



# **RS ZONES IMPERMEABLE MATERIALS SITE COVERAGE GUIDELINES FOR RS-1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-4, RS-5, RS-6, AND RS-7 ZONES**

*Adopted by City Council May 30, 2000*

*Amended February 13, 2001, May 18, 2004, and July 19, 2005*

## **1 Application and Intent**

These guidelines are to be used in conjunction with the RS-1, RS-1A, RS-1B, RS-2, RS-3/3A, RS-4, RS-5, RS-6, and RS-7 District Schedules of the *Zoning and Development By-Law* to guide decisions by the Director of Planning on applicant requests for relaxations of the regulations in Section 4.8 regarding maximum impermeable materials site coverage. These regulations address concerns regarding the engineering impacts of excessive site paving (basement and site flooding, sewer over flow, demand on sewage treatment facilities, lowering of ground water table, etc.). In the RS-3/3A, RS-5, RS-6, and RS-7 zones, they further the intent of the related design guidelines on site landscaping which address loss of urban vegetation and related negative impacts on urban air quality, urban acoustics, and neighbourhood character.

While it is expected that the majority of all applications will comply with the District Schedule Section 4.8, Sections 4.8 and 5 of these RS zones provides criteria for two types of relaxations:

- (a) relaxations which may be considered for applications proposing renovation/additions to buildings and site improvements existing prior to the adoption of these impermeable materials regulations; and
- (b) relaxations for cases where the regulation would result in site specific hardship.

There may also be some cases where a request for both types of relaxations may be considered concurrently.

## **2 Relaxations for Pre-Adoption Date Buildings**

Typically, when an existing building is “legally non-conforming” (meaning it does not conform to a new zoning regulation but was legal under the zoning in effect at the time of its construction), the Director of Planning will generally permit the non-conformity to continue to exist related to a renovation or addition application as long as the proposed new construction does not worsen the non-conformity. Most often, these non-conformities relate to yard setbacks with which immediate neighbours most effected have lived for years.

However, in the case of impermeability regulations, the issue of excess storm water runoff is one which effects the broader neighbourhood and the City as a whole. Therefore, the extent to which the Director of Planning will allow non-conformity to the 60% maximum impermeable materials site coverage is dealt with explicitly in the District Schedule Section 4.8 (which allows relaxation to 70% coverage) and the Section 5 relaxation clause. The following guidelines assist in the interpretation of these relaxation sections.

- (a) For any building and site development existing prior to the adoption of the impermeability regulations, the Director of Planning may consider a relaxation above the 60% site coverage limit. This is in order to allow some flexibility for additions and renovations. However, the proposed percent of impermeable materials site coverage cannot be greater than what already exists on the site. The proportion of the total percent used by buildings versus other impermeable materials may be altered, noting the related maximum building coverage regulations in Section 4.8.

For example, an existing house and garage cover 35% of the site area and other impermeable surfaces (paved walks, patio, etc.) covers an additional 30% for a total of 65% coverage. Under this relaxation clause, a renovation/addition which increases the house and garage coverage to 40% (the maximum allowed for building coverage) and reduces the other impermeable materials area to 25%, thereby totalling 65%, may be considered.

- (b) For renovation/additions, there is a limit of 70% on this relaxation of the normal 60% maximum. This means that when the existing buildings and other impermeable materials site coverage are already over 70%, the Director of Planning cannot approve a development application. However, if the total coverage is reduced to 70% or less, the Director of Planning may consider approval under this relaxation clause.

### **3 Relaxations for Use or Site Related Hardships**

For new development seeking greater than 60% impermeable materials site coverage or for renovation/addition applications seeking more than 70% coverage, the Director of Planning may consider relaxation of the regulations:

- (a) On lots less than 9.7 m (32 ft.) wide and/or less than 300 m<sup>2</sup> (3,200 sq. ft.), where a development requires in excess of two parking spaces to comply with the minimum requirements of the *Parking By-Law*; and
- (b) For certain uses, where because of the special nature of the use, there is a demonstrated need for increased paved or otherwise impermeable surface area.
  - (i) The following uses may be considered by the Director of Planning for this relaxation:
    - Special Needs Residential Facilities where residents use wheelchairs or health support equipment that require increased areas of site paving or similar impermeable surfaces.
    - Cultural, Recreational, Institutional, or Public Utility uses which have a need for impermeable surfaces suitable for functional or programmatic requirements.
    - parking areas ancillary to a principal use on an adjacent site provided that the proposed number of parking spaces is no more than the minimum required by the Parking By-law for that principal use.
  - (ii) Dwelling Uses, Retail Uses, and Service Uses will **not** be considered for relaxations;
  - (iii) In all cases, the Director of Planning will be seeking designs that minimize the impermeable materials site coverage necessitating relaxation of regulations; and
  - (iv) Relaxation of regulations shall be for total impermeable site coverage and does not apply to building coverage as regulated in Section 4.8.

### **4 Advice of the City Engineer**

In considering relaxations, the Director of Planning will seek the advice of the City Engineer regarding:

- (a) The storm water capacity of the surrounding area's City sewer system and any recent history of flooding in the subject area;
- (b) Requirements for an on-site storm water retention system to mitigate the impacts of the impermeable materials site coverage on the City sewer system and treatment facilities; and
- (c) Other conditions peculiar to the site, its surrounding area, and the proposed development related to the proposed relaxation of the impermeable materials site coverage and its impacts.

## **5 Landscaping**

The Director of Planning may impose as a condition of relaxation design development to achieve a reasonable balance between areas of impermeable materials site coverage (paving, etc.) and the landscape planting provided on the remaining portions of the site giving consideration to:

- (a) The extent of site's existing planting, including trees, shrubbery, ground covers, and lawns, and the amount of planting retained; and
- (b) The existing landscape character of surrounding sites.

Note: For buildings listed on the Vancouver Heritage Registry, Section 3.2.5 of the Zoning and Development By-law gives the Director of Planning relaxation powers which may be applicable for development applications seeking impermeable materials site coverage relaxations.

## **6 Submission Requirements**

Applicants seeking relaxation of impermeable materials site coverage regulations may be asked for the following information in addition to the site plan required for a Development Permit Application which shows information including all proposed/existing buildings and areas of impermeable materials:

- (a) samples and/or manufacturer's specification of proposed impermeable materials and construction assemblies;
- (b) graphic overlays of the site plan showing areas of impermeable materials and related area calculations;
- (c) a site plan showing the proposed landscaping to be carried out including the common and botanical name, quantity, size, and locations of all plant materials (existing, retained, and/or proposed), paved areas, and other significant landscape and site features;
- (d) design drawings prepared by a registered professional for an on-site storm water retention system as may be required by the City Engineer;
- (e) photos of the subject site and the sites and buildings around the subject site; and
- (f) other materials as may be required to assess the technical, aesthetic, and/or environmental impacts of the impermeable materials site cover.

