

**EXPLANATION****A By-law to amend the Zoning and Development By-law  
Re: Miscellaneous amendments regarding authorities,  
floor area exclusions, and miscellaneous amendments  
to various district schedules**

After the public hearing on April 28, 2015, Council resolved to amend the Zoning and Development By-law regarding miscellaneous amendments regarding authorities, floor area exclusions, and miscellaneous amendments to various district schedules. The Director of Planning has advised that there are no prior to conditions and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services  
April 28, 2015

Zoning & Development By-law miscellaneous  
amendments regarding authorities, floor area exclusions,  
and miscellaneous amendments to various district schedules



BY-LAW NO. \_\_\_\_\_

A By-law to amend  
Zoning and Development By-law No. 3575  
regarding authorities, floor area exclusions and miscellaneous amendments 2015

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

1. This By-law amends or adds to the indicated provisions of the Zoning and Development By-law.

2. In Section 2, in alphabetical order, Council adds:

**“Building Envelope Professional** means a member of the Architectural Institute of British Columbia or the Association of Professional Engineers and Geoscientists of British Columbia.

**City Building Inspector** means the city official appointed as such by Council or the Chief Building Official appointed as such by Council and includes the authorized representatives of the City Building Inspector.

**Director of Planning** means the city official appointed as such By Council and includes the authorized representatives of the Director of Planning.

**Director of Licenses and Inspections** means the city official appointed as such by Council and includes the authorized representatives of the Director of Licenses and Inspections.”

3. In Section 3, Council strikes out subsection **“3.1 - Duties and Powers”** and substitutes:

**“ 3.1 Authorities**

3.1.1 Except as otherwise provided in this By-law, the Director of Planning, the City Building Inspector and the Director of Licenses and Inspections are authorized to:

- (a) administer and enforce the provisions of this by-law; and
- (b) ensure that all projects in respect of which a development permit is issued are carried out in conformity with the terms of such development permit.

3.1.2 The Development Permit Board is authorized to carry out those functions delegated to the Development Permit Board in this By-law.

- 3.1.3 The Director of Planning is authorized to keep copies of all development permit applications, correspondence, permits and orders issued, inspections and documents connected with the administration of this By-law.
  - 3.1.4 The Director of Planning is authorized to provide plans and documents filed pursuant to the provisions of this By-law for inspection, subject to the provisions of the Freedom of Information and Protection of Privacy Act.
  - 3.1.5 The Director of Planning may charge a fee as set out in the Fee Schedule, payable in advance, for the inspection of records referred to in Section 3.1.4.
  - 3.1.6 The Director of Planning, the City Building Inspector or the Director of Licenses and Inspections may enter any building, land or premises at any reasonable time for the purpose of administering or enforcing this By-law.
  - 3.1.7 The Director of Planning, in granting or refusing development permits, granting relaxations or imposing conditions, must give due regard to the spirit and intent of the By-law.”
4. In section 6, Council adds:
- “6.10 No person shall refuse entry to the Director of Planning, the City Building Inspector or the Director of Licenses and Inspections onto any building, land or premises for the purposes of administering or enforcing this By-law.”
5. Council strikes out Section 7 and substitutes:
- “7.1 The Director of Planning, the City Building inspector or the Director of Licenses and Inspections may issue in writing such notices or orders as may be necessary to inform the owner of a contravention of this By-law, in the manner set out in this By-law.
- 7.2 The Director of Planning, the City Building Inspector or the Director of Licenses and Inspections may order:
- (a) a person who contravenes this By-law, to comply with the By-law within a specified time;
  - (b) a person to allow the Director of Planning, the City Building Inspector or the Director of Licenses and Inspections to enter any building, land or premises at any reasonable time for the purpose of administering and enforcing this By-law;
  - (c) work to stop on a building, land or premises or any part thereof, if such work is proceeding in contravention of a provision of this By-law;
  - (d) the removal of any building, land or premises or part thereof that is in contravention of this By-law; and
  - (e) the cessation of any use or occupancy in contravention of this By-law.

7.3 The Director of Planning, the City Building Inspector or the Director of Licenses and Inspections may order a person to comply with any term or condition prescribed by:

- (a) a development permit;
- (b) the Board of Variance; or
- (c) the Development Permit Board.

