

# DOWNTOWN OFFICIAL DEVELOPMENT PLAN

(Adopted by By-law No. 4912, November 4, 1975)

## Table of Contents

	Page
Application and Intent.....	3
Interpretation.....	4
Definitions.....	5
Section 1 – Land Use .....	7
Section 2 – Retail Use Continuity.....	12
Section 3 – Density .....	14
Section 4 – Height of Buildings.....	19
Section 5 – Horizontal Angle of Daylight.....	24
Section 6 – Parking [See also Parking By-law.] .....	25
Section 7 – Social, Cultural and Recreational Amenities and Facilities .....	26
Section 8 – Public Realm Design.....	27

## List of Maps and Figures

	Page
Downtown District.....	3
Map 1      Areas .....	10
Map 1A     Live-Work Areas .....	11
Map 2      Retail Uses .....	14
Map 3      Height of Buildings.....	20
Figure 1   Granville Street - Proposed Building Envelope .....	21
Map 4      Height of Buildings in View Cones (Downtown South).....	23
Map 5      Parking .....	25
Map 6      Public Realm Areas.....	27

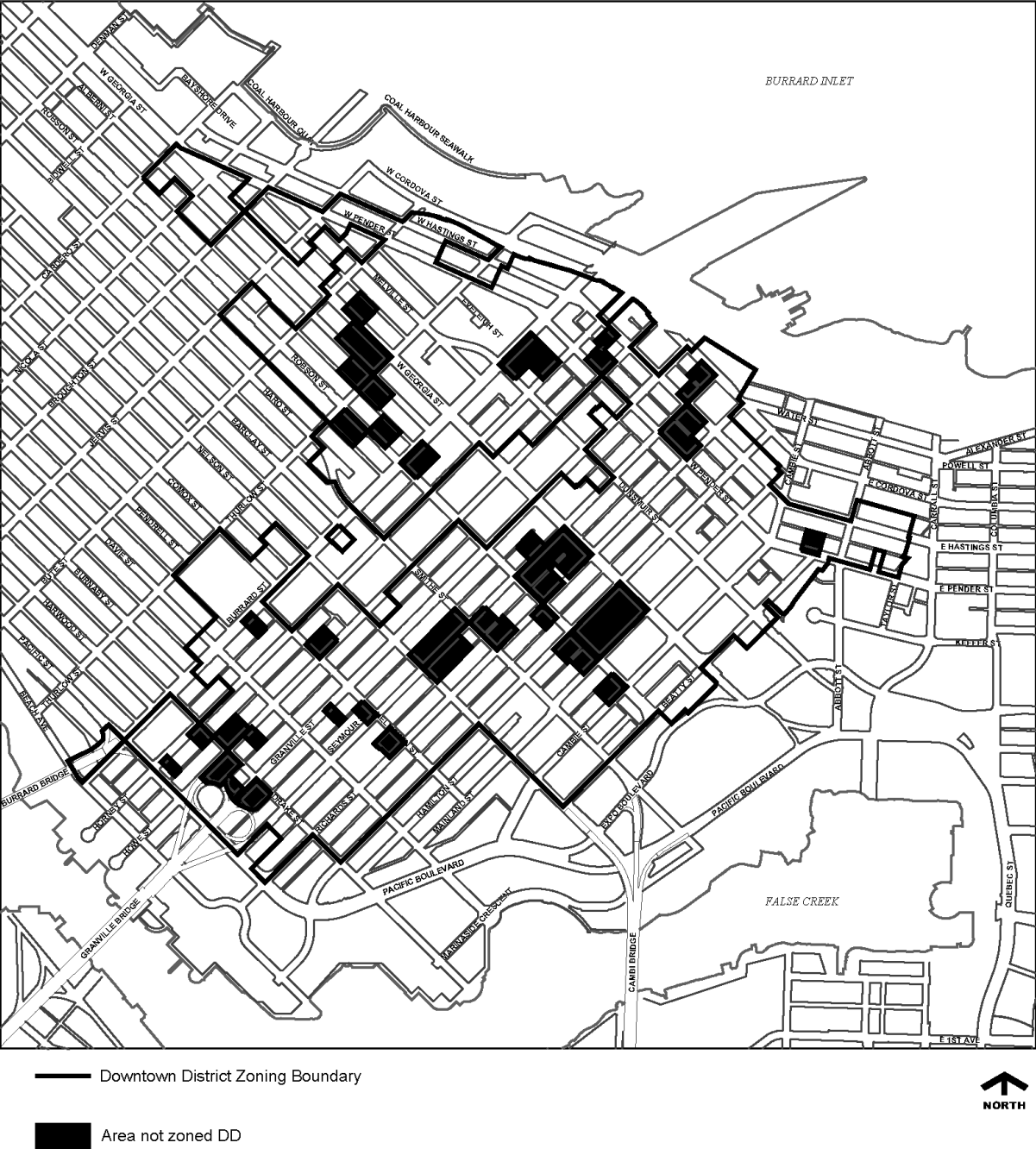
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# Downtown Official Development Plan

## Application and Intent

A By-law to regulate the development of that part of the City of Vancouver for which the Zoning District is described as “Downtown District (DD)”.

### Downtown District



The Downtown District is the regional centre of commercial development.

It contains the greatest concentration of the working and shopping public within the region.

The well-being of this concentration of people requires more than the customary regulatory mechanisms in order that the buildings, the open spaces, the streets, the transportation systems and other components of the urban scene can be arranged appropriately for the benefit of the general public.

The intent, in the adoption of this Official Development Plan and the accompanying guidelines, is as follows:

- (1) to improve the general environment of the Downtown District as an attractive place in which to live, work, shop and visit;
- (2) to ensure that all buildings and developments in the Downtown District meet the highest standards of design and amenity for the benefit of all users of the Downtown;
- (3) to provide for flexibility and creativity in the preparation of development proposals;
- (4) to encourage more people to live within the Downtown District;
- (5) to support the objectives of the Greater Vancouver Regional District as referred to in “The Livable Region 1976/1986” as issued March 1975, to decentralize some office employment to other parts of Greater Vancouver by discouraging office developments considered inappropriate in the Downtown District;
- (6) to improve transportation downtown by encouraging greater transit usage, discouraging automobile usage for journeys to work, and by maintaining automobile access for non-work trips including shopping, business and entertainment;
- (7) to create a distinctive public realm and a unique and pleasing streetscape in the Downtown District.

The Official Development Plan By-law provides the general framework for the preparation of development plans for all individual buildings or complexes of buildings.

Development permit applications will be made in accordance with the procedures in the Zoning and Development By-law No. 3575.

Consideration of any development permit application will be based upon the regulations and requirements of the Official Development Plan and all applicable policies and guidelines adopted by Council.

A significant degree of flexibility is given to architects and others in the preparation of development proposals. A significant degree of discretion is also given to the Development Permit Board in the interpretation of regulations, policies and guidelines.

Guidelines approved by Council form an integral part of the development control procedure for the Downtown District.

In approving any development permit application within the District, the Development Permit Board shall be satisfied that the spirit and intent of such guidelines has been fulfilled.

### **Interpretation**

A distinction is drawn in this By-law between regulations and interpretive requirements as follows:

1. Regulations are set out for land use; maximum and minimum standards for building density in terms of floor space ratio; maximum standards for parking and minimum requirements for loading.
2. Interpretive requirements are set out with respect to the permitted height of buildings, social and recreational amenities and facilities.

In the design and/or approval of individual developments variations are permitted in the interpretive requirements.

The Development Permit Board, in the exercise of its jurisdiction, may relax the provisions of this Plan in any case where literal enforcement would result in unnecessary hardship. In granting any relaxation, the Board shall have regard to the intent and policies of this Plan, and such other applicable policies and guidelines adopted by Council.

The Director of Planning or the Development Permit Board, as the case may be, may relax any of the provisions of this Plan where literal enforcement would result in unnecessary hardship in carrying out any restoration or renovation of buildings or sites on the Vancouver Heritage Register adopted by Council and in effect at the time of application for relaxation under this section. Any development permit issued shall specify the heritage aspects of the building or site that merit the relaxation authorized by this section. Before granting any relaxation, the Director of Planning or the Development Permit Board shall:

- (a) consider any advice from the Vancouver Heritage Commission or any other body established by Council for this purpose defining the aspects of the building or site that give it heritage merit and advising on the proposed conservation work;
- (b) notify such adjacent property owners and tenants as deemed necessary, consider the responses received, and if there is significant objection, refer the matter to Council for advice; and
- (c) consider the provisions of this Plan and all applicable policies and guidelines adopted by Council.

