24.1** In this section 11.24, "footprint" means the projected area of the extreme outer limits of a laneway house including carports, covered porches, and enclosed or covered accessory building areas but excluding steps, eaves, and such other projections as section 10.7 of this By-law may allow.
- 11.24.2** A laneway house is not permissible except on:
- (a) a site served by an open lane;
 - (b) a site located on a corner served by an open or dedicated lane;
or
 - (c) a double-fronting site served by a street at both the front and rear of the site.
- 11.24.3** The width of a site on which a laneway house is situated must be at least 9.8 m, except that the Director of Planning may approve a laneway house on a site which is less than 9.8 m in width, if:
- (a) the site is at least 7.3 m in width; and
 - (b) the Director of Planning first considers massing, overlook and impact on neighbourhood privacy and all applicable Council policies and guidelines.
- 11.24.4** A laneway house may have a basement.
- 11.24.5** For sites in the RS-3 and RS-3A Districts and the RS-6 District, and for sites 16.8 m or wider in the RS-5 District, the width of a laneway house, or a laneway house and an accessory building, must not exceed the permitted width for an accessory building under the applicable district schedule.

- 11.24.6 A laneway house may be one storey or one storey with a partial second storey.
- 11.24.7 The height of a one storey laneway house must not exceed 3.7 m in height measured to the highest point of the roof if a flat roof, or to the mean height level between the eaves and the ridge of a gable or hip roof, except that no portion of a one storey laneway house may exceed 4.6 m in height.
- 11.24.8 Roof gardens and sun decks are not permitted on a one storey laneway house.
- 11.24.9 The location of a one storey laneway house must be:
- (a) within 9.8 m of the ultimate rear property line;
 - (b) at least 4.9 m, measured across the width of the site, from the one-family dwelling or one-family dwelling with secondary suite on the site;
 - (c) at least 0.9 m from the ultimate rear property line, except that the Director of Planning may relax the location to 0.6 m from the ultimate rear property line on sites less than 30.5 m in depth; and
 - (d) a distance from each side property line equal to at least 10 percent of the lot width, except that the Director of Planning may relax the location to 0.6 m from one side property line.
- 11.24.10 Notwithstanding 11.24.9 (a), where a site is 39.6 m or more in depth, the Director of Planning may permit a one storey laneway house to extend into a site to a maximum of 26% of the lot depth measured from the ultimate rear property line.
- 11.24.11 Site coverage must not exceed the permitted site coverage under the applicable district schedule, except that, for a one storey laneway house, the Director of Planning may permit an increase in the permitted site coverage of up to 5% to a maximum of 45% of the site area.
- 11.24.12 The height of a laneway house with a partial second storey must not exceed:
- (a) 6.1 m to the ridge of a gable or hip roof, with a minimum pitch of 7:12;
 - (b) 5.5 m to the highest point of a roof with a pitch less than 3:12; or
 - (c) 5.8 m to the highest point of a shed, arced, butterfly roof, or any sloping roof with a minimum pitch of 3:12.
- 11.24.13 The partial second storey of a laneway house must not exceed 60% of the footprint of the laneway house, measured to the extreme outer limits of the partial second storey.

- 11.24.14 The location of a laneway house with a partial second storey must be:
- (a) within 7.9 m of the ultimate rear property line;
 - (b) at least 4.9 m, measured across the width of the site, from the one-family dwelling or one-family dwelling with secondary suite on the site;
 - (c) at least 0.9 m from the ultimate rear property line, except that the Director of Planning may relax the location to 0.6 m from the ultimate rear property line on sites less than 30.5 m in depth; and
 - (d) a distance from each side property line which is at least equal to the required side yards for the site as prescribed by the applicable district schedule.
- 11.24.15 The floor area of a laneway house must not exceed the lesser of:
- (a) 0.16 multiplied by the site area; and
 - (b) 83.6 m².
- 11.24.16 Despite section 10.21, the floor area of a laneway house, excluding any floor area used for enclosed parking, must be at least 26 m², except that the Director of Planning may allow a reduction to not less than 19 m² if the Director of Planning first considers the design of the laneway house and all applicable Council policies and guidelines.
- 11.24.17 Computation of floor area for a laneway house must include:
- (a) all floors, including earthen floor, measured to the extreme outer limits of the building;
 - (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
 - (c) the floor area of a basement;
 - (d) floor area used for enclosed or covered parking; and
 - (e) if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 3.7 m, an additional amount equal to the area of the floor area below the excess.
- 11.24.18 Computation of floor area for a laneway house must exclude:
- (a) areas of floors located:
 - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;

- (b) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (c) covered porches if:
 - a. their location is at the level of the basement or first storey,
 - b. they are open on at least one side or protected by guard rails, the height of which must not exceed the minimum specified in the Building By-law,
 - c. the total excluded floor area does not exceed 3 m², and
 - d. the ceiling height of the total excluded area does not exceed 2.75 m measured from the porch floor.

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

- (a) open residential balconies, sundecks, roof decks, or any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, if:
 - (i) the total area of all open balcony, sundeck, or roof deck exclusions does not exceed 8 m², and
 - (ii) the open balconies, sundecks, or roof decks face the lane or, in the case of a corner site, the lane and flanking street or either of them;
- (b) patios and green roofs if the Director of Planning first approves the design of sunroofs, walls, and railings;
- (c) despite section 11.24.17(e), open to below spaces or double height volumes under sloping roofs with a pitch of at least 3:12 if:
 - (i) the vertical distance from the floor level to the ceiling does not exceed 4.5 m,
 - (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope,
 - (iii) the excluded area does not exceed 25% of the maximum floor space under section 11.24.15, and
 - (iv) the excluded area, combined with the excluded area under subsection (d), does not exceed 25% of the maximum allowable floor area;
- (d) despite section 11.24.17(e), floor areas under sloping roofs with a pitch of at least 3:12 if:
 - (i) the vertical distance from the floor to any part of the ceiling is between 1.2 m and 2.1 m,
 - (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope,