7.4 A notice or order issued under this By-law shall be sufficiently served:

- (a) by mailing it by registered mail to the owner at the owner's address as it appears on the records of the Assessment Authority of British Columbia;
- (b) by sending it by electronic mail to the electronic mail address of the owner or a representative of the owner; or
- (c) by delivery by hand to the owner or a representative of the owner."

6. In Section 10, Council:

- a) at the beginning, adds "The following regulations apply to all zoning districts, unless they are specifically excluded:";
- b) repeals section 10.33 and substitutes:

**" 10.33 Exclusions for Exterior Wall Thickness**

**10.33.1** For exterior walls in laneway houses and in one and two-family dwellings of three storeys or less with or without secondary suites, computation of floor area shall exclude 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;

**10.33.2** 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 Section 10.33.1, computation of floor area shall exclude:

- (a) 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
- (b) 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.

**10.33.3** For exterior walls in all buildings other than those referred to in sections 10.33.1 and 10.33.2, computation of floor area shall exclude:

- (a) 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
- (b) 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

c) at the end, adds:

**“10.40 Floor area exclusions for kitchen exhaust shafts**

In buildings with commercial, retail or service use at grade, computation of floor area may exclude 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. In Section 11.24.9, Council strikes out subsection (d) and substitutes:

“(d) a distance from each side property line equal to at least 10% of the lot width, except that the Director of Planning may relax the location to:

- (i) 0.6 m from one side property line for interior lots, and
- (ii) 0.6 m from the inside side property line for corner lots.”

8. In Section 11.24.14, Council strikes out (c) and substitutes:

“(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:

- (i) on sites less than 30.5 m in depth, or
- (ii) for the width of an existing enclosed or covered parking area that forms part of the laneway house.”

9. In Section 13, Council strikes out Section 13.3.

10. In the RS-1 and RS-5 Zoning District Schedules, Council strikes out section 4.17.3 and substitutes:

“4.17.3 A side entrance to a one-family dwelling or one-family dwelling with secondary suite shall face a street or lane, or be located no less than 5.0 m

from the side property line, except that there shall be no more than one side entrance facing each side property line.”

11. In the RS-6 Zoning District, in section 4.17.3, Council adds “or lane” after “street” wherever it appears.

12. In the RT-4, RT-4A, RT-4N and RT-4AN Districts Schedule, and in the RT-5, RT-5A, RT-5N and RT-5AN Districts Schedule, Council:

- a) in Section 2.2.1.A:
  - (i) at the end of subsection (d), strikes out “.” and substitutes “; and”, and
  - (ii) after subsection (d), adds:
    - “(e) roof decks and sundecks are not located on an accessory building.”; and
- b) in section 4.8.2, strikes out “sundecks and any garages or carports that provide useable open space, such as a sundeck, on the roof.” and substitutes “and sundecks.”

13. In the RT-6 District Schedule, Council:

- a) in Section 2.2.A:
  - (i) at the end of subsection (d), strikes out “.” and substitutes “; and”, and
  - (ii) after subsection (d), adds:
    - “(e) roof decks and sundecks are not located on an accessory building.”; and
- b) in section 4.8.2, strikes out “sundecks and any garages or carports that provide useable open space, such as a sundeck, on the roof.” and substitutes “and sundecks.”

14. In the HA-1 and HA-1A Districts Schedule, Council:

- a) strikes out section 4.7 and 4.7.1; and
- b) strikes out “4.8 - 4.16 [Reserved]” and substitutes, in the appropriate chronological order, “4.7 - 4.9 [Reserved]” and “4.11 - 4.16 [Reserved]”.

15. In section 4.7.3 of the RA-1, RT-1, RT-2, RT-10 and RT-10N, RM-2, RM-3, and RM-3A District Schedules, Council:

- a) adds “and” at the end of paragraph (f);