## Definitions

The definitions contained in Section 2 of the Zoning and Development By-law shall apply to this ODP, except as varied or supplemented by the following:

**“Floor space ratio”** shall mean the figure obtained when the area of all floors of all buildings on the site (measured to the extreme outer limits of the building) is divided by the area of the site.

**“Hotel”** shall mean premises providing temporary accommodation by way of furnished sleeping, housekeeping or dwelling units.

**“Interior site”** shall mean a site which is flanked by other sites or a site and a lane.

**“Light industrial”** shall mean any service, manufacturing, wholesaling, warehouse, or other light industrial use, as may be approved by the Development Permit Board and be compatible with the office, retail or other commercial uses as well as the Residential use of the Downtown District.

**“Office commercial”** shall mean any office, including banks and financial institutions.

**“Other commercial”** shall mean any other commercial use not being “retail” or “office”.

**“Retail commercial”** means Retail Use, retail type service activity, or restaurant (excluding a drive-in).

**“Secured market rental housing”** means a development or part of a development, used only as market rental housing, which has a covenant or housing agreement registered against title restricting its use to market rental housing, for the longer of 60 years or the life of the building, or for such other term as may be agreed upon by the City and the owner.

**“Social Housing”** means rental housing:

- (a) in which at least 30% of the dwelling units are occupied by households with incomes below housing income limits, as set out in the current “Housing Income Limits” table published by the British Columbia Housing Management Commission, or equivalent publication, which may include households such as those that receive Income Assistance or rent supplements or basic Old Age Security pension and Guaranteed Income Supplement or disability assistance or War Veterans Allowance;
- (b) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and
- (c) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the city a section 219 covenant, housing agreement, or other security for the housing commitments required by the city registered against the freehold or leasehold title, with such priority of registration as the city may require, provided that such housing commitments must meet subsection (a) and, if financially viable, may exceed subsection (a) in order to address local needs;

except that in the HA-2 district; in the area of the FC-1 district located north of National Avenue; in the area of the M-1, I-2, RT-3 and RM-3A districts located north of Venables Street, Malkin Avenue and Prior Street, south of Hastings Street, east of Gore Avenue and west of Clark Drive; in the Downtown-Eastside Oppenheimer district; and in the area of the Downtown district denoted as C2 on Map 1 of the Downtown Official Development Plan; social housing means rental housing:

- (d) in which at least one third of the dwelling units are occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are rented at rates no higher than the shelter component of Income Assistance;
- (e) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and
- (f) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the City a section 219 covenant, housing agreement, or other security for the housing commitments required by the City, registered against the freehold or leasehold title, with such priority of registration as the City may require.

**“Retail continuity”** shall mean the provision and permanent maintenance of continuous pedestrian oriented retail store type display windows or other equal and suitable display as may be approved by the Development Permit Board. Entrances to buildings, including offices, hotels, banks, financial institutions, shall not exceed a total of 25 feet of frontage unless they otherwise provide approved retail continuity.

## Section 1 – Land Use

In order to increase the variety, amenity and safety of Downtown, well-designed residential uses will be both permitted and encouraged throughout the Downtown, except for the Central Business District. In the core of the Central Business District residential use will not be permitted. In other areas of the Central Business District a mix of uses within single developments or in neighbouring sites is permitted and encouraged.

1. In the areas denoted by the letters ‘A’, ‘B’, ‘C1’, ‘E’ and ‘F’ on Map 1 the following uses may be permitted, subject to such conditions and regulations as may be prescribed by the Development Permit Board:
  - (a) Hotel;
  - (b) Light Industrial;
  - (c) Office Commercial;
  - (d) Other Commercial, including a Body-Rub Parlour;
  - (e) Parking Area and Parking Garage, subject to the provisions of section 6;
  - (f) Parks and Open Space;
  - (g) Public and Institutional;
  - (h) Retail Commercial;
  - (i) Social, Recreational and Cultural, including Casino - Class 1 and Bingo Hall.
2. In the area denoted by the letter ‘E’ on Map 1, dwelling uses existing as of March 26, 2015 may be permitted.
3. In the areas denoted by the letters ‘C2’, ‘C3’, ‘C4’, ‘G’, ‘H’, ‘J’ and ‘O’ on Map 1 the following uses may be permitted, subject to such conditions and regulations as may be prescribed by the Development Permit Board:
  - (a) Hotel;
  - (b) Light Industrial;
  - (c) Office Commercial;
  - (d) Other Commercial, including a Body-Rub Parlour;
  - (e) Parking Area and Parking Garage, subject to the provisions of section 6;
  - (f) Parks and Open Space;
  - (g) Public and Institutional;
  - (h) Dwelling Uses;
  - (i) Retail Commercial;
  - (j) Social, Recreational and Cultural, including Casino - Class 1 and Bingo Hall.
4. The areas denoted by the letters ‘C2’ and ‘C3’ may include live-work use if:
  - (a) the use complies with section 11 of the Zoning and Development By-law;
  - (b) the use is on a site identified on Map 1A; and
  - (c) on Seymour Street, Nelson Street, and Smithe Street:
    - (i) the premises have direct access to grade, and
    - (ii) the principal entrance to the non-residential component is not more than 1.5 m above grade.
5. Any development permit issued for live-work use must stipulate as permitted uses:
  - (a) dwelling unit;
  - (b) beauty and wellness centre, general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
  - (c) dwelling unit combined with any use set out in subsection (b).

6. In the areas denoted by the letters 'K1', 'K2', 'K3', 'L1', 'L2', 'M' and 'N' on Map 1 the uses listed below, which shall have the meaning assigned to them by section 2 of the Zoning and Development By-law, may be permitted, subject to such conditions and regulations as may be prescribed by the Development Permit Board.
7. In the area denoted by the letter 'C2' on Map 1, the following uses may be permitted:
  - (a) Micro dwelling, subject to section 11 of the Zoning and Development By-law.
8. The areas denoted by the letters 'L1', 'M', and 'N' may include live-work use if:
  - (a) the use complies with section 11 of the Zoning and Development By-laws;
  - (b) the use is on a site identified on Map 1A; and
  - (c) on Hornby Street, Howe Street, Seymour Street, Nelson Street, and Smithe Street:
    - (i) the premises have direct access to grade, and
    - (ii) the principal entrance to the non-residential component is not more than 1.5 m above grade.
9. Any development permit issued for live-work use must stipulate as permitted uses:
  - (a) live-work use;
  - (b) dwelling unit; and
  - (c) beauty and wellness centre, general office, health care office, barber shop or beauty salon, photofinishing and photography studio, and artist studio – class A.
10. In the areas denoted by the letters 'K1', 'K2' and 'K3' on Map 1 the following uses may be permitted:
  - (a) Institutional Uses;
  - (b) Office Uses;
  - (c) Parking Garage, subject to the provisions of section 6;
  - (d) Retail Uses, except that Vehicle Dealer is limited to the rental of motor vehicles;
  - (e) Service Uses, except Auction Hall, Catering Establishment, Drive-through Service, Funeral Home, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Photofinishing or Photography Laboratory, Repair Shop - Class A, Restaurant - Drive-in, Sign Painting Shop.
11. In the area denoted by the letter 'K1' the following additional uses may be permitted:
  - (a) Cultural and Recreational Uses, including Casino - Class 1 and Bingo Hall;
  - (b) Rooming House existing as of October 7, 1997.
12. In the area denoted by the letter 'K2' the following additional uses may be permitted:
  - (a) Cultural and Recreational Uses, including Casino - Class 1 and Bingo Hall, except that Arcades shall not be located on a floor having an elevation within 2.0 m of street grade;
  - (b) Dwelling Uses.
13. In the area denoted by the letter 'K3' the following additional uses may be permitted:
  - (a) Cultural and Recreational Uses but excluding Arcade, Casino - Class 1 or Bingo Hall;
  - (b) Dwelling Uses.



