

**BY-LAW NO.**

**A By-law to amend the  
Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532  
regarding housing options in the Downtown Eastside/Oppenheimer District**

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

1. This by-law amends the indicated provisions of Schedule A of the Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532.
2. Council strikes out “Downtown-Eastside/Oppenheimer” wherever it appears in the by-law, including in the title, and replaces it with “Downtown Eastside/Oppenheimer”.
3. Council strikes out “Plan” wherever it appears in the by-law and replaces it with “Official Development Plan”, except for instances where the word “Plan” is already preceded by either “Official Development” or “Downtown Eastside Local Area”.
4. Council adds the words “Director of Planning or the” immediately before “Development Permit Board” wherever it appears in the by-law, except:
  - (a) in sections 4.8.2, 5.8.2, 6.8.2, and 7.8.1 [Relaxations for Provision of Social, Cultural and Recreational Amenities]; and
  - (b) instances where “Development Permit Board” is already preceded by “Director of Planning or the”.
5. Council strikes out the two maps which appear immediately after the Table of Contents, under the title beginning with “Downtown-Eastside/Oppenheimer Official Development Plan, A By-law to regulate the development” and replaces them with the map attached to this by-law as Schedule A.
6. In the “Preamble”, Council strikes out paragraph three and replaces it with the following:

“This document, the Downtown Eastside/Oppenheimer Official Development Plan, along with the Downtown Eastside Local Area Plan and associated guidelines, will provide the guidance necessary for the development of specific sites in this area.”
7. In section 1.1, Council:
  - (a) in the paragraph under the heading “Goals”:
    - (i) adds “and the Downtown Eastside Local Area Plan (2014)” after “the Downtown Eastside/Oppenheimer District”; and
    - (ii) strikes out “as part of the Downtown Eastside/Oppenheimer Policy Plan (1982) and as part of the Downtown Eastside Local Area Plan (2014)”;
  - (b) strikes out subsection 12 in its entirety and renumbers subsections 13 through 23 as subsections 12 through 22; and

- (c) in renumbered subsection 20, under the title “Aboriginal Community”, strikes out “Aboriginal”, including in the subsection title, and replaces it with “Indigenous”.
8. In section 1.2, in paragraph three, Council strikes out the following sentence: “Such review should occur at least once every five years.”
9. In section 1.3, Council:
- (a) in paragraph four, strikes out “the Board” and replaces it with “the Development Permit Board”;
  - (b) adds “Director of Planning or the” before each instance of “Development Permit Board” except instances where “Development Permit Board” is already preceded by “Director of Planning or the”; and
  - (c) in paragraph five, strikes out “any restoration or renovation” and replaces it with “conservation”.
10. Council strikes out section 2 in its entirety and replaces it with the following:

**“Section 2 Definitions**

The definitions contained in section 2 of the **Zoning and Development By-law, No. 3575** shall apply to this Official Development Plan. The following definitions refer to terms used in this Official Development Plan and supplement definitions included in the Zoning and Development By-law. If a definition below conflicts with a definition of the same term in the Zoning and Development By-law, the definition in this Official Development Plan will apply.

- 2.1 **Habitable Room** means any room in a dwelling unit used or intended to be used for living, sleeping, cooking or eating purposes.
  - 2.2 **Residential** means sleeping units, housekeeping units, single detached houses or duplexes, mixed-use residential building, apartments, townhouses, seniors supportive or independent living housing, residential units associated with and forming and integral part of artist studios, boarding houses, rooming houses and temporary modular housing, but excludes a community care or assisted living facility – class B, and group residence.
  - 2.3 **Retail Continuity** means 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 Director of Planning or the Development Permit Board.
  - 2.4 **Transit-Oriented Area** means an area designated as a transit-oriented area under the Transit-Oriented Areas Designation By-law.”
11. Council strikes out the map in section 3.1 labelled “KEY PLAN showing DEOD and sub-areas” and replaces it with the map attached to this by-law as Schedule B.
12. In section 4.1, Council:
- (a) adds the following sentence to the end of paragraph two:

“Special design measures, however, should be undertaken to mitigate the air and noise pollution problems.”; and

- (b) strikes out paragraph four and replaces it with the following:

“The retention and upgrading of buildings on the Vancouver Heritage Register (VHR) is encouraged, including sympathetic vertical addition of new residential units on upper floors.”