- b) strikes out paragraph (g); and
  - c) re-names paragraph (h) as (g).
16. In section 4.7.3 of the RS-1, RT-3, RT-6, RM-5, RM-5A, RM-5B, RM-5C and RM-5D, and RM-6 District Schedules, Council:
- a) adds “and” at the end of paragraph (h);
  - b) strikes out paragraph (i); and
  - c) re-names paragraph (j) as (i).
17. In section 4.7.3 of the RS-1A, RS-1B, RS-2, RS-4, RT-4, RT-4A, RT-4N and RT-4AN, RT-5, RT-5A, RT-5N and RT-5AN, RT-7, RT-8, RT-9, and FM-1 District Schedules, Council:
- a) adds “and” at the end of paragraph (g);
  - b) strikes out paragraph (h); and
  - c) re-names paragraph (i) as (h).
18. In section 4.7.3 of the RS-3 and RS-3A, and RS-5 District Schedules, Council:
- a) adds “and” at the end of paragraph (i);
  - b) strikes out paragraph (j); and
  - c) re-names paragraph (k) as (j).
19. In section 4.7.3 of the RS-6 District Schedule, Council:
- a) adds “and” at the end of paragraph (j);
  - b) strikes out paragraph (k); and
  - c) re-names paragraph (l) as (k).
20. In section 4.7.3 of the C-1, C-2, C-2B, C-2C, C2-C1, C-7 and C-8, MC-1 and MC-2, M-1, M-1A, M-1B, M-2, IC-1 and IC-2, IC-3, I-1, I-2, and I-3 District Schedules, Council:
- a) strikes out “; and” at the end of paragraph (e) and substitutes “.”; and
  - b) strikes out paragraph (f).
21. In section 4.7.3 of the C-3A, and C-5, C-5A and C-6 District Schedules, Council:
- a) strikes out “; and” at the end of paragraph (d) and substitutes “.”; and
  - b) strikes out paragraph (e).

22. In section 4.7.3 of the FC-1 and HA-3 District Schedules, Council:
- a) adds “and” at the end of paragraph (e);
  - b) strikes out paragraph (f); and
  - c) re-names paragraph (g) as (f).
23. In section 4.7.4 of the RS-7 District Schedule, Council:
- a) adds “and” at the end of paragraph (j);
  - b) strikes out paragraph (k); and
  - c) re-names paragraph (l) as (k).
24. In section 4.7.5 of the RT-11 and RT-11N Districts Schedule, Council:
- a) adds “and” at the end of paragraph (f);
  - b) strikes out paragraph (g); and
  - c) re-names paragraph (h) as (g).
25. In the RM-1 and RM-1N Zoning Districts Schedule, Council:
- a) in sections 4.7.2 and 4.7.3, strikes out “floor space ratio” and substitutes “floor area”; and
  - b) in section 4.7.3:
    - (i) strikes out subsection (g) substitutes:
      - “(g) for multiple dwelling, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and”
26. In the RM-4 and RM-4N Zoning Districts Schedule, Council:
- a) in sections 4.7.2 and 4.7.3, strikes out “floor space ratio” and substitutes “floor area”; and
  - b) in section 4.7.3:
    - (i) strikes out subsection (f) and substitutes:
      - “(f) for multiple dwelling, all residential storage area above or below base surface, except that if residential storage area above base



surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and”; and

(ii) strikes out subsection (g) and renames subsection (h) as (g).

27. In the RM-7 and RM-7N Zoning Districts Schedule, in section 4.7.5, Council:

a) in subsection (c)(i) strikes out “below base surface” and substitutes “underground”;

b) strikes out subsection (i) and substitutes:

“(i) for multiple dwelling and freehold rowhouse, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and”

28. In the RM-8 and RM-8N Zoning Districts Schedule, in section 4.7.8, Council:

a) strikes out subsection (i) and substitutes:

“(i) for multiple dwelling and freehold rowhouse, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and”

29. In the RM-9 and RM-9N Zoning Districts Schedule, in section 4.7.8, Council:

a) strikes out subsection (h) and substitutes:

“(h) for multiple dwelling and freehold rowhouse, all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit;”;

b) at the end of subsection (i) adds “and”; and

c) strikes out subsection (j) and renames subsection (k) as (j).

30. In the C-2C and C-2C1 District Schedules, in section 4.3.2, Council strikes out “and 4 storeys”.

31. In the RS-2, RT-2, RM-2, RM-3, RM-3A, RM-4 and RM-4N, C-2, C-5, C-5A and C-6 district Schedules, Council strikes out section 4.10 and substitutes:

**“ 4.10 Horizontal angle of daylight**

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 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.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning or Development Permit Board may relax 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.

4.10.5 An obstruction referred to in section 4.10.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 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>.