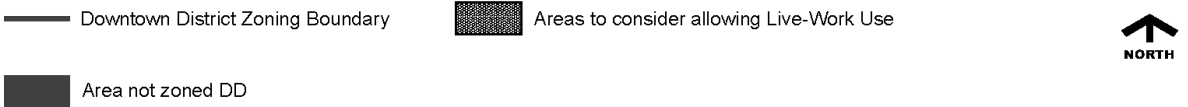
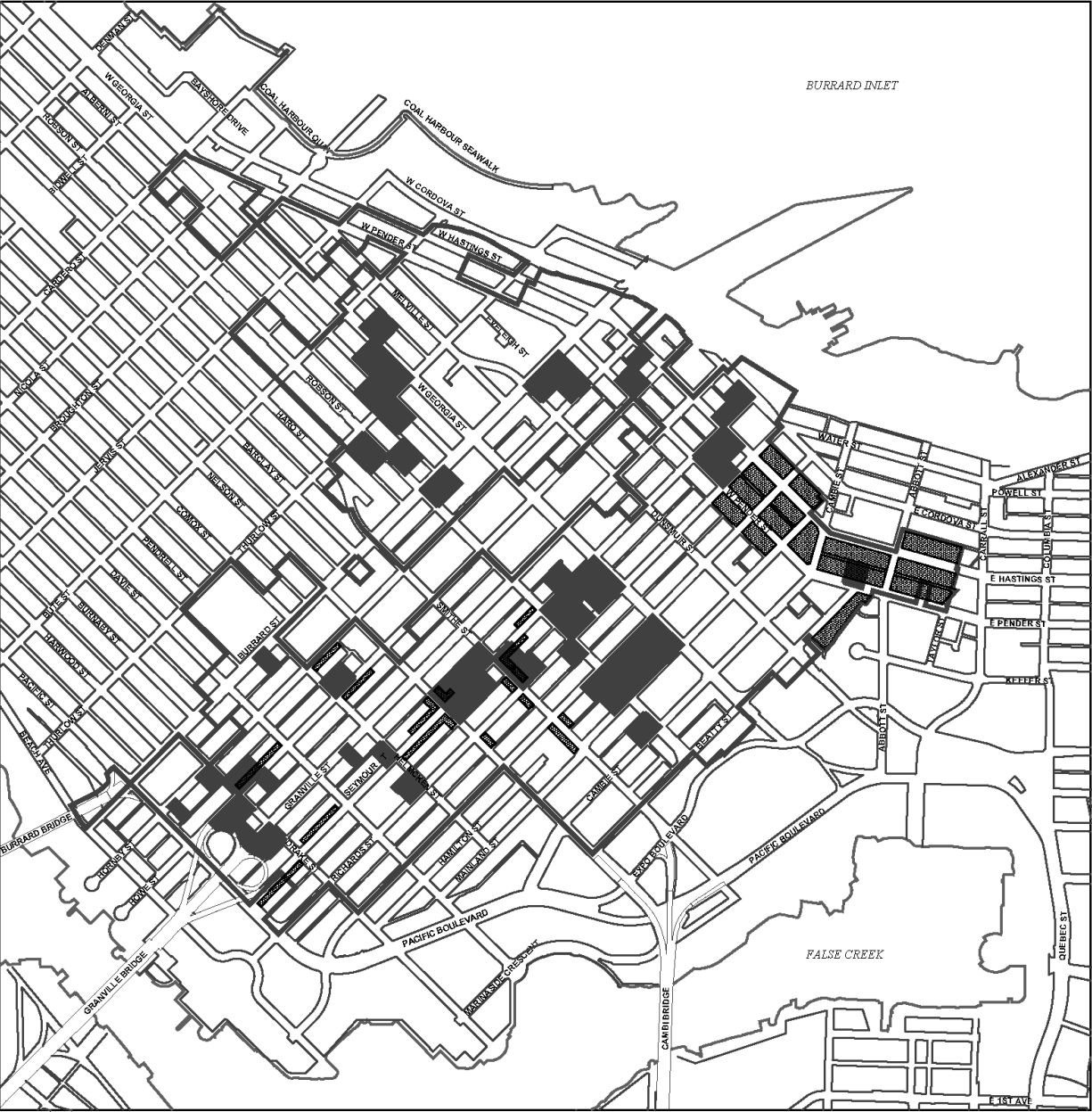
14. In the areas denoted by the letters 'L1' and 'N' on Map 1 the following uses may be permitted:
- (a) Cultural and Recreational Uses but excluding Arcade, Casino - Class 1 or Bingo Hall;
  - (b) Dwelling Uses;
  - (c) Institutional Uses;
  - (d) Office Uses;
  - (e) Parking Uses, subject to the provisions of section 6;
  - (f) Retail Uses, limited to Adult Retail Store, Grocery or Drug Store, Retail Store;
  - (g) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Bed and Breakfast Accommodation, Hotel, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Repair Shop - Class B, Restaurant - Class 1.
15. In the area denoted by the letter 'L2' on Map 1 the following uses may be permitted:
- (a) Cultural and Recreational Uses but excluding Arcade, Casino - Class 1, Casino - Class 2, and Bingo Hall;
  - (b) Dwelling Uses;
  - (c) Institutional Uses;
  - (d) Office Uses;
  - (e) Parking Uses, subject to the provisions of section 6;
  - (f) Retail Uses, limited to Grocery or Drug Store, Retail Store;
  - (g) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Bed and Breakfast Accommodation, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Repair Shop - Class B, Restaurant - Class 1.
16. In the area denoted by the letter 'L2' on Map 1 the following additional uses may be permitted in any building existing on December 11, 2001 but will not be permitted in any alteration or extension to such building or in any new building:
- (a) Retail Uses, limited to Furniture or Appliance Store, Secondhand Store, Vehicle Dealer;
  - (b) Service Uses, limited to Animal Clinic, Auction Hall, Catering Establishment, Print Shop, Production or Rehearsal Studio, School-Arts or Self-Improvement, School-Business, School-Vocational or Trade, Sign Painting Shop, Work Shop;
  - (c) Manufacturing Uses, limited to Clothing Manufacturing, Electrical Products or Appliances Manufacturing, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Printing or Publishing, Shoes or Boots Manufacturing, Textiles or Knit Goods Manufacturing;
  - (d) Transportation and Storage Uses, limited to Packaging Plant, Storage Warehouse;
  - (e) Utility and Communication Uses, limited to Radiocommunication Station; and
  - (f) Wholesale Uses, limited to Wholesaling - Class A, Wholesaling - Class B.
17. In the area denoted by the letter 'M' on Map 1 the following uses may be permitted:
- (a) Cultural and Recreational Uses but excluding Arcade, Casino - Class 1 or Bingo Hall;
  - (b) Dwelling Uses;
  - (c) Institutional Uses;
  - (d) Office Uses;
  - (e) Parking Uses, subject to the provisions of section 6;
  - (f) Retail Uses, except Furniture or Appliance Store, Vehicle Dealer;
  - (g) Service Uses, except Auction Hall, Catering Establishment, Cabaret, Drive-through Service, Funeral Home, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Photofinishing or Photography Laboratory, Repair Shop - Class A, Restaurant - Class 2, Sign Painting Shop.
18. Cannabis Store use is subject to the provisions of section 11 of the Zoning and Development By-law.
19. In all areas where Dwelling Uses are permitted, Temporary Modular Housing is permitted subject to the provisions of section 11 of the Zoning and Development By-law. Temporary Modular Housing is not subject to any of the use or design provisions of this ODP.

## Downtown District Map 1 - Areas

### Downtown District Map 1 - Areas



Downtown District Map 1A - Live Work Areas



## **Section 2 – Retail Use Continuity**

The intent of this section is to provide for retail, retail-commercial and service uses along existing and potential pedestrian routes for the interest and enjoyment of pedestrians and to identify where continuous retail and service uses are prohibited.

1. Retail, retail-commercial or service uses shall be required on the ground floor of street frontages, as designated by and in accordance with Map 2, subject to such conditions, regulations and design guidelines that apply or that may be determined by the Development Permit Board or the Director of Planning.