13. In section 4.2.1, Council rennumbers clause (k) as clause (l) and adds a new clause (k) as follows:

“(k) Social Service Centre.”

14. In section 4.2.2, Council strikes out the map titled “Downtown-Eastside/Oppenheimer District Map 1, Sub-Area Main/Hastings” and replaces it with the map attached to this by-law as Schedule C.

15. Council numbers the first paragraph of section 4.3 as 4.3.1 and adds the following new subsection 4.3.2 after subsection 4.3.1(b)(iii):

“4.3.2 For apartment or mixed-use residential building, at least 25% of the total number of dwelling units must have 2 or more bedrooms, except that the Director of Planning or the Development Permit Board may vary this regulation if the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines.”

16. In section 4.4, Council adds “social service centre,” before “and lawyers’ offices”.

17. In section 4.4A, Council strikes out “or Director of Planning” where it appears immediately after “Development Permit Board”.

18. Council strikes out section 4.5 in its entirety and replaces it with the following:

**“4.5 Density**

Developments requiring social housing are subject to the Schedule J: Affordable Housing Schedule of the Zoning and Development By-law.

Computation of floor area is subject to Section 8 of this Official Development Plan.

- 4.5.1 The maximum floor space ratio is 3.0 for apartment or mixed-use residential building provided that:

- (a) the form of tenure is secured as residential rental tenure for 100% of the residential floor area; and
- (b) a minimum of 20% of the residential units are developed as social housing.

- 4.5.2 The maximum floor space ratio is 1.0 for all uses other than apartment or mixed-use residential building.

4.5.3 Despite the provisions of subsection 4.5.3, the Director of Planning or the Development Permit Board may increase the permitted floor space ratio to a maximum of 1.5 for retail, service, manufacturing, or wholesale uses, and uses listed in section 4.2.1(i) and accessory uses, if:

- (a) the uses are existing as of April 29, 2014;
- (b) the uses are located on a site existing as of April 29, 2014; and
- (c) there is no conversion of existing residential floor area.

4.5.4 Despite the provisions of subsection 4.5.1, the Director of Planning or the Development Permit Board may vary the permitted floor space ratio to a maximum of 11.0 for apartment or mixed-use residential building if:

- (a) a minimum of 50% of the total gross floor area is developed as residential;
- (b) the form of tenure is secured as residential rental tenure for 100% of the residential floor area;
- (c) a minimum of 20% of the residential units are developed as social housing; and
- (d) the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines and the proposed height, bulk, location and overall design of the building and its impact on the site and on surrounding buildings in terms of liveability, protected public views, and public spaces such as parks, playgrounds and plazas.

4.5.5 Despite the provisions of subsections 4.5.1, 4.5.2, 4.5.3 and 4.5.4, the Director of Planning or the Development Permit Board may increase the permitted floor space ratio by a maximum of 10% for the conservation of heritage property if:

- (a) Council first approves a heritage designation by-law;
- (b) the development includes substantial retention and conservation of the existing structure and its character-defining elements; and
- (c) the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines.”

19. Council strikes out section 4.6 in its entirety and replaces it with the following:

#### **“4.6 Physical Form**

##### **Building Height**

4.6.1 The minimum building height within the area denoted by the letter “A” on Map 3 is 11.0 m.

- 4.6.2 The maximum building height within the total Main/Hastings sub-area is 30.0 m.
- 4.6.3 Despite the provisions of subsection 4.6.2, the Director of Planning or the Development Permit Board may vary the maximum building height to a height not exceeding 100.0 m if the Director of Planning or the Development Permit Board considers:
- (a) the intent of this Official Development Plan and all applicable Council policies and guidelines; and
  - (b) height, bulk, location and overall design of the building and its impact on the site and on surrounding buildings in terms of liveability, protected public views, and public spaces such as parks, playgrounds, and plazas, including any shadow impacts between 10:00 am and 4:00 pm from March 21<sup>st</sup> to September 21<sup>st</sup>.

#### Frontage

- 4.6.4 For buildings with a floor space ratio greater than 3.00, the minimum site frontage is 15.0 m.
- 4.6.5 The maximum site frontage is 45.7 m, except that the Director of Planning or the Development Permit Board may increase the maximum site frontage if the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines.

#### Yards

- 4.6.6 Front Yard – Not Applicable.
- 4.6.7 Side Yard

No side yard is required, except that where a site abuts an existing residential building with any window lighting a habitable room, any facing wall of a new building must be set back an adequate distance to ensure light and ventilation to the existing habitable rooms, in accordance with all applicable policies and guidelines adopted by Council.

20. In section 4.8.1, Council strikes out the map titled “Downtown-Eastside/Oppenheimer District Map 2, Sub-Area Main/Hastings: Retail Continuity” and replaces it with the map attached to this by-law as Schedule D.
21. Council strikes out section 4.8.2 in its entirety.
22. Council strikes out the map titled “Downtown-Eastside/Oppenheimer Map 3, Sub-Area 1 Main/Hastings: Minimum Building Heights” which appears immediately after section 4.8.2 and replaces it with the map attached to this by-law as Schedule E.
23. Council renumbers section 4.8.3 as 4.8.2, and in renumbered 4.8.2:
- (a) strikes out “Bonuses” from the heading and replaces it with “Relaxations”;

- (b) in the first paragraph, adds “Development Permit” before “Board may relax,”; and
- (c) strikes out “, subject to prior approval by City Council” from the first paragraph,.
24. Council adds a new section 4.8.3 as follows:
- “4.8.3 Relaxation for Provision of 100% Social Housing Developments**
- The Director of Planning or the Development Permit Board may relax the regulations for retail continuity, including to permit apartment use, if 100% of the residential floor area is developed as social housing and the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.”
25. In section 5.1, Council strikes out “medium” and replaces it with “mixed”.
26. In section 5.2.1, Council strikes out subsections (e) and (f) and replaces them with the following in the correct numerical order:
- “(e) Artist Studio.
- (f) Retail commercial, including Restaurant – Class 1 but not including a Liquor Store.
- (g) Other commercial, including but not limited to, a business or vocational school, a drama or dance academy, a billiard hall, bowling alley, steam bath, photography studio, theatre, artist studio, or sign or showcard painting, but not including a hotel, restaurant – class 2, cabaret or neighbourhood public house.
- (h) Any other use which is not specifically listed herein, but which the Director of Planning or the Development Permit Board considers comparable in nature, having regard to the intent, goals and policies of this Plan.”
27. Council strikes out section 5.3 and replaces it with the following:
- “5.3 Conditions of Use**
- 5.3.1 For apartment or mixed-use residential building, at least 25% of the total number of dwelling units must have 2 or more bedrooms, except that the Director of Planning or the Development Permit Board may vary this regulation if the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines.”
28. Council strikes out section 5.5 and replaces it with the following:
- “5.5 Density**
- Developments requiring social housing are subject to the Schedule J: Affordable Housing Schedule of the Zoning and Development By-law.
- Computation of floor area is subject to Section 8 of this Official Development Plan.

- 5.5.1 The maximum floor space ratio is 1.0.
- 5.5.2 Despite the provisions of subsection 5.5.1, the Director of Planning or the Development Permit Board may increase the permitted floor space ratio to a maximum of 1.5 for retail, service, manufacturing, or wholesale uses, and uses listed in section 5.2.1(d) and accessory uses, if:
- (a) the uses are existing as of April 29, 2014;
  - (b) the uses are located on a site existing as of April 29, 2014; and
  - (c) there is no conversion of existing residential floor area.
- 5.5.3 Despite the provisions of subsection 5.5.1, the Director of Planning or the Development Permit Board may vary the permitted floor space ratio to a maximum of 11.0 for apartment or mixed-use residential building if:
- (a) a minimum of 50% of the total gross floor area is developed as residential;
  - (b) the form of tenure is secured as residential rental tenure for 100% of the residential floor area;
  - (c) a minimum of 20% of the residential units are developed as social housing; and
  - (d) the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines and the proposed height, bulk, location and overall design of the building and its impact on the site and on surrounding buildings in terms of liveability, protected public views, and public spaces such as parks, playgrounds and plazas.
- 5.5.4 Despite the provisions of subsections 5.5.1, 5.5.2 and 5.5.3, the Director of Planning or the Development Permit Board may increase the permitted floor space ratio by a maximum of 10% for the conservation of heritage property if:
- (a) Council first approves a heritage designation by-law;
  - (b) the development includes substantial retention and conservation of the existing structure and its character-defining elements; and
  - (c) the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines.”