32. In the C-1 District Schedule, Council:

a) strikes out section 4.10 and substitutes:

**“4.10 Horizontal angle of daylight**

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 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.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning or Development Permit Board may relax 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.

4.10.5 An obstruction referred to in section 4.10.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 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>.”; and

b) strikes out the following words from section 5.2:

“The Development Permit Board or the Director of Planning, as the case may be, may relax the horizontal angle of daylight requirement of section 4.10 having regard to the livability of the resulting dwelling units and providing that a minimum distance of 3.7 m of unobstructed view is maintained.”

33. In the C-2B, C-2C, C-2C1, C-3A, C-7 and C-8, and MC-1 and MC-2 District Schedules, Council:

a) strikes out section 4.10 and substitutes:

**“4.10 Horizontal angle of daylight**

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 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.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning or Development Permit Board may relax 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.

4.10.5 An obstruction referred to in section 4.10.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 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>.”; and

- b) strikes out section 5.2 and re-numbers sections 5.3, 5.4 and 5.5 as sections 5.2, 5.3 and 5.4 respectively.

34. In the RM-1 and RM-1N Districts Schedule, in chronological order, Council adds:

**“4.10 Horizontal angle of daylight**

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 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.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning or Development Permit Board may relax 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 2.4 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 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>.”

35. In the HA-1 and HA-1A, HA-2 and HA-3 District Schedules, in chronological order, Council:

a) adds:

**“4.10 Horizontal angle of daylight**

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 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.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning or Development Permit Board may relax 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 2.4 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 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>.”; and

b) adds:

**“5. Relaxation of Regulations**

5.1 The Director of Planning may relax the horizontal angle of daylight requirement in section 4.10 if:

- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
- (b) the building is listed on the Heritage Register or in the opinion of the Director of Planning has sufficient heritage value or heritage character to justify its conservation.”

36. In the, RM-7 and RM-7N, RM-8 and RM-8N, and RM-9 and RM-9N Districts Schedules, in chronological order, Council strikes out section 4.10 and substitutes:

**“4.10 Horizontal angle of daylight**

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 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.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning or Development Permit Board may relax 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 2.4 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 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>.”

37. In the RM-5, RM-5A, RM-5B, RM-5C and RM-5D, and RM-6 District Schedules, Council strikes out section 4.10 and substitutes:

**“4.10 Horizontal angle of daylight**

4.10.1 Each habitable room must have at least one window on an exterior wall of a building.

4.10.2 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.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning or Development Permit Board may relax 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 6.1 m.

4.10.5 An obstruction referred to in section 4.10.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 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>.”

38. In the RT-5, RT-5A, RT-5N and RT-5AN Districts Schedule, in section 5.5, after “one-family dwellings” Council adds “, one-family dwellings with secondary suites,”.

39. In the RM-8 and RM-8N Districts Schedule, in section 4.6.2, Council strikes out “year” and substitutes “rear”.

40. In the RM-9 and RM-9N Districts Schedule, Council:

- a) in section 4.6.3, strikes out “side” and substitutes “rear”; and
- b) in section 4.7.2(d), strikes out “the permitted floor area may be increased to maximum floor space ratio of 0.90” and substitutes “the permitted floor space ratio may be increased to a maximum of 0.90.”

41. In the BCPED Zoning District Schedule, Council strikes out section 2.1(h) and substitutes:

“(h) cultural and recreational uses, limited to arts and culture indoor event, museum or archives, park or playground and stadium or arena.”

42. 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 the By-law.

43. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2015

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Mayor

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City Clerk



**EXPLANATION**

**A By-law to amend the Downtown District ODP  
of minor amendments for the addition of horizontal angle  
of daylight regulations, amending wall thickness exclusions,  
adding exhaust shaft exclusion and housekeeping**

After the public hearing on April 28, 2015, Council resolved to amend the Downtown District Official Development Plan to support these minor amendments. The Director of Planning has advised that there are no prior to conditions, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services  
April 28, 2015

Downtown District Official Development Plan  
Re: Minor amendment to add  
horizontal angle of daylight regulations,  
to amend wall thickness exclusions,  
add exhaust shaft exclusion  
and housekeeping



BY-LAW NO. \_\_\_\_\_

A By-law to amend Downtown  
Official Development Plan By-law No. 4912

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

1. This By-law amends the indicated provisions of the Downtown Official Development Plan By-law.
2. In **Section 1 - Land Use**, in subparagraph 5(a), Council strikes out “11.26” and substitutes “11.27”.
3. In **Section 3 - Density**, Council:
  - a) at the end of subsection (d) strikes out “and”; and
  - b) strikes out subsection 6.(e) and substitutes:
    - “(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.”