In cases where Map 2 designates a street frontage as requiring ‘some ground floor retail, retail-commercial and service uses’, the following shall apply:

- (a) retail, retail-commercial and service uses shall only be required where a development site has a frontage of 75 feet or more;
  - (b) in cases of sites identified in (a) above, a minimum of 25 percent of each of the development site’s frontages on streets shall contain retail, retail-commercial or service uses; and
  - (c) the Development Permit Board or the Director of Planning may waive the retail or service use requirement identified in (a) and (b) above, in cases where pedestrian interest is maintained through building design or use, and the Development Permit Board or the Director of Planning is satisfied that the building could be easily converted to retail use.
2. Notwithstanding sub-section 1, retail, retail-commercial and service uses are permitted on the ground floor of all street frontages where such uses are not otherwise prohibited by Map 2, but shall be subject to such conditions, regulations and design guidelines that apply or that may be determined by the Development Permit Board or the Director of Planning.
3. In cases where retail, retail-commercial or service uses are provided on the ground floor at the fronting street, there shall be direct pedestrian access from the street to each retail, retail-commercial or service use.
4. Notwithstanding sub-sections 1 and 3, in cases where the proposed use is located in a building or site on the Vancouver Heritage Register, the Development Permit Board or the Director of Planning may waive the requirement for continuous ground floor retail, retail-commercial and service uses and the requirement for direct pedestrian access, both subject to such conditions, regulations and design guidelines that apply or that they may determine.
5. Notwithstanding sub-section 1, the Development Permit Board or the Director of Planning may permit social, recreational, cultural, public and institutional uses where they are satisfied that there is a need for such uses, subject to such conditions, regulations and design guidelines that apply or that they may determine.
6. To increase activity on the street, retail and service uses in the areas denoted by the letters ‘K1’, ‘K2’, ‘K3’, ‘L1’, ‘L2’, ‘M’, and ‘N’ on Map 1 shall be oriented to the street frontage. Buildings with retail oriented to interior circulation, such as malls, are not appropriate except that the Development Permit Board or the Director of Planning may, in unusual circumstances, vary this sub-section 6.
7. Retail, retail-commercial and service uses shall be prohibited on the ground floor of street frontages, as designated by and in accordance with Map 2.

8. Despite anything to the contrary in this Downtown Official Development Plan, the Development Permit Board or Director of Planning may permit social service centre, general office, or health care office uses on the ground floors of buildings having street frontages on Hastings Street east of Cambie Street subject to such conditions, regulations, and design guidelines that apply or that the Development Permit Board or Director of Planning may determine.

Downtown District Map 2 - Retail Uses



- Downtown District Zoning Boundary
- Area not zoned DD
- ..... Continuous ground floor retail, retail-commercial and service uses required.
- Some ground floor retail, retail-commercial and service uses required.
- ~~~~~ Ground floor retail, retail-commercial and service uses prohibited, except:
- (a) in corner sites where up to 2,500 sq. ft. of retail, retail-commercial, and service uses are permitted;
  - (b) along Mainland Street frontage between Nelson and Smithe Streets, and along Nelson and Smithe street frontages between Mainland and Cambie Streets, for the life of the building existing as of December 11, 2001; and
  - (c) when permitted as accessory uses customarily ancillary to a hotel in the area denoted by the letter 'N' on Map 1.

### **Section 3 – Density**

Vancouver's Downtown is and will remain the highest-density commercial area within the City and within the Greater Vancouver Region. However, in order to achieve objectives which include:

- participation with and encouragement of the Greater Vancouver Regional District's policies for Regional Town Centres;
- encouragement of residential use within the Downtown;
- encouragement of a mixture of uses in single developments; and
- high standards of design throughout the Downtown;

the permitted maximum density is varied throughout this District.

1. Subject to conformity with the guidelines and subject to subsections 2, 3 and 4, the maximum permitted density (floor space ratio) shall in no case exceed the amount shown for each of the density areas within the district as illustrated on Map 1 and described below:
  - A in the area denoted by the letter 'A', the total density for all permitted uses must not exceed a floor space ratio of 11.00;
  - B in the area denoted by the letter 'B', the total density for all permitted uses must not exceed a floor space ratio of 9.00;
  - C1 in the area denoted by the letter 'C1', the total density for all permitted uses must not exceed a floor space ratio of 7.00;
  - C2 in the area denoted by the letter 'C2', the total density for all permitted uses must not exceed a floor space ratio of 5.00;
  - C3 in the area denoted by the letter 'C3', the total density for all permitted uses must not exceed a floor space ratio of 5.00, and, for new construction, an addition to an existing building that increases the residential floor area, or a change of use in an existing building that increases the residential floor area, the total density for non-residential uses must not be less than a floor space ratio of 2.00;
  - C4 in the area denoted by the letter 'C4', the total density for all permitted uses must not exceed a floor space ratio of 5.00;
  - E in the area denoted by the letter 'E', the maximum density for any non-residential use shall be floor space ratio 3.00;
  - F in the area denoted by the letter 'F', the total density for all permitted uses must not exceed a floor space ratio of 9.00;
  - G in the area denoted by the letter 'G', the total density for all permitted uses shall be floor space ratio 6.00, except that office uses shall not exceed floor space ratio of 5.00;
  - H in the area denoted by the letter 'H', the total density for all permitted uses must not exceed a floor space ratio of 6.00 except that:
    - residential uses must not exceed a floor space ratio of 3.00,and, for new construction, an addition to an existing building that increases the residential floor area, or a change of use in an existing building that increases the residential floor area, the total density for non-residential uses must not be less than a floor space ratio of 2.00;
  - J in the area denoted by the letter 'J', the maximum density shall be floor space ratio 3.00.
  - K in the areas denoted by the letters 'K1', 'K2' and 'K3', the maximum density for all permitted uses shall be floor space ratio 3.50, subject to the provision of retail and service uses at grade as specified in section 2;

- L in the areas denoted by the letter 'L1', 'L2', the maximum density for all uses shall be floor space ratio 3.00, except that:
- the maximum density for all uses for a site with social housing shall be floor space ratio 5.00 provided that social housing comprises more than two-thirds of the floor space ratio;
  - the maximum density for all uses on a corner site with a minimum frontage of 175 feet and a minimum site area of 21,000 square feet shall be floor space ratio 5.00;
  - the maximum density for all uses on an interior site with a minimum frontage of 200 feet and a minimum site area of 24,000 square feet shall be floor space ratio 5.00; and
- all subject to the following limitations:
- office uses, institutional uses, cultural and recreational uses, and hotel use in the area denoted by the letter 'L1', shall not in total exceed floor space ratio 1.00; except on the 400 and 500 block Pacific Boulevard where office uses shall not exceed floor space ratio 2.00 and where institutional uses and cultural and recreational uses shall not in total exceed floor space ratio 1.00 provided that office uses, institutional uses, and cultural and recreational uses shall not in total exceed floor space ratio 2.00;
- retail and service uses, except hotel, are more particularly limited as follows:
- on Davie Street, the 400 block Pacific Boulevard, and the 500 block Pacific Boulevard, to a maximum of 10,000 square feet per site; and
  - in all other locations to corner sites and to a maximum of 2,500 square feet per site;
- L2 in the area denoted by the letter 'L2' and despite the preceding subsection, the maximum density for all permitted uses may be increased to 2.74 for a building existing as of December 13, 2001 except that Retail Uses are limited to 4 645 m<sup>2</sup>.
- M in the area denoted by the letter 'M', the maximum density for all uses shall be floor space ratio 3.00, except that:
- the maximum density for all uses for a site with social housing shall be floor space ratio 5.00 provided that social housing comprises more than two-thirds of the floor space ratio;
  - the maximum density for all uses on a corner site with a minimum frontage of 175 feet and a minimum site area of 21,000 square feet shall be floor space ratio 5.00;
  - the maximum density for all uses on an interior site with a minimum frontage of 200 feet and a minimum site area of 24,000 square feet shall be floor space ratio 5.00; and
- all subject to the following limitations:
- retail and service uses, except hotels, are limited as follows:
- on Davie Street to a maximum of 10,000 square feet per site;
  - on Burrard Street to a maximum of 20,000 square feet per site; and
  - in all other locations to corner sites and to a maximum of 2,500 square feet per site;
- N in the area denoted by the letter 'N', the maximum density for all uses shall be floor space ratio 5.00, except that:
- for a hotel use existing on or before September 18, 2018, the floor space ratio shall not exceed the greater of the floor space ratio existing on September 18, 2018, plus any difference in area excluded in the computation of floor space ratio of the existing use, or a maximum floor space ratio of 5.00;
  - office uses, institutional uses, and cultural and recreational uses shall not in total exceed floor space ratio 1.00;
  - retail and service uses, except hotel, are more particularly limited as follows:
    - on Davie Street to a maximum of 10,000 square feet per site;
    - on Burrard Street to a maximum of 20,000 square feet per site; and
- in all other locations to corner sites and to a maximum of 2,500 square feet per site;
- O in the area denoted by the letter 'O', the total density for all permitted uses shall be floor space ratio 7.00 except that office use shall not exceed floor space ratio 6.00.

2. The Development Permit Board may permit an increase in the floor space ratio for hotels in:
  - the areas denoted by the letters 'A', 'B', 'C1', 'C3', 'C4', 'F' and 'O' on Map 1 except for the area bordered by Pacific, Seymour, Drake and Howe Streets; and
  - the 1200, 1300, 1400 and 1500 blocks of Georgia Street in the area denoted by the letter 'G' on Map 1;provided that:
  - (a) the increase in no case exceeds a maximum of 15% of the floor area of that portion of the building having floor-to-floor dimensions of less than 10 feet and used for guest accommodation and ancillary corridors, service and access areas;
  - (b) it first considers the impact of additional density on built form, neighbouring sites and buildings, livability, views, shadowing and local pedestrian and vehicular circulation; and
  - (c) it first considers all applicable policies and guidelines adopted by Council.
3. Except in the areas denoted by the letters 'A', 'B', 'C1', 'F', 'K1', 'K2', 'K3', 'L1', 'L2', 'M' and 'N' on Map 1, residential floor area may be substituted for non-residential floor area.
4. Despite subsections 1 and 3, the density of residential use must not exceed a floor space ratio of 3.00, except:
  - (a) in the areas denoted by the letters 'G', 'K1', 'K2', 'K3', 'L1', 'L2', 'M', 'N', and 'O' on Map 1; and
  - (b) in the area denoted by the letter 'C2' on Map 1, if social housing comprises a minimum of two-thirds of the floor space ratio or if secured market rental housing comprises all of the residential units, on a site with a maximum frontage of 23 m, the Development Permit Board may permit an increase in density to a maximum floor space ratio of 6.00 if the Development Permit Board first considers:
    - (i) the intent of this official development plan;
    - (ii) the height, bulk and location of the building and its effect on the site, surrounding buildings and streets, existing views and general amenity of the area;
    - (iii) the livability of the proposed residential units;
    - (iv) the retail continuity requirements in Section 2; and
    - (v) all applicable Council policies and guidelines.
5. Despite subsections 1 and 4, the density of live-work use, or residential use and live-work use combined, must not exceed a floor space ratio of 3.0 in the area denoted by the letter 'C2' or 'C4' on Map 1.
6. The following shall be excluded in the computation of floor space ratio:
  - (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing and contribute to the amenity or environment of the Downtown District, provided that the total area of all exclusions does not exceed 8% of the floor area being provided;
  - (b) patios and roof decks, provided that the Director of Planning first considers the effect on privacy and overlook;
  - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 24 feet in length;
  - (d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;



- (e) for exterior walls in laneway houses and in one and two-family dwellings of three storeys or less with or without secondary suites, an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 330 mm;
  - (f) for exterior walls in residential buildings that are three storeys or less and classified as Group C buildings under the Building By-law, other than those buildings referred to in subsection (e):
    - (i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive thermal resistance (RSI value) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and
    - (ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm;
  - (g) for exterior walls in all buildings other than those referred to in subsections (e) and (f):
    - (i) an area equal to the area occupied by the insulation thickness that exceeds the performance of the prescriptive maximum effective thermal transmittance (U factor) requirement for exterior walls in the Building By-law, as verified by a Building Envelope Professional, to a maximum exclusion of 179 mm, and
    - (ii) an area equal to the area occupied by a rain screen system in a wall that exceeds 203 mm, as verified by a Building Envelope Professional, to a maximum exclusion of 152 mm; and
  - (h) in buildings with commercial, retail or service use at grade, the area occupied by interior commercial kitchen exhaust shafts, to a maximum exclusion of 3.7 m<sup>2</sup> for each floor above the commercial, retail or service use.
7. The following may be excluded in the computation of floor space ratio:
- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
    - (i) the total area of all open and enclosed balcony or deck exclusions does not exceed eight percent of the residential floor area being provided; and
    - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed;
  - (b) interior public space, including atria and other similar spaces, provided that:
    - (i) the excluded area shall not exceed the lesser of 10 percent of the permitted floor area or 6,000 square feet;
    - (ii) the excluded area shall be secured by covenant and right of way in favour of the City of Vancouver which set out public access and use; and
    - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.
8. For the purpose of floor space ratio calculation, each square foot of floor area for above-grade parking shall be counted as 0.70 square feet.
9. The Director of Planning or the Development Permit Board may permit an increase in floor space ratio for a development which includes the restoration of an existing building, site, landmark or feature, if the existing building, site, landmark or feature is listed in the Vancouver Heritage Register, if Council first approves a heritage designation by-law, and if the Director of Planning or the Development Permit Board first considers:
- (a) all applicable Council policies and guidelines;
  - (b) the cost and extent of the heritage restoration;
  - (c) the value of the increased floor area; and
  - (d) the impact of the development upon neighbourhood livability and environmental quality.

10. The Development Permit Board may, for any development within the areas denoted by the letters 'K1', 'K2' and 'K3' which, as of July 30, 1991, includes a building containing housekeeping or sleeping units and listed on the Vancouver Heritage Register, relax the permitted floor space ratio, subject to prior approval by City Council, provided that the relaxation to permitted floor space ratio:
  - (a) is not used in the areas denoted by the letters 'K1', 'K2' and 'K3'; and
  - (b) is used to provide at least an equivalent number of replacement residential units within the areas denoted by the letters 'L1', 'L2', 'M' or 'N'. Such replacement residential units shall be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

In determining the relaxation to permitted floor space ratio that may be authorized, the Development Permit Board, with advice from the Director of Housing and Properties, shall consider:

- (a) the cost to the Developer of providing the replacement residential units;
  - (b) the value of the increased floor area; and
  - (c) the value of any authorized relaxation of other regulations.
11. Floor space excluded pursuant to subsection 5 or as provided for in the definition of "floor space ratio" shall not be put to any use other than that which justified the exclusion.
12. Live-work floor space is eligible for floor space exclusions under subsections 6, 7, and 11 of this Section 3.
13. Despite subsection 1 of this Section 3, for any development that includes social housing, other than in the areas marked "K1", "K2", and "K3" on Map 1, the Development Permit Board may relax the permitted floor area, except that:
  - (a) the Development Permit Board shall consider:
    - (i) the advice of city staff and city officials responsible for housing and real estate,
    - (ii) the cost to the developer of providing the social housing,
    - (iii) the value of the increased floor area,
    - (iv) the value of any relaxation of other regulations,
    - (v) the impact on neighbourhood livability and environmental quality, and
    - (vi) all applicable Council policies and guidelines;
  - (b) any increase in floor space ratio must be subject to a Housing Agreement that secures the social housing; and
  - (c) Council approval is required prior to issuance of the development permit.
14. Notwithstanding subsections 1, 3 and 4, the Development Permit Board may permit an increase in floor space ratio for any use where the increase results from a transfer of heritage floor space to a maximum of 10 percent over the total permitted floor space ratio, except that this increase shall not apply to hotels where the floor space has already been increased pursuant to subsection 2 or a development where there has been an increase in floor space ratio by means of amenity shares pursuant to subsection 15.

For the purpose of this subsection, heritage floor space means floor space on a site where the site or a building or a structure is designated by the Heritage By-law and, according to the development limitation mechanism regulating land for that site, is available to be transferred to another site and is located within areas shown as transfer of density areas for heritage preservation illustrated in the Transfer of Density Policy and Procedure adopted by Council and in effect at the time of application for relaxation under this section.

15. Despite subsections 1, 4, and 5, if the Development Permit Board first considers the intent of this district schedule, all applicable Council policies and guidelines and the submissions of any advisory groups, property owners or tenants, and there is no heritage floor space available for transfer, the Development Permit Board may permit an additional increase in permitted floor area of one m<sup>2</sup> for each amenity share provided to the city at no cost to the city, to a maximum increase of 10% above the maximum permitted floor space ratio.

In this by-law, amenity means conservation of protected heritage property and the cost of an amenity share is the amount specified per m<sup>2</sup> in the Heritage Amenity Share Cost Schedule set out in Table 3.1 below.

**Table 3.1**  
**Heritage Amenity Share Cost Schedule**

<b>Zoning District</b>	<b>Amenity Share Cost</b>
Downtown Official Development Plan (DODP)	\$925 per m <sup>2</sup>

#### **Section 4 – Height of Buildings**

1. The purpose of this Section 4 is to ensure that the height of new development is compatible with the height of existing development.
2. The height of a building in a numbered area shown on Map 3 must not exceed the basic maximum height in Column 2 of Table 1 opposite the corresponding numbered area in Column 1 unless:
  - (a) subsection 4 of this Section 4 applies; or
  - (b) the Development Permit Board allows an increase in height under Column 3 of Table 1 opposite the corresponding numbered area or under subsection (4).
3. The criteria referred to in Column 3 of Table 1 are the size and location of the site; the relationship of the development with nearby residential areas; the intent of this Plan; Council's policies and guidelines; the bulk, location, and overall design of the building; the building's effect on the site, surrounding buildings, streets, and existing views; the amount of open space; the effects of overall design on the general amenity of the area; the provision of pedestrian amenities and public realm requirements; the preservation of the character and general amenity desired for the area; overshadowing and view obstruction; environmental criteria set out in Council's design guidelines; and the submission of any advisory group, property owner, or tenant.

**Table 1**

Area	Basic maximum height	Increased maximum height
1	22.9 m	If social housing comprises a minimum of two-thirds of the floor space ratio on a site, or if secured market rental housing comprises all of the residential units, the Development Permit Board, after considering all applicable Council policies and guidelines, may increase the height to a maximum of 32.0 m.
2	21.3 m	After considering the criteria, the Development Permit Board may increase the basic maximum height to no more than 137.2 m.
3	The distance between the ground plane and the horizontal planes shown on Figure 1	After considering Council's policies and guidelines, the Development Permit Board may increase the basic maximum height to no more than 27.4 m.
4	45.7 m	After considering the criteria, the Development Permit Board may increase the basic maximum height to no more than 137.2 m.
5	91.4 m	After considering the criteria, the Development Permit Board may increase the basic maximum height to no more than 137.2 m.
6	91.4 m except that, on a corner site that has a frontage less than 53.3 m or an interior site that has a frontage less than 61 m, the height must not exceed 21.3 m	To accommodate extra density for social housing and after considering the criteria, the Development Permit Board may increase the basic maximum height of 21.3 m to no more than 36.6 m.
7	91.4 m	
8	137.2 m	

Map 3

Downtown District Map 3 - Building Height Limits

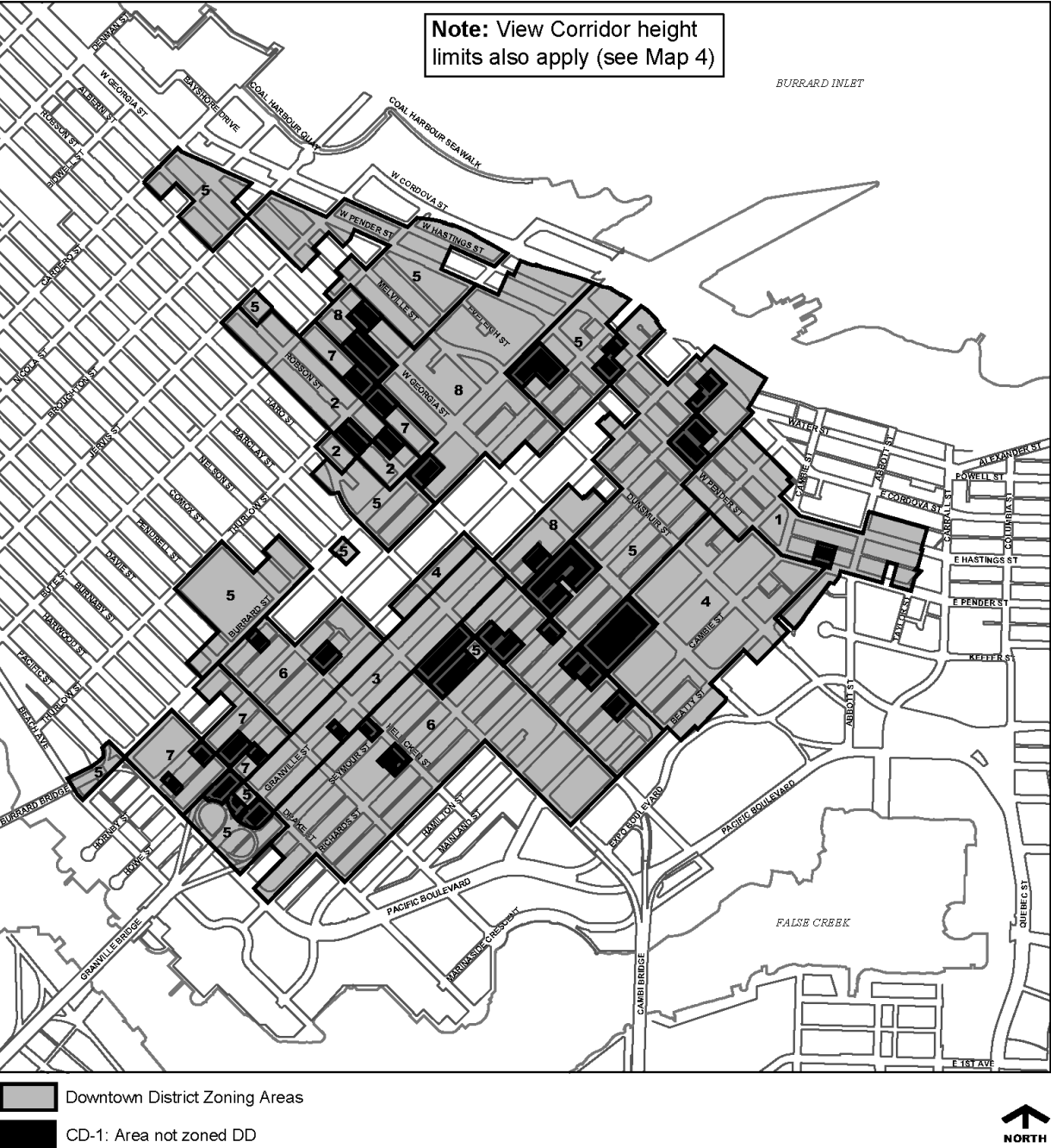
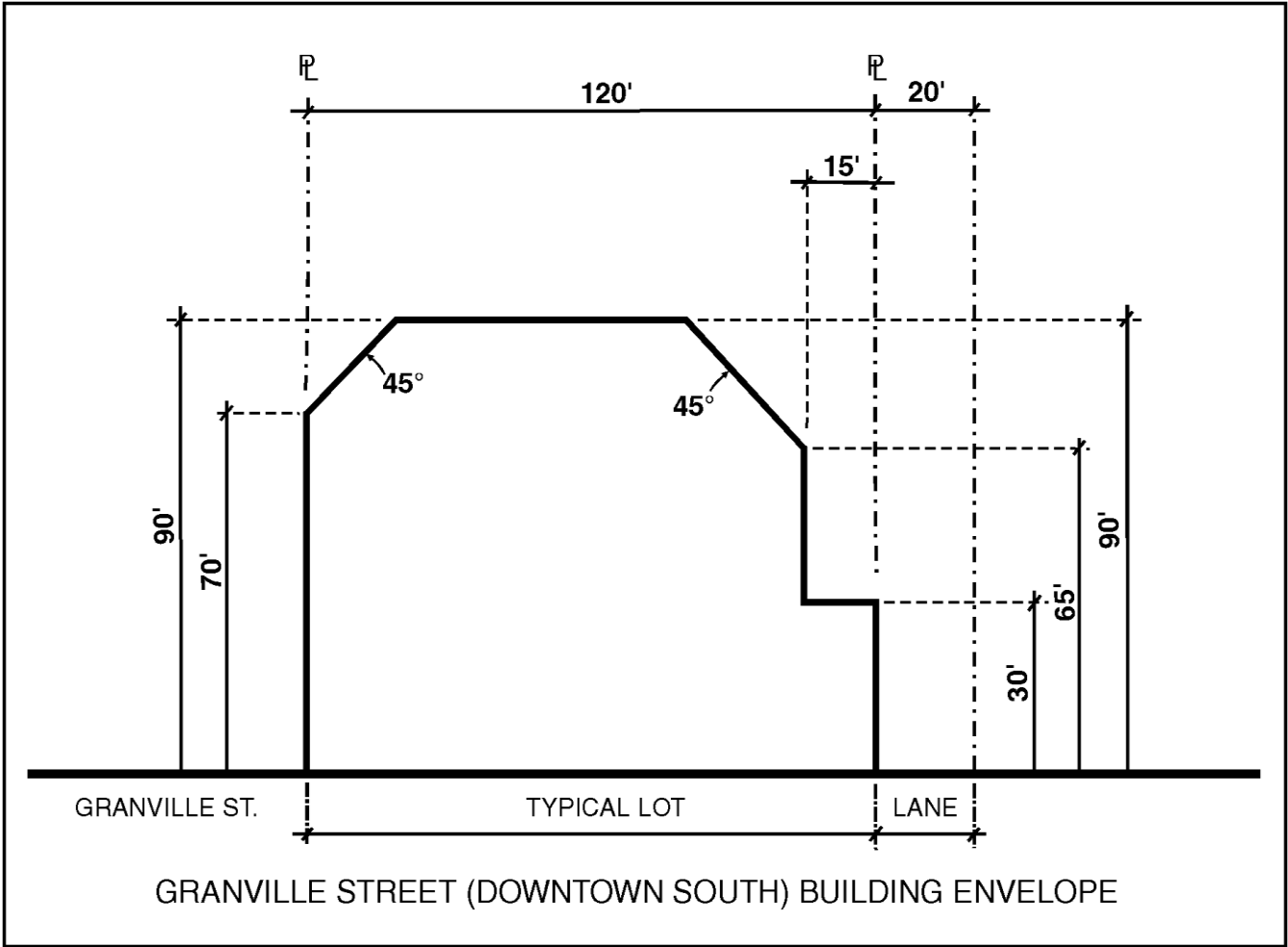
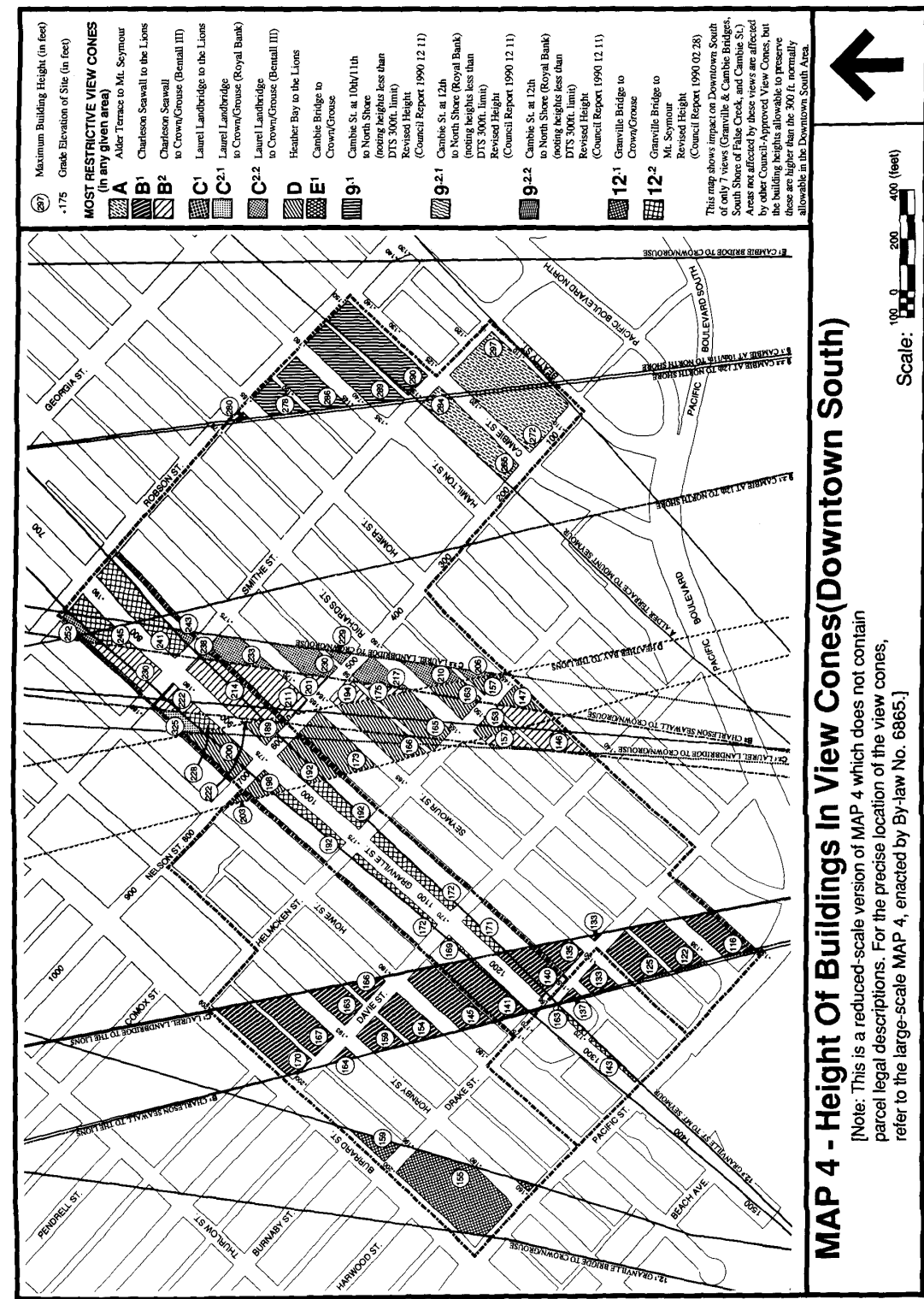


Figure 1.



4. The height of a building in a view cone area shown on Map 4 must not exceed the applicable basic maximum height shown on Map 4 unless, after considering Council’s policies and guidelines, the Development Permit Board increases any basic maximum height set out in Map 4 by no more than 10%.

Map 4



**Section 5 – Horizontal Angle of Daylight**

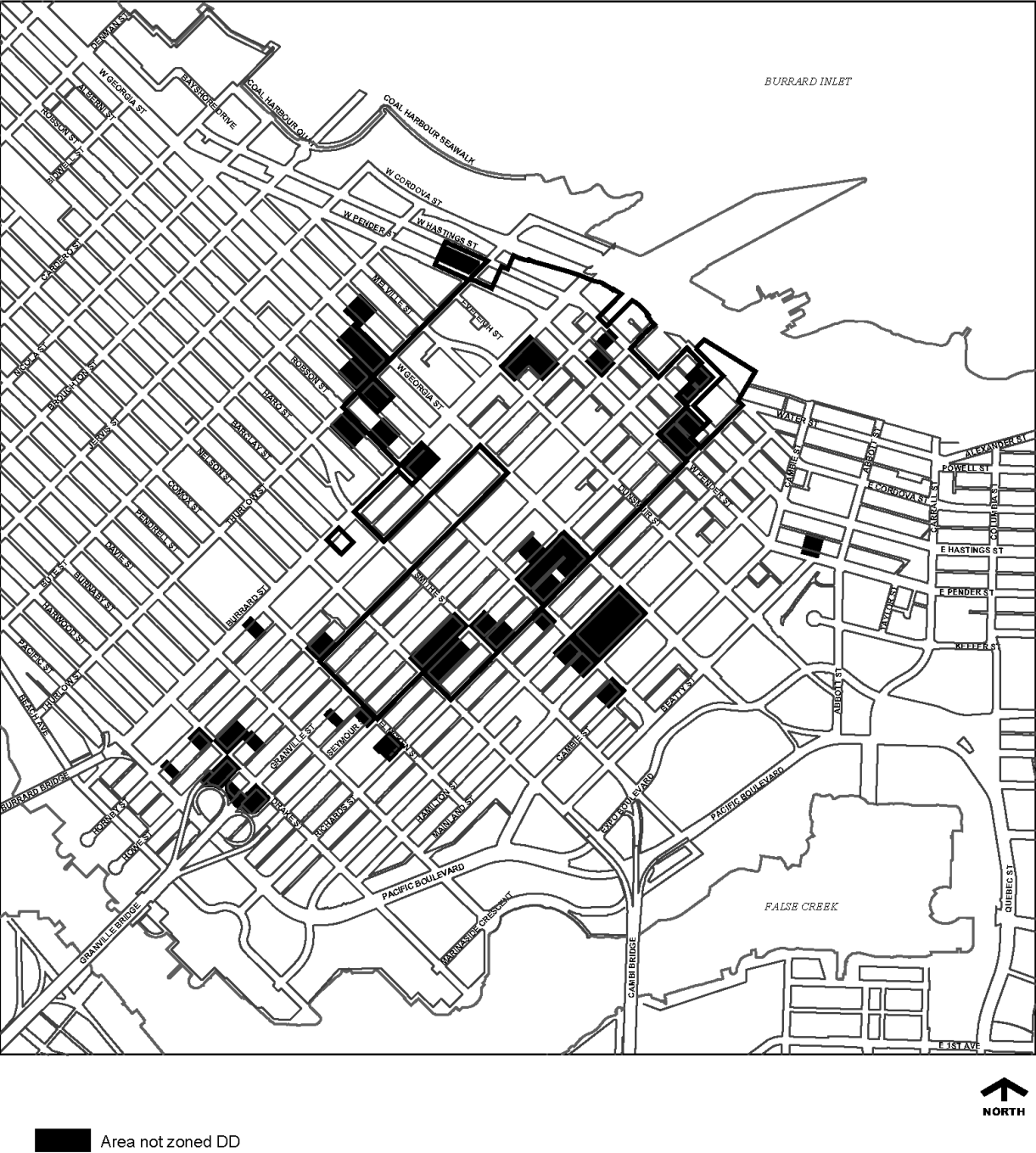
1. Each habitable room must have at least one window on an exterior wall of a building.
2. Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
3. The plane or planes referred to in Section 2 must be measured horizontally from the centre of the bottom of each window.
4. The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirement, if:
  - (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
  - (b) the minimum distance of unobstructed view is not less than 3.7 m.
5. An obstruction referred to in Section 2 means:
  - (a) any part of the same building including permitted projections; or
  - (b) the largest building permitted under the zoning on any adjoining site.
6. A habitable room referred to in section 1 does not mean:
  - (a) a bathroom; or
  - (b) a kitchen whose floor area is the lesser of:
    - (i) 10% or less of the total floor area of the dwelling unit, or
    - (ii) 9.3 m<sup>2</sup>.



Section 6 – Parking [See also Parking By-law.]

Parking garages which are not accessory to another use on the site may be permitted within the areas indicated by the heavy black outline on Map 5 but are not permitted outside the areas indicated.

Downtown District Map 5 - Parking



## **Section 7 – Social, Cultural and Recreational Amenities and Facilities**

It is the purpose of this section to provide in the Downtown area social and recreational amenities primarily for the enjoyment of downtown residents and employees.

- (1) facilities which provide opportunities for physical fitness;
- (2) facilities for general recreation;
- (3) facilities which provide a service to the public; and
- (4) facilities for arts and culture.

Facilities or areas which contribute to physical amenity, such as parks, plazas, arcades or ornamental elements in the landscape, are not included in this section. These items and others of a similar nature will be provided where appropriate, as part of the design of the buildings.

### **I. Exclusion from Floor Space Ratio**

The following ancillary facilities are excluded from the floor area measurement provided that the area of such excluded facilities contained in this section does not exceed 20 percent of allowable floor space ratio or 10,000 square feet, whichever is the lesser.

#### **List of Excluded Uses:**

- (i) saunas;
- (ii) tennis courts;
- (iii) swimming pools;
- (iv) squash courts;
- (v) gymnasiums and workout rooms;
- (vi) games rooms and hobby rooms;
- (vii) day care centres;
- (viii) libraries (public);
- (ix) other uses of a public service, social or recreational nature, which, in the opinion of the Development Permit Board, are similar to the above.

### **II. Bonuses for Provision of Social, Cultural and Recreational Facilities**

Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax, for any building which includes one or more of such facilities, the permitted floor space ratio or density of a building, subject to prior approval by City Council.

In determining the relaxation to permitted floor area or density that may be authorized, the Development Permit Board shall consider:

- (a) the construction cost of the facility;
- (b) any costs to the developer of continuing maintenance required for the facility;
- (c) the rental value of the increased floor area; and
- (d) the value of any authorized relaxation of other restrictions.

If appropriate, such facilities shall be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

## **Section 8 – Public Realm Design**

The purpose of this section is to help create distinctive areas and neighbourhoods in the Downtown through the enhancement of the public realm with special treatment of the streetscape.

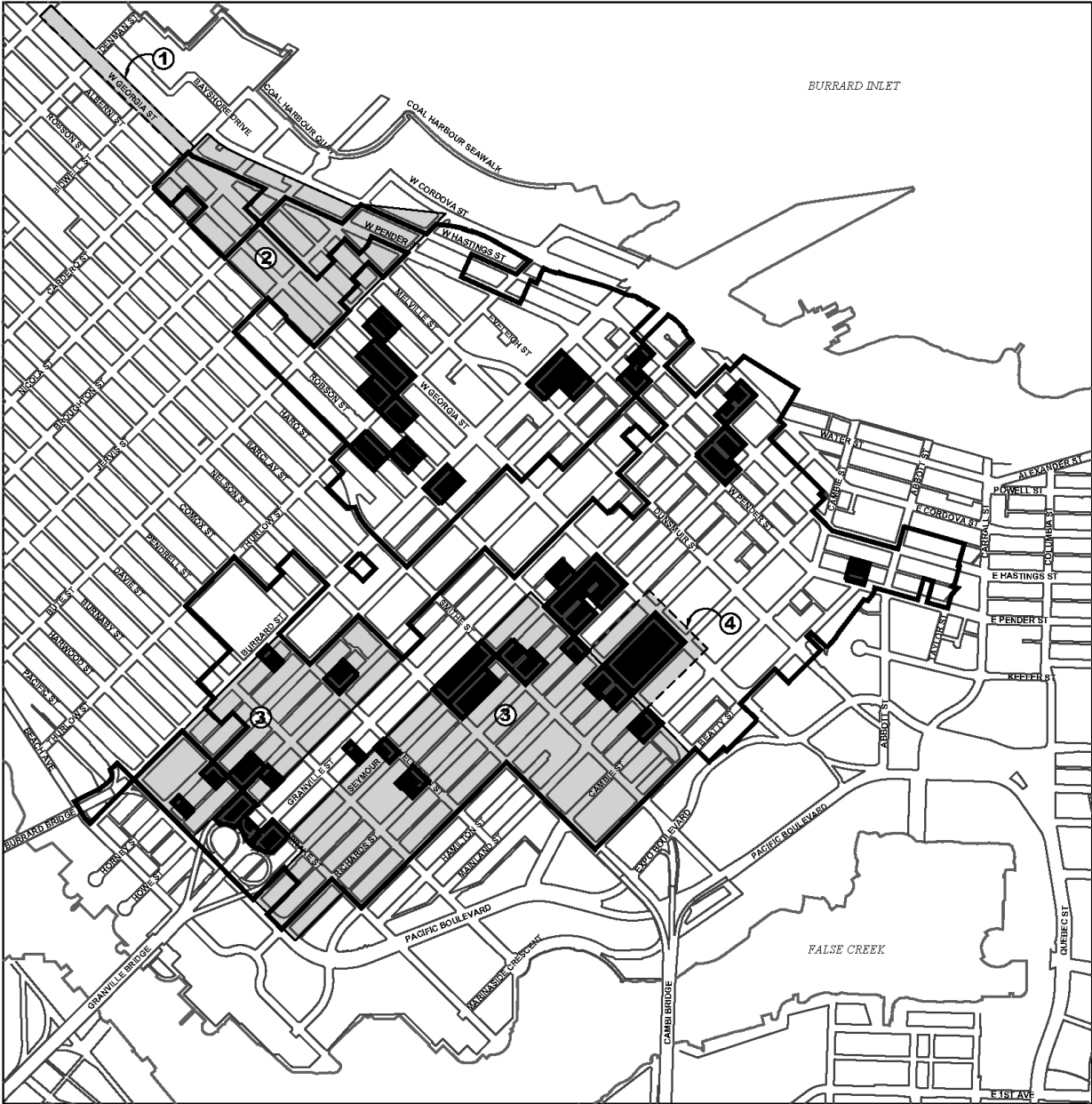
The City has developed plans and guidelines for the design of the public realm for those areas highlighted on Map 6.

In addition to park designs and the normally required street designs, special public realm designs shall be provided in the denoted areas.

Buildings, semi-public open spaces and setback areas should be designed and detailed to complement the design of the public realm. Streetscape designs as outlined in Council-adopted guidelines, manuals, and policies, will form an integral part of development permit applications.

Aspects to consider include, but are not limited to: setback requirements, paving, lighting, planting, driveway crossings, pedestrian entrances and walks, seating, display windows, weather protection, garbage storage, and loading facilities.

Downtown District Map 6 - Public Realm Areas



Downtown District Zoning Boundary

Area not zoned DD

Council - Approved  
Public Realm Areas:

- ① Georgia Street - West End
- ② Triangle West
- ③ Downtown South
- ④ Library Precinct