- (iii) the excluded floor area does not exceed 10% of the maximum floor area allowed under section 11.24.15, and
 - (iv) the excluded area, combined with the excluded area under subsection (c), does not exceed 25% of the maximum allowable floor area;
 - (e) for units that have a partial second floor, an area not exceeding 2.75 m² for stairs, if the excluded area, combined with the excluded areas under subsections (c) and (d), does not exceed 25% of the maximum allowable floor area; and
 - (f) an area not exceeding 3.7 m² for residential storage space, clothes closets and linen closets.
- 11.24.20 A main entry door which faces the lane must be set back at least 1.5 m from the ultimate rear property line.
- 11.24.21 On a corner site, the main entry door of a laneway house must face the flanking street.
- 11.24.22 At least 10% of the building elevation facing the lane must contain windows no smaller than 1.1 m².
- 11.24.23 The setback provided in accordance with section 11.24.9(c) must be landscaped where not required for vehicle or fire access.
- 11.24.24 Wall cladding materials on a building elevation facing a lane or street must be continued in equal proportions, no less than 2.0 m along adjacent side walls or 1.2 m where the discontinuation of a material occurs at a change in the building wall plane, such as at a bay or chimney projection.
- 11.24.25 The Director of Planning may relax the design provisions in section 11.24.20, 11.24.21, 11.24.22, 11.24.23 or 11.24.25, if, in the opinion of the Director of Planning, the design of a laneway house meets the intent of the laneway house regulations and guidelines for quality and durability of design and architectural expression and is not compatible with one or more of the design requirements in those sections.
- 11.24.26 The Director of Planning may relax the provisions of sections 11.24.5, 11.24.7, and 11.24.12, if:
- (a) due to topography or other conditions peculiar to the site, literal enforcement would result in unnecessary hardship; and
 - (b) the Director of Planning first considers:
 - (i) the effects on neighbouring properties with regard to overlook, massing and neighbourhood privacy, and
 - (ii) the intent of this Schedule and all applicable Council policies and guidelines."

3. In the RS-1 District Schedule, in section 5.1, Council:
 - (a) in subsection (b) strikes out "." and substitutes ";;" and
 - (b) after subsection (b) adds:
 - "(c) one-family dwelling with laneway house; and
 - (d) one-family dwelling with secondary suite and laneway house."
4. In the RS-1A District Schedule:
 - (a) in section 1, after the word "permit", Council adds "laneway houses and";
 - (b) in subsection 2.2.A(c), at the end, Council strikes out ";" and adds ", except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;";
 - (c) to section 3.2.DW, at the end, Council adds:
 - "
 - Laneway House, subject to the provisions of section 11.24 of this By-law";
 - (d) in section 4.7.3, Council:
 - (i) re-letters subsections (g) and (h) as (h) and (i), and
 - (ii) after sub-section (f) inserts " (g) the floor area of a laneway house;"; and
 - (e) in section 5.1, Council:
 - (i) in subsection (b) strikes out "." and substitutes ";;", and
 - (ii) after subsection (b) adds:
 - " (c) one-family dwelling with laneway house; and
 - (d) one-family dwelling with secondary suite and laneway house."
5. In the RS-1B District Schedule:
 - (a) in section 1, at the end, Council strikes out "." and adds ", and to conditionally permit laneway houses.";
 - (b) in subsection 2.2.A(c), at the end, Council strikes out ";" and adds ", except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;";
 - (c) to section 3.2.DW, at the end, Council adds:

"

- Laneway House, subject to the provisions of section 11.24 of this By-law"; and

(d) in section 4.7.3, Council:

- (i) re-letters subsections (g) and (h) as (h) and (i), and
- (ii) after sub-section (f) inserts " (g) the floor area of a laneway house;" .

6. In the RS-2 District Schedule:

- (a) in section 1, after the word "permit", Council adds "laneway houses and";
- (b) in subsection 2.2.A(c), at the end, Council strikes out ";" and adds ", except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;" ;
- (c) to section 3.2.DW, at the end, Council adds:

"

- Laneway House, subject to the provisions of section 11.24 of this By-law";

(d) in section 4.7.3, Council:

- (i) re-letters subsections (g) and (h) as (h) and (i), and
- (ii) after sub-section (f) inserts " (g) the floor area of a laneway house;" ;

and

(e) in section 5.1, Council:

- (i) in subsection (b) strikes out "." and substitutes ";" , and
- (ii) after subsection (b) adds:

- " (c) one-family dwelling with laneway house; and
- (d) one-family dwelling with secondary suite and laneway house." .

7. In the RS-3 and 3A Districts Schedule:

(a) in section 1, Council strikes out the first sentence and substitutes:

"The intent of this Schedule is to preserve and maintain the single-family residential character of the RS-3 and RS-3A Districts in a manner compatible with the existing amenity and design of development, to encourage new development that is similar in character to existing development in these Districts, and to conditionally permit laneway houses." ;

- (b) in subsection 2.2.A(c), at the end, Council strikes out “;” and adds “, except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;”;
 - (c) to section 3.2.DW, at the end, Council adds:
 - “
 - Laneway House, subject to the provisions of section 11.24 of this By-law”; and
 - (d) in section 4.7.3, Council:
 - (i) re-letters subsections (i) and (j) as (j) and (k), and
 - (ii) after sub-section (h) inserts “ (i) the floor area of a laneway house;”.
8. In the RS-4 District Schedule:
- (a) in section 1 after the words “conditionally permit”, Council adds “laneway houses and”;
 - (b) in subsection 2.2.A(c) at the end, Council strikes out “;” and adds “, except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;”;
 - (c) to section 3.2.DW, at the end, Council adds:
 - “
 - Laneway House, subject to the provisions of section 11.24 of this By-law”; and
 - (d) in section 4.7.3, Council:
 - (i) re-letters subsections (g) and (h) as (h) and (i), and
 - (ii) after sub-section (f) inserts “ (g) the floor area of a laneway house;”.
9. In the RS-5 District Schedule, in section 5.1, Council:
- (a) in subsection (b) strikes out “. ” and substitutes “;”; and
 - (b) after subsection (b) adds:
 - “ (c) one-family dwelling with laneway house; and
 - (d) one-family dwelling with secondary suite and laneway house.”
10. In the RS-6 District Schedule:
- (a) in section 1, Council strikes out the first sentence and substitutes:
 - “The intent of this Schedule is to maintain the single-family residential character of the District, to encourage a high standard of building design,

materials, and landscape development while allowing design diversity in new development, to encourage retention of existing housing stock, and to conditionally permit laneway houses.”;

(b) in subsection 2.2.A(c), at the end, Council strikes out “;” and adds “, except that the floor area of a laneway house shall be deducted from the total allowable accessory building floor area;”;

(c) to section 3.2.DW, at the end, Council adds:

“

- Laneway House, subject to the provisions of section 11.24 of this By-law”;

(d) in section 4.7.3, Council:

- (i) re-letters subsections (j) and (k) as (k) and (l), and
- (ii) after sub-section (i) inserts “ (j) the floor area of a laneway house;”;

and

(e) in section 5.1, Council:

(i) after subsection (b) adds:

- “ (c) one-family dwelling with laneway house; and
- (d) one-family dwelling with secondary suite and laneway house.”

11. In the RS-7 District Schedule:

(a) in section 1, Council strikes out the first sentence and substitutes:

“The intent of this Schedule is: to maintain the single-family residential character of the RS-7 District; on typical smaller lots, to conditionally permit two-family dwellings, multiple conversion dwellings and laneway houses; and on larger lots, to conditionally permit multiple dwellings and infill.”;

(b) in subsection 2.2.A(c) “, after the words “section 4.7.4(c) of this Schedule”, Council adds “and the floor area of a laneway house,”;

(c) to section 3.2.DW, at the end, Council adds:

“

- Laneway House, subject to the provisions of section 11.24 of this By-law”;

(d) in section 4.7.4, Council:

- (i) re-letters subsections (j) and (k) as (k) and (l), and
- (ii) after sub-section (i) inserts “ (j) the floor area of a laneway house;”;

[All additions are shown in *bold italics*. Deletions are shown in ~~strikeout~~.]

LANEWAY HOUSE (LWH) GUIDELINES

Adopted by City Council on July 28, 2009
Amended [Insert date, 2013]

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1 Application and Intent

These guidelines are to be used in conjunction with the Section 11 regulations of the Zoning and Development by-law pertaining to **1 ½ storey** LWH throughout the city. The regulations and guidelines focus on creating neighbourly relationships with adjacent properties, a positive lanescape, and enhanced environmental performance of the site overall.

The guidelines are organized into the following topic areas:

- (a) Quality, Durability and Expression
- (b) Livability**
- ~~(b)~~ (c) Scale and Massing
- ~~(c)~~ (d) Privacy and Overlook
- ~~(d)~~ (e) Lane Frontage
- ~~(e)~~ (f) Landscape

2 Quality, Durability and Expression

Laneway housing should be designed to be a lasting, quality addition to the neighbourhood. Buildings which are not designed to last are not environmentally sustainable, nor can they be considered affordable when the costs of maintenance and replacement of materials over time is considered.

- (a) Material selection and detailing should ensure performance over time. Vancouver building by-law requirements cover many aspects of building performance, but in addition consideration should be given to elements such as roof overhangs and building projections that both protect surfaces and assist with passive energy performance.
- (b) Modular construction can be used to advantage to reduce on site construction time and costs, however, LWH using modular construction must be permanent non-moveable dwellings following all the by-laws that apply to conventional site-built dwellings. Once assembled, a LWH of modular construction should be indistinguishable from a site-built dwelling.
- (c) While LWH may have a full range of architectural expressions, a LWH should clearly express its function as a residence.

3 Livability

The laneway housing program aims to achieve livable and diverse dwelling unit types while recognizing that the size of the unit is related to the size of the lot: the intention is to provide for studios and one bedroom units on standard lots (33 ft. X 122 ft.) and up to two bedroom units on larger lots. The regulations also provide for small units (280 sq.ft. relaxable to 205 sq.ft.) providing that the design and location provide livable accommodations.

4 Scale and Massing Guidelines

Homeowners can choose to build a single storey LWH, or a 1 ½ storey LWH. The following guidelines focus on the upper level of a 1 ½ storey design as it has greater

potential to affect the solar access, privacy and outdoor enjoyment of neighbours. The guidelines apply to any orientation of site, as they are intended to address both solar access and perceived scale from adjacent neighbours.

In general the guidelines direct upper level massing and primary outlook toward the lane so that it becomes a safe and welcoming public space, and a neighbourly relationship is maintained with adjacent properties. *To this end, the partial upper storey of the laneway house should have an appearance as close as possible to a half storey. Its eave lines and roof forms should be designed to minimize the apparent size of the upper level. Designs that approach the appearance or impact of a full two storey expression (e.g. gambrel roofs) should be avoided.*

Numerical values are given to assist with quick evaluation of proposed LWH designs. Flexibility is intended, and the numbers should be seen as neither finite limits nor conversely a means to justify height unnecessary to the building design.

~~3.4.1~~ Pitched roofs ~~and dormers~~

On pitched roof laneway houses, the partial upper storey should be contained within a simple primary roof form, although secondary roof forms may be provided as outlined in section 4.2. The amount of exterior two storey wall should be limited, in order to emphasize the expression of a partial upper storey only.

~~The eave height of a LWH with a sloping roof should be no more than:~~

- ~~(a) 3.7 m (12.1 ft.) above grade adjacent to the garden where the main ridge of the roof runs across the width of the property, or~~
- ~~(b) 3.7 m (12.1 ft.) above grade adjacent to a required side yard where the main ridge of the roof runs perpendicular to the lane and garden.~~

The 6 m (20 ft.) height limit for a 1 ½ storey LWH is intended for upper storeys contained within steeply pitched (minimum 7:12) roof forms. The greater ridge height is intended to enable 'lived in' roofs. The spring height should be no more than 3.7 m (12.1 ft.) above grade. Stacked 2-storey forms are not eligible for the maximum height of 6 m (20 ft.).

~~This may be accomplished by the main roof of the building, or by a section of lower roof that extends a minimum of 1.5 m (4.9 ft.) back over the building from the garden or side yard face. Dormers are not restricted by this setback.~~

~~3.4.2~~ Dormers

Dormer roof slopes should generally not be less than 3:12. Dormer walls should be set in a minimum of two feet from the wall below and from adjacent walls (end gables) where possible. The eave height of dormer roofs should be as low as practical to reduce the perceived scale of the partial upper storey.