4. Council re-numbers **Section 5**, **Section 6** and **Section 7** as **Section 6**, **Section 7** and **Section 8** respectively and before renumbered **Section 6**, Council adds:

**“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 relax 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



**EXPLANATION****A By-law to amend the Downtown Eastside Oppenheimer  
Official Development Plan regarding the calculation of floor area**

After the public hearing on April 28, 2015, Council resolved to amend the Downtown Eastside Oppenheimer Official Development Plan to accept the exclusion of wall thickness and exhaust shafts from calculation of floor area. The Director of Planning has advised that there are no prior to conditions, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services  
April 28, 2015

Downtown Eastside Oppenheimer  
Official Development Plan  
Re: Exclusion of wall thickness and exhaust shafts  
from calculation of floor area



BY-LAW NO. \_\_\_\_\_

A By-law to amend Downtown  
Eastside Oppenheimer Official Development Plan By-law No. 5532

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

1. This By-law amends the indicated provisions of the Downtown Eastside Oppenheimer Official Development Plan By-law.
2. 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.
3. In **Section 4.5 Density**, in section 4.5.3, Council:
  - (a) at the end of subsection (d) strikes out “and”; and
  - (b) strikes out subsection (e) and substitutes:
    - “(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.”

4. In Section 5.5 - Density, in section 5.5.3, Council strikes out subsection (e) and substitutes:

- “(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.”

5. In Section 6.5 - Density, in section 6.5.3, Council strikes out subsection (e) and substitutes:

- “(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.”

6. In Section 7.5 - Density, in section 7.5.3, Council:

- (a) at the end of subsection (d) strikes out “and”; and
- (b) strikes out subsection (e) and substitutes:

“(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. 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.

8. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**EXPLANATION****A By-law to amend Southeast Granville Slopes  
Official Development Plan By-law No. 5752**

After the public hearing on April 28, 2015, Council resolved to amend the Southeast Granville Slopes ODP By-law regarding computation of floor space ratio. The Director of Planning has advised that there are no prior-to conditions, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services  
April 28, 2015

Southeast Granville Slopes Official Development Plan  
Re: Exclusion of wall thickness and exhaust shafts  
from computation of floor space ratio



BY-LAW NO. \_\_\_\_\_

A By-law to amend Southeast Granville Slopes Official Development Plan  
By-law No. 5752

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

1. This By-law amends the indicated provisions of the Southeast Granville Slopes Official Development Plan.
2. In Section 6.3 - Density, Council:
  - a) at the end of subsection 6.3.3(g), strikes out “and”; and
  - b) strikes out subsection 6.3.3(h) and substitutes:
    - “(h) 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;
    - (i) 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 (h):
      - (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;
    - (j) for exterior walls in all buildings other than those referred to in subsections (h) and (i):
      - (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

(k) 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.”

3. 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.

4. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**EXPLANATION****Zoning and Development Fee By-law amending By-law  
regarding housekeeping**

Enactment of the attached By-law will implement Council's resolution of April 28, 2015, to make a housekeeping amendment to the title of an item in the Fee Schedule.

Director of Legal Services  
April 28, 2015



BY-LAW NO. \_\_\_\_\_

**A By-law to amend  
Zoning and Development Fee By-law No. 5585  
regarding housekeeping**

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

1. Council, in Schedule 1 of the Zoning and Development Fee By-law, strikes out:

**“Child Day Care Facility Or Social Service Centre**

7. For a child daycare facility, cultural facility or social service centre, where the applicant is an incorporated non-profit society ..... \$572.00”

and substitutes:

**“Child Day Care Facility, Cultural Facility Or Social Service Centre**

7. For a child daycare facility, cultural facility or social service centre, where the applicant is an incorporated non-profit society ..... \$572.00”

2. 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.

3. This By-law is to come into force and take effect on the date of enactment.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk