

Zoning Bylaw 2018 Floor Area Definition



Background

- Zoning Bylaw 2018 was approved in July 2018 and contains updated regulations, uses and definitions
- Zoning Bylaw 2018 currently applies within Old Town and the Central Business District, while the Zoning Regulation Bylaw applies in all other areas of the city.
- New definition of **Floor Area** includes exterior hallways and exterior staircases as floor area for the purpose of calculating floor space ratio (density)
- Floor area definition in the Zoning Regulation Bylaw excludes all 'unenclosed' areas from floor area.
- The new floor area definition was developed in response to public engagement comments that identified the previous definition as problematic because it encourages exterior hallways and exterior staircases which can create increased building bulk and liveability impacts.



Floor Area Definitions

Zoning Regulation Bylaw	Zoning Bylaw 2018 (New)
<p>“Area” when used in reference to a floor of a storey of a building means the entire area which in plan is enclosed by the interior face of the exterior walls of the storey at floor level plus the area enclosed by any cantilevered element that is within that storey and that is above floor level, but does not include of the following areas:</p> <p>a) the area used or intended to be used for required parking or movement of motor vehicles, as set out in this bylaw, which is calculated starting from the lowest level of the building;</p> <p>b) the area used or intended to be used for required Bicycle Parking, Long-Term, as set out in this bylaw, which is calculated starting from the lowest level of the building;</p> <p>c) the area or areas of balconies, exposed decks, patios or roofs; and</p> <p>d) the area of elevator shafts.”</p>	<p>Floor Area is measured to the interior surface of the exterior walls of Buildings and includes the area of any mezzanine, exterior hallway, exterior staircase, loft or partial Storey, and excludes the following:</p> <p>a. the area of any Balcony, veranda, exposed deck, patio or roof;</p> <p>b. the area of any Crawlspace or Basement;</p> <p>c. the area of Rooftop Structures; and</p> <p>d. the area that is used to provide bicycle parking required by this bylaw.</p> <p>e. the area of any exterior hallway or exterior staircase for Buildings existing prior to the date of adoption of this bylaw.</p>



Zoning Bylaw 2018 Floor Area Definition

Achieving Zoned Density

- Zoning Bylaw 2018 includes exterior hallways and exterior staircases for the purpose of calculating overall building density (FSR).
- Zoning Bylaw 2018 also introduced the exclusions of required bicycle parking and rooftop structures (enclosed or unenclosed) from floor area and density calculations.
- Proactive measures that provide greater flexibility with building designs, support cycling infrastructure and reduce impacts on the provision of common building systems such as mechanical equipment rooms or elevator penthouses.



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Building Bulk and Massing

- Public engagement on Zoning Bylaw 2018 and the Old Town Design Guidelines identified that the previous floor area definition encouraged the provision of exterior hallways and exterior staircases which can contribute to bulkier buildings and increased building mass.



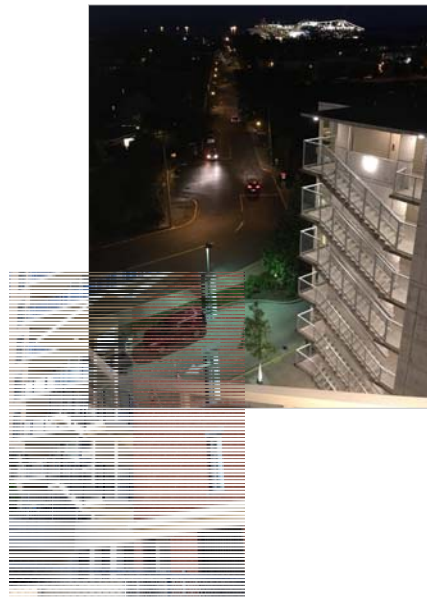
Exterior Staircases and exterior hallways previously excluded from floor area



Zoning Bylaw 2018 Floor Area Definition

Liveability

- The design and location of exterior hallways and exterior staircases can create a range of liveability impacts on adjacent residential properties such as:
 - overlooking
 - loss of privacy
 - noise transmission
 - light spillover
- Liveability issues can be addressed through detailed design guidelines.



Zoning Bylaw 2018 Floor Area Definition

Potential to Exempt Exterior Hallways and Exterior Staircases through Rezoning

- Council retains the ability to consider exempting these exterior building elements from the calculation of floor area for specific developments if proposed as part of a rezoning application.
- Rezoning allows for public input through consultation with community association, public notification and a public hearing.
- Any exemptions from floor area that are approved by Council can be identified through site-specific regulations within Zoning Bylaw 2018.



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Design Guidelines

Staff are seeking direction to develop detailed design guidelines to address exterior hallways and exterior staircases as part of the review and update of the Old Town Design Guidelines and the Downtown Core Area Plan, based on the following objectives:

- Discourage the use of exterior hallways and exterior staircases except where their design achieves City urban design objectives or supports adaptive re-use of heritage buildings.
- Ensure that exterior hallways and exterior staircases are designed to complement and integrate with the overall building design and the adjacent streetscape character while avoiding a design that appears solely as a functional component of the building when viewed from the adjacent street.
- Where an exterior hallway or exterior staircase faces directly toward an adjacent residential property, consider opportunities to mitigate any impacts on the adjacent residential property as they relate to overlooking, loss of privacy, noise transmission and spillover of light through such strategies, but not limited to: architectural screening, materials and finishes, light shielding, increased setbacks and the overall location and siting of these exterior building elements.



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Recommendation

That Council:

1. Maintain the current definition of floor area in *Zoning Bylaw 2018*.
2. Direct staff to develop design guidelines for exterior hallways and exterior staircases as part of Council's consideration of an update of the *Old Town Design Guidelines* and the *Downtown Core Area Plan* that address the following objectives:
 - a. Discourage the use of exterior hallways and exterior staircases except where their design achieves City urban design objectives or supports adaptive re-use of heritage buildings.
 - b. Ensure that exterior hallways and exterior staircases are designed to complement and integrate with the overall building design and the adjacent streetscape character while avoiding a design that appears solely as a functional component of the building when viewed from the adjacent street.
 - c. Where an exterior hallway or exterior staircase faces directly toward an adjacent residential property, consider opportunities to mitigate any impacts on the adjacent residential property as they relate to overlooking, loss of privacy, noise transmission and spillover of light through such strategies, but not limited to: architectural screening, materials and finishes, light shielding, increased setbacks and the overall location and siting of these exterior building elements.