~~3.4~~ ~~Cross-gable roof designs:~~

- ~~(a) In a cross gable roof design, the gables may be equal in size, but the windows in each gable end should be sized to reflect the spaces they overlook – most window to the lane, less to the garden and side yards.~~

4.2.1 On a roof where the ridge runs across the property:

- (a) The largest dormer(s) should face the lane, and should not exceed 60% of the building width *of the partial upper storey*.
- (b) Dormers facing the garden should not exceed ~~30% of the building~~ *35% of the width of the partial upper storey*.

3.4.2.2 On a roof with gable ends facing the lane:

- (a) Dormers facing a required side-yard should not exceed 50% of the building length.

3.5.4.3 Flat roofs, shed roofs, and roof pitches less than 7:12:

On flat roof laneway houses, more design care is necessary to minimize the appearance of a two-storey building, and to avoid privacy issues with upper-level decks.

- (a) A flat roof, shed roof, or shallow pitched roof LWH should have an area of lower height adjacent to the garden. ~~The roof should not exceed a height of 3.7 m (12.1 ft.) within 1.5 m (4.9 ft.) of the garden. The second storey should be set back 1.5 m (4.9 ft.) from the exterior face of the main floor below, facing the principal residence.~~ Projections may be allowed into this area provided they do not exceed 30% of the width of the building and are located to minimize shadowing on adjacent sites.
- (b) Tallest elements and upper level floor space should be located adjacent to the lane, and/or centrally located on the site on larger lots.

3.6.4.4 East/West oriented sites:

- (a) A LWH should generally be located toward the south side of the site to reduce shadowing on the site to the north, except where topography or retention of existing significant trees or landscape suggests otherwise.

3.7.4.5 Area Exclusions

The by-law identifies areas that may be excluded at the discretion of the Director of Planning. To get the exclusion for volume space and/or reduced height areas under sloping roofs, the following conditions need to be met to the satisfaction of the Director of Planning:

- (a) The exclusions do not noticeably increase the visible mass of the building, or shadowing of neighbouring properties.
- (b) The exclusions assist in creating a simple, logical roof form.

- (c) The excluded areas do not create the potential to 'fill-in' with additional rooms beyond the allowable floor area.

3.84.6 Height and Location Relaxations

The Director of Planning has the ability to relax the Height and Location provisions of the by-law. These regulations have been set to ensure a modest, neighbourly scale of building, located in the area of the site that might otherwise be occupied by garage, and any relaxation considered must be evaluated against these objectives.

The DOP may consider relaxation of location provisions where:

- (a) There are site circumstances, such as sloping topography or existing trees to be retained.
- (b) The existing principal house to be retained is sited unusually. - i.e., a LWH may be allowed in the front portion of the site when the existing principal house is located at the rear of the site.
- (c) The lot depth exceeds the typical lot depth of 37.2 m (122 ft.), with staff assessment to include the following:
- (i) Minimizing the extension into the rear yard. Greater flexibility on depth may be considered where the lot width enables the proposed LWH to be sited and designed in a way that it is sufficiently distant or shielded from neighbouring properties to mitigate the effect of any relaxation.
 - (ii) Consideration of the effects on neighbouring properties, including shadowing and privacy.
 - (iii) Providing a LWH presence on the lane. This means that a relaxation of location will only be considered where there are no more than 2 parking spaces on the lane on ~~40.0~~ 9.8 m (332 ft.) wide lots (with Director of Planning consideration of more than 2 spaces on wider lots).
 - (iv) The portion of the building that extends into the rear yard should not exceed a single storey.
 - (v) A LWH may be a one storey unit, or a one and half storey unit, provided the proposed LWH design follows the section of these guidelines regarding upper floor massing, privacy and overlook.
 - (vi) Maintenance of all other regulations including ~~maximum building footprint,~~ site permeability, etc.
 - (vii) A **1 ½ storey** LWH ~~can~~ **may** be located within the same area as a garage, 7.9 m (26.0 ft.) from the rear lane (and subject to setbacks, ~~footprint,~~ etc.). On a typical 37.2 m (122 ft.) deep lot, this means that the relative proportion of the length is just over 21% (7.9m/37.2 m or 26 feet/122 feet = 21%). Applying this same ratio of 21% to deeper lots provides a guide for the relaxation of the backyard open space -- an additional 0.6 m (2 ft.) extension beyond the 7.9 m (26 ft.) location limit will be considered for every additional 3.0 m (10 ft.) of lot length, as follows: +0.6 m on a 39.6 m lot, +1.2 m on a 42.6 m lot, +1.8 m on a 45.6 m lot, +2.4 m on a 48.6 m lot, (+2 feet on a 130 foot lot, +4 feet on a 140 foot lot, +6 feet on a 150 foot lot, +8 feet on a 160 foot lot), etc. Numerical values are given to assist with quick evaluation of proposed LWH designs. Flexibility is intended, and the

numbers should be seen as neither finite limits nor conversely a means to justify unnecessary building length and impact on neighbouring properties.

In all cases, a minimum distance of 4.9 m (16.1 ft.) must be maintained between the LWH and the existing principal house. Sites where this distance cannot be achieved will not be considered eligible for a LWH.

The DOP may consider minor increases in height:

- (a) To accommodate sloping topography.
- (b) Where the proposed LWH and the upper floor massing are, in the opinion the Director of Planning, sufficiently distant or shielded from neighbouring properties to mitigate the effect of any increase.
- (c) Where the increase will assist in the provision of a green roof.
- (d) Where existing buildings immediately adjacent to the proposed LWH exceed the by-law maximums.

45 Privacy and Overlook Guidelines

The following guidelines focus on access and overlook from the upper level of a 1 ½ storey LWH. The guidelines address exterior stairs, window placement, and the design and use of flat roofs at upper levels. As with scale and massing, the guidelines direct outlook and upper level roof decks toward the lane in the interests of making the lane the focus of the LWH, and maintaining a neighbourly relationship with adjacent properties.

45.1 Stairs

Stairs to the upper level should be enclosed within the allowable footprint and building area, except that the main entry may have outside stairs and a landing/porch area within 1.2 m (3.9 ft.) of grade.

45.2 Upper Level Windows

- (a) Living rooms and bedrooms on the upper level should have their primary windows facing the lane.
- (b) Upper level windows facing the garden and side-yards should be modestly sized. Skylights, clerestory windows, or obscured glazing should be considered as a means to enhance interior daylighting without creating overlook.
- (c) A LWH should be designed with consideration given to the relationship between desired window size and placement and the scale of building faces, projections and dormers. Dormers and building faces should not be windowless.
- (d) On a corner lot, primary windows to living rooms and bedrooms may face the lane and/or street.

45.3 Outdoor Roof Decks and Balconies

Balconies and roof decks (other than intensive green roofs) should be designed and located follows:

- (a) The total area should not exceed 8 m² (86.1 sq. ft.).
- (b) Located facing the lane on a mid-block lot.
- (c) Located facing the lane and/or the flanking street on a corner lot.

To ensure that other flat roof areas are not accessible for use other than as intensive green roof areas:

- (a) Balcony railings are not allowed around intensive green roofs (except where required under VBBL) or flat or shallow pitched areas other than outdoor decks described above.
- (b) Doors from the upper level may not open out to intensive green roofs or flat or shallow pitched areas other than outdoor decks described above.
- (c) Flat roofs above the upper storey cannot be used as roof deck areas, and must not have stair access, or railings. Ladder and roof hatch access necessary for green roof maintenance can be provided.

5.4 Short Lots

On short lots, laneway house design, including roof form, building orientation, and window size and placement, should be sensitive to the relative proximity of neighbouring residences.

5.5 Sloped Sites

On sloped sites, LWH should be sited so as to have the least impact on neighbouring properties.

5.6 Lane Frontage Guidelines

A LWH should be designed to enhance the lane. In effect, the lane becomes the public space or 'street' on which the LWH is located.

- (a) Consideration should be given to placing entries and doors on the lane where feasible. *Where an entry door is proposed on the lane, an entry porch area that provides a safe and welcoming place for people to stand should be provided. Care should be taken in the design of the porch so that people leaving the laneway house can both see and be seen from passing vehicles in the lane.*
- (b) *Entries should be sited and designed to maximize planting along the lane frontage. On corner sites where entry porches face the street, planted edges should wrap from the street into the lane setback.*
- ~~(b)~~ (c) Dwelling units should have an outlook to the lane on the lower level, and primary windows facing the lane on upper levels.
- ~~(c)~~ (d) The space between the lane and the dwelling unit should be permeable and landscaped.
- ~~(d)~~ (e) A LWH should be designed with lighting that enhances the pedestrian

experience of the lane at night. This may include eave lighting, porch lighting, bollard, or garden lights, etc. High-wattage, motion-activated security lights are discouraged.

- ~~(e)~~ **(f)** Garbage and recycling needs should be considered, and provided with space at the lane, in a garage, or on-site adjacent to parking areas *provided on-site with a designated storage area that is located along a common pathway, accessible to all units on the lot and screened from private patio areas and the lane frontage.*
- (g)** *Service or mechanical doors and utility meters should be located on a side or garden facing wall, not on the lane frontage. The location of these items should be illustrated on the elevation drawings.*

Alternative parking configurations may be considered if it can be demonstrated that the quality and function of the lanescape is not compromised. Parking configurations must provide:

- (a)** A positive relationship of dwelling unit to the lane as described above.
- (b)** A 0.69 m (23.0 ft.) landscaped setback. *A larger setback should be provided where feasible. There should be articulation of the lane elevation, and additional space provided where possible for more significant plantings, entry porches, or outdoor space. Where minimum articulation is proposed, a 1.2 m (4.0 ft.) setback is encouraged to allow for more substantial planting.*
- ~~(c)~~ **(d)** ~~High quality screening between the lane and any parking parallel to the lane.~~ No increase in required manoeuvring area within the 0.6-9 m (23.0 ft.) setback area adjacent to the lane, or decrease in landscape potential in this area.
- ~~(e)~~ **(d)** Permeable surfaces for both parking and manoeuvring.
- ~~(f)~~ **(e)** Demonstration of manoeuvring acceptable to the Director of Engineering Services.
- ~~(g)~~ **(f)** Building elements that are not vulnerable to vehicle movement on site or in the lane.
- ~~(h)~~ **(g)** Green roof areas to compensate for any increased on-site manoeuvring area.

67 Landscape Guidelines

The landscape of a LWH should enhance the experience of the lane, improve the environmental performance of the property, and assist with the creation of privacy for the dwelling and for neighbours.

The following guidelines apply to the design and review of LWHs:

- (a)** A LWH should be located and designed to preserve existing trees where possible. The Director of Planning may require the retention of a significant tree. The Director of Planning may relax the regulations regarding LWH location and massing, and the required number of parking stalls to accomplish this.
- (b)** A LWH should be provided with access to private outdoor space as part of the backyard, ~~or an area adjacent to the lane, and/or an upper level roof deck.~~ *A lawn or patio area, partially screened by a tree or layered planting is encouraged. Where the rear yard is limited in size or contains hard surface areas associated with the principal dwelling, a usable upper level deck with*

a minimum depth of 1.5 m (5.0 ft.) may meet the intent of the guidelines for private outdoor space.

- (c) High quality screening/fencing should be provided along the property line adjacent to surface parking spaces where the Director of Planning has relaxed the landscape setback requirement, and where possible, adjacent to paths required for fire access to the dwelling and lane. Where space is constrained, a narrow area sufficient for vine growth should be provided at the base of the screening or fence, or at the foot of the LWH structure.
- (d) Surface parking spaces should have permeable surfaces: permeable pavers, gravel, grass-crete, or impermeable wheel paths with ground-cover planting in the centre and sides.
- (e) The 0.69 m (23.0 ft.) minimum setback between the building and the lane should be permeable and landscaped where not required for vehicle access. ~~Landscaping in this area should not be low ground cover, but rather should be comprised of plantings that are tall enough to have greater visual impact in the lane.~~

The following should be considered in the landscape design of a LWH:

- (a) The landscape plan should be developed with consideration of Council-approved Water Wise Landscaping Guidelines.
- (b) Provision of rain barrels.
- (c) *Design of the rear yard should maximize soft landscaping (lawn and planted areas). Hard surfaces, including walkways, should be kept to the minimum necessary for functional purposes, particularly when the laneway house is associated with a new principal dwelling.*
- ~~(c)~~ (d) Where more than the minimum 0.69 m (23.0 ft.) setback is provided adjacent to the lane, consideration should be given to planting trees in this area. Tree selection should take into account overhead wires and lane visibility.
- ~~(d)~~ (e) Vertical greening should be used as a means to improve both privacy and environmental performance. Vertical greening can include using building walls and/or the provision of fences and arbours as support structures for plants. Tall plantings such as some varieties of bamboo can also provide effective screening and greening in a constrained area.
- ~~(e)~~ (f) Green roofs should be considered to compensate for ground area occupied by dwelling and parking and to provide an amenable outlook from upper levels of neighbouring houses.
- (g) *Planted areas that face a street or lane are intended to expand the public realm and should not be blocked from view by private fencing. Fencing, where desired, should be set back from the property line to enhance the prominence of the planting.*
- (h) *Where possible, plants should be located at grade, in contiguous soil (i.e. avoiding planter boxes).*
- (i) *Hose bibs should be located near lane edge planting.*
- (j) *The Protection of Trees By-law applies to all trees on private property, and includes requirements for the retention and replacement of trees on the development site, and consideration of trees nearby on neighbouring sites. In accordance with the provisions of this by-law, laneway house applicants may be required to submit an arborist's report, and may be required to protect neighbouring trees.*

Planting of deciduous trees for summertime shading of a LWH should be considered where feasible.

PROPOSED AMENDMENTS TO THE PARKING BY-LAW

BY-LAW NO. _____

A By-law to amend Parking By-law No. 6059

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the Parking By-law.
2. In section 4.8.10, Council strikes out “, except that any parking area that is not covered or enclosed on a site that includes a laneway house must be permeable.” and substitutes “.”.
3. After section 4.8.12, Council adds:
“4.8.13 Requirements for Laneway House Parking Space
On a site with a laneway house:
 - a) there shall be at least one unenclosed and uncovered parking space outside of a building or structure; and
 - b) any unenclosed and uncovered parking space must have a permeable surface.”
4. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
5. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2013

Mayor

City Clerk

PROPOSED AMENDMENTS TO THE ZONING AND DEVELOPMENT FEE BY-LAW

BY-LAW NO. _____

A By-law to amend Zoning and Development Fee By-law No. 5585
regarding laneway houses and fees

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of Schedule 1 to the Zoning and Development Fee By-law.
2. Council repeals the heading to Schedule 1, and substitutes:

"One-Family Dwelling, One-Family Dwelling with Secondary Suite, Two-Family Dwelling and Two-Family Dwelling with Secondary Suite, Laneway House"
3. After section 1D of Schedule 1, Council adds:

"1E. For a permit for a laneway house:

 - (a) where the laneway house is one-storey and there is no relaxation of siting or maximum height required.....\$1,000.00
 - (b) in all other cases.....\$1,520.00
4. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2013

Mayor

City Clerk

[All additions are shown in *bold italics*. Deletions are shown in ~~strikeout~~.]

STRATA TITLE POLICIES FOR RS, RT AND RM ZONES

Adopted by City Council on July 28, 2009

Amended (*Insert Date*)

1 Application and Intent

These guidelines apply to the strata titling of previously occupied buildings or new construction in the RS, RT and RM zones.

Under Section 242 (1) of the Strata Property Act of British Columbia, City Council is the approving authority for conversion of previously occupied buildings into strata lots. Pursuant to Section 242 (10) of the Strata Property Act, Council has delegated its approval authority to the Approving Officer for previously occupied buildings containing less than six dwelling units.

Newly constructed buildings, which are not occupied prior to registration of a strata plan at the Land Title Office, do not require the approval of City Council or the Approving Officer.

2 Secondary Suite

In the RS, RT and RM zones, one secondary suite is conditionally permitted. The suite can either be built at the same time a new one-family dwelling (i.e. house) is being constructed, or a suite can be incorporated into an existing one-family dwelling. The construction and safety requirements of the Vancouver Building By-law (VBBL) for a secondary suite within an existing one-family dwelling (which may not be strata titled) are less demanding than for new construction.

Terms regarding suites are not the same in the Vancouver Building By-law and the Zoning and Development By-law (Z&D). The VBBL terms include Secondary Suite and Group “C” Residential Occupancy Classification. The Z&D terms include Multiple Conversion Dwelling, Two-Family Dwelling and Infill. Contact Development Services staff (VBBL) or Planning staff (Z&D) for how these two by-laws apply in your specific situation.

3 Laneway House

In the ~~RS-1 and RS-5~~ **RS** zones, a laneway house is conditionally permitted. A new laneway house can be built on a site which accommodates an existing one-family dwelling, or a new laneway house can be built in conjunction with a new one-family dwelling. In both cases, the one-family dwelling can also include a secondary suite.

The following outlines the policies for the conversion of previously occupied buildings or new construction to strata title ownership in applicable zoning districts.

3.1 In the **RS-1, RS-1A, RS-2, RS-3, RS-3A, RS-4, and RS-5, and RS-6** Zones

Conversions

Council, or the Approving Officer, will not entertain any applications to convert a previously occupied building to strata title ownership where:

- (a) a suite is approved as a One-Family Dwelling with Secondary Suite as defined in the Zoning and Development By-law;
- (b) a suite is approved as a Secondary Suite as defined in the Vancouver Building By-law;
- (c) a unit is approved as a laneway house as defined in the Zoning and Development By-law; or
- (d) a unit is approved as a laneway house as defined in the Vancouver Building By-law.

New Construction

As a condition of development permit approval for:

- (a) a new One-Family Dwelling with a Secondary Suite;
- (b) a new One-Family Dwelling with a new laneway house; or
- (c) a new One-Family Dwelling with a Secondary Suite and a new laneway house

the registered owner shall execute a covenant which must be registered against the title of the property that prohibits registration of a strata plan. The city will release the covenant, on the owner's request, not less than 12 months after issuance of the occupancy permit.

3.2 In the RS-1A, RS-2, RS-3, RS-3A, RS-4 and RS-6 Zones

~~Conversions~~

~~Council, or the Approving Officer, will not entertain any applications to convert a previously occupied building to strata title ownership where:~~

- ~~(a) a suite is approved as a One Family Dwelling with Secondary Suite as defined in the Zoning and Development By-law; or~~
- ~~(b) a suite is approved as a Secondary Suite as defined in the Vancouver Building By-law.~~

~~New Construction~~

~~As a condition of development permit approval for a new One Family Dwelling with a Secondary Suite, the registered owner shall execute a covenant which must be registered against the title of the property that prohibits registration of a strata plan. The city will release the covenant, on the owner's request, not less than 12 months after issuance of the occupancy permit.~~

3.32 In the RS-7 Zone

Conversions

Council, or the Approving Officer, will not entertain any application to convert a previously occupied building to strata title ownership where:

- (a) the site is less than 668 m²;
- (b) a suite is approved as a One-Family Dwelling with Secondary Suite as defined in the Zoning and Development By-law; or

- (c) a suite is approved as a Secondary Suite as defined in the Vancouver Building By-law;
- (d) a unit is approved as a Laneway House as defined in the Zoning and Development By-law;*
- or*
- (e) a unit is approved as a Laneway House as defined in the Vancouver Building By-law.*

New Construction

As a condition of development permit approval for:

- (a) a new Two-Family Dwelling on a site less than 668 m²; or
- (b) a new One-Family Dwelling with a Secondary Suite;
- (c) a new One-Family Dwelling with a new Laneway House; or*
- (d) a new One-Family Dwelling with a Secondary Suite and a new Laneway House*

the registered owner shall execute a covenant which must be registered against the title of the property that prohibits registration of a strata plan. The city will release the covenant, on the owner's request, not less than 12 months after issuance of the occupancy permit.

3.43 In the ~~RS-1B~~, RT and RM Zones

Conversions

Council, or the Approving Officer, will not entertain any applications to convert a previously occupied building to strata title ownership where:

- (a) a suite is approved as a One-Family Dwelling with Secondary Suite as defined in the Zoning and Development By-law; or
- (b) a suite is approved as a Secondary Suite as defined in the Vancouver Building By-law.

An exception may be made for an existing One-Family Dwelling with a Secondary Suite, with additional development such as a new Infill Dwelling. In these cases, Council, or the Approving Officer, may consider an application to convert the previously occupied building to strata title ownership, subject to the number of strata lots being consistent with the approved number of principal dwelling units (i.e. the secondary Suite cannot be defined as a separate strata lot).

All other applications to convert previously occupied buildings to strata title ownership will be subject to approval by City Council or the Approving Officer and the process outlined in the City's Strata Title and Cooperative Conversion Guidelines.

New Construction

- (a) One-Family Dwelling with Secondary Suite

As a condition of development permit approval, the registered owner shall execute a covenant which must be registered against the title of the property that prohibits registration of a strata plan. The city will release the covenant, on the owner's request, not less than 12 months after issuance of the occupancy permit.

- (b) One-Family Dwelling with Secondary Suite and Additional On-site Development

As a condition of development permit approval for a new One-Family Dwelling with a Secondary Suite, with additional development such as a new Infill Dwelling, the registered owner shall execute a covenant which must be registered against the title of the property. The covenant is to ensure that the number of strata lots created upon registration of a strata plan is consistent with the approved number of principal dwelling units (i.e. the Secondary Suite cannot be defined as a separate strata lot).

3.4 In the RS-1B Zone

Conversions

Council, or the Approving Officer, will not entertain any applications to convert a previously occupied building to strata title ownership where:

- (a) a suite is approved as a One-Family Dwelling with Secondary Suite as defined in the Zoning and Development By-law;***
- (b) a suite is approved as a Secondary Suite as defined in the Vancouver Building By-law;***
- (c) a unit is approved as a Laneway House as defined in the Zoning and Development By-law;***
- or***
- (d) a units is approved as a Laneway House as defined in the Vancouver Building By-law.***

An exception may be made for an existing One-Family Dwelling with a Secondary Suite, with additional development, other than a Laneway House, such as a new Infill Dwelling. In these cases, Council, or the Approving Officer, may consider an application to convert the previously occupied building to strata title ownership, subject to the number of strata lots being consistent with the approved number of principal dwelling units (i.e. the Secondary Suite cannot be defined as a separate strata lot).

All other applications to convert previously occupied buildings to strata title ownership will be subject to approval by City Council or the Approving Officer and the process outlined in the City's Strata Title and Cooperative Conversion Guidelines.

New Construction

As a condition of development permit approval for:

- (a) a new One-Family Dwelling with Secondary Suite;***
- (b) a new One-Family Dwelling with a new Laneway House; or***
- (c) a new One-Family Dwelling with a Secondary Suite and a new Laneway House.***

the registered owner shall execute a covenant which must be registered against the title of the property that prohibits registration of a strata plan. The city will release the covenant, on the owner's request, not less than 12 months after issuance of the occupancy permit.

(b) One-Family Dwelling with Secondary Suite and Additional On-site Development, Other than a Laneway House

As a condition of development permit approval for a new One-Family Dwelling with a Secondary Suite, with additional development such as a new Infill Dwelling, the registered owner shall execute a covenant which must be registered against the title of the property. The covenant is to ensure that the number of strata lots created upon registration of a strata plan is consistent with the approved number of principal dwelling units (i.e. the Secondary Suite cannot be defined as a separate strata lot).

LWH Monitoring Data

In 2009, when Council adopted the LWH regulations and guidelines, direction was given to monitor LWH development and report back on key topic areas. In addition to the monitoring data provided in the Strategic Analysis section of this report, additional highlights of the monitoring results are discussed below.

1. Location of development:

- 57 percent of LWH are located east of Main Street and 43 percent west of Main Street.

Discussion:

As indicated on the map on page 4, LWH are widely distributed across the city and not concentrated in any one neighbourhood. While the first 100 LWH were being developed, complaints were received about the concentration of LWH on individual blocks. One lane had permits issued for five LWH (three in conjunction with the subdivision and redevelopment of one large lot). Since then there has not been a similar clustering of development on one block and no further complaints have been received about the concentration of LWHs. When this was discussed at Council in November 2010 direction was provided to report back on the timing of approvals for multiple laneway houses on an individual block. However, it has since been determined that it is not within the City's authority to limit the number of permits approved on a block.

2. Pace of Development and Permit Processing:

- Between November 2009 and April 2013 over 900 permits were issued and over 460 received final inspection
- The median processing time for a LWH application is currently 5.7 weeks, a reduction of almost half since 2011

Discussion:

Table 1. LWH Permits and Processing Times

Year	Total LWH Permits Issued	Median Weeks to Issue
2009 (Nov - Dec)	18	4.1
2010	192	7.0
2011	229	10.6
2012	351	5.6
2013 (Jan -April)	120	5.7
Total	910	

As shown in Table 1 and as previously discussed, the number of permits issued annually is steadily increasing. On average, 22 LWH permits are issued each month. This suggests that LWH is a viable housing choice and that LWH development is occurring at a pace that is gradually adding new rental housing in single family neighbourhoods across the city (for

comparison, 70 permits a month were issued for new single family dwellings between 2010 and 2012).

Initially, as the number of LWH applications increased, so did the length of time for permit issuance. As noted earlier in the report, an administrative bulletin was created in 2011 to clarify the LWH regulations and guidelines and changes were made to the application review process in 2012 which have reduced processing time by almost half. The number of applications received to date in 2013 is higher than in the same period in 2012 and processing times have remained stable.

3. Retention or Redevelopment:

- 1/3 of LWH have been built while main house was retained, while 2/3 were part of a whole site redevelopment;
- 1 in 4 new houses includes a LWH.

Discussion:

The LWH regulations encourage main house retention by not permitting strata titling (which would require that the main house be brought up to existing building codes), and adapting requirements for fire and emergency access to accommodate a LWH behind an existing main house (e.g. a reduced width of access path along with enhanced sprinkler protection).

The proportion of LWH built in conjunction with the retention of the main house has remained constant at one-third since the first 100 LWH were built, although the number of new single family houses that also include a LWH doubled in the same period from 1 in 8 to 1 in 4. This suggests that while building a LWH at the same time as a new house is becoming an increasingly attractive option, laneway homes continue to be a viable option for those who want to maintain their existing house. That 3 out of 4 developments for single family houses do not include a LWH suggests that the LWH program is not encouraging demolition of single family dwellings.

4. Occupancy and Affordability:

a) Occupancy:

In April 2012, a survey was conducted of the occupants of the 218 LWH which had received final inspection as of March 31, 2012. The survey gathered information about LWH occupants and their experience of living in LWH. A total of 45 responses were received. Although not a scientific survey or a large sample, the survey provides the only information we have about occupants. The following is a summary of the key findings of the survey:

- most occupants were singles and couples between the ages of 20 and 49;
- 2/3 were tenants and 1/3 were either the property owner or a family member;
- many occupants had downsized and were paying more rent for their LWH than for their previous accommodation;
- most occupants owned at least one vehicle and park in the street or on surface parking;

- while most said their LWH has an enclosed garage, less than half are used for parking, with the remainder being used for storage, art studios and other non-parking uses;
- the desire to living in a detached dwelling, affordability and desire to live in a new dwelling were the most common reasons for moving into a LWH; and
- occupants were most satisfied with the privacy, location and safety of the LWH and least satisfied with the amount of storage space and parking.

b) Affordability:

Average rents of LWH were derived from over one hundred Craigslist postings between January 2010 and October 2012. The table below compares these rents with the CMHC city-wide average rents for both secondary market rental units and purpose built market rental units constructed over the last decade.

Number of Bedrooms	LWH city-wide average rent	CMHC city-wide average rent for secondary market rental*	CMHC city-wide average rent for purpose built market rental constructed since 2000
1	\$1,416	\$1,494	\$1,517
2	\$1,563	\$2,067	\$2,061

* includes rented condominiums, single-detached houses, and other dwelling types

Discussion:

The information indicates that rents for one bedroom LWH are generally similar to other market rental units, while two-bedroom LWH are more affordable than other market rental units. This suggests that LWH is contributing to the affordable rental housing supply and choice in established neighbourhoods.

Early in the program concern was raised about the cost of LWH construction and the impacts on the affordability of the units. In particular the requirement for separated storm and sanitary sewer system for a LWH was identified as a significant cost for sites where the main house is retained when a LWH is built. In 2010 Council directed a review of opportunities to reduce the cost of construction by delaying the requirement of sewer separation for laneway houses until the principal house is redeveloped. However, the Integrated Liquid Waste and Resource Management Plan (2010) for the Metro Vancouver Region, mandated by the Province, and the City's 2010-2020 Corporate Strategic Plan call for accelerating the sewer separation program on both public and private property in order to meet targets to eliminate situations where untreated sanitary sewage can flow into Burrard Inlet, English Bay, False Creek or the Fraser River by 2050.

5. Green site and building features:

Council adopted the LWH program with green site and building objectives in mind, and approved a number of regulations and guidelines, such as the Green Homes Program, site permeability regulations, and landscape guidelines. In addition to these site specific factors,

LWH significantly contributes to a lighter footprint by adding housing in areas with well-established services and facilities, as well as being close to jobs and frequent transit service.

a) Green Buildings:

With respect to green buildings, all LWH continues to meet the Green Homes Program requirements. Since 2010, the Zoning and Development By-law has been amended to provide floor space relaxations to allow for thicker wall assemblies to achieve increased insulation levels. A small group of builders who specialize in building LWH that exceeds the energy requirements of the Green Homes Program are using these relaxations. They also continue to innovate. For example, in 2012 the first 'net zero' LWH was completed, using super insulated walls and windows, and solar panels to produce all the energy the building requires over the space of a year.

b) Landscaping and Permeability:

- The permeability of surface parking spaces ranges in permeability from asphalt and interlocking pavers to more permeable surfaces such as grass-crete, or paved strips with planting in between;
- Landscaping varies from extensive landscaping on some sites to little or none on others or have landscaping that has failed to thrive; and
- the number of new trees planted continues to exceed the number of trees removed by a ratio of almost 2 to 1.

Zoning regulations and guidelines provide direction regarding permeability and the role of landscaping in improving the environmental performance of the site as well as creating privacy for the dwelling units and for neighbours. The Protection of Trees By-law protects trees on private property and the Zoning and Development By-law provides for siting relaxations to assist in tree retention. All LWH applications are reviewed for tree retention and replacement.