29. In section 5.5.6, Council strikes out the map titled “Downtown-Eastside/Oppenheimer District Map 4, Sub-Area 2 Cordova Street” and replaces it with the map attached to this by-law as Schedule E.

30. Council strikes out section 5.6 and replaces it with the following:

**“5.6 Physical Form**

**Building Height**

- 5.6.1 The maximum building height is 15.0 m.
- 5.6.2 Despite the provisions of subsection 5.6.1, the Director of Planning or the Development Permit Board may increase the maximum building height to a height not exceeding 100.0 m if the Director of Planning or the Development Permit Board considers:
- (a) the intent of this Official Development Plan and all applicable Council policies and guidelines; and
  - (b) height, bulk, location and overall design of the building and its impact on the site and on surrounding buildings in terms of liveability, protected public views, and public spaces such as parks, playgrounds, and plazas, including any shadow impacts between 10:00 am and 4:00 pm from March 21st to September 21st.

**Frontage**

- 5.6.3 For buildings with a floor space ratio greater than 3.0, the minimum site frontage is 15.0 m.
- 5.6.4 The maximum site frontage is 45.7 m, except that the Director of Planning or the Development Permit Board may increase the maximum site frontage if the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines.

**Yards**

- 5.6.5 Front Yard – Not Applicable
- 5.6.6 Side Yard

No side yard is required, except that where a site abuts an existing residential building with any window lighting a habitable room, any facing wall of a new building must be set back an adequate distance to ensure light and ventilation to the existing habitable rooms, in accordance with all applicable policies and guidelines adopted by Council.”

31. Council strikes out section 5.8.2 in its entirety.
32. Council rennumbers section 5.8.3 as 5.8.2, and in renumbered 5.8.2:
- (a) strikes out “Bonuses” from the heading and replaces it with “Relaxations”;
  - (b) in the first paragraph, adds “Development Permit” before “Board may relax,”; and



- (c) strikes out “, subject to prior approval by City Council” from the first paragraph.
33. Council strikes out section 5.8.4, Figure 1, Figure 2, and Figure 3 in their entirety.
34. In section 6.2.1, Council:
- (a) renumbers subsection (i) as (j) and adds the following new subsection (i):
- “(i) Social Service Centre.”; and
- (b) Council strikes out the map titled “Downtown-Eastside/Oppenheimer District Map 5, Sub-Area 2 Powell Street/Japantown” and replaces it with the map attached to this by-law as Schedule G.
35. Council strikes out section 6.3 and replaces it with the following:
- “6.3 Conditions of Use**
- 6.3.1 For apartment or mixed-use residential building, at least 25% of the total number of dwelling units must have 2 or more bedrooms, except that the Director of Planning or the Development Permit Board may vary this regulation if the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines.”
36. In section 6.4, Council adds “and social service centre” after “similar uses”.
37. In section 6.4A, Council strikes out “or Director of Planning” wherever it appears.
38. Council strikes out section 6.5 and replaces it with the following:
- “6.5 Density**
- Developments requiring social housing are subject to the Schedule J: Affordable Housing Schedule of the Zoning and Development By-law.
- Computation of floor area is subject to Section 8 of this Official Development Plan.
- 6.5.1 The maximum floor space ratio is 1.0.
- 6.5.2 Despite the provisions of subsection 6.5.1, the Director of Planning or the Development Permit Board may increase the permitted floor space ratio to a maximum of 1.5 for retail, service, manufacturing, or wholesale uses, and uses listed in section 6.2.1(g) and accessory uses, if:
- (a) the uses are existing as of April 29, 2014;
- (b) the uses are located on a site existing as of April 29, 2014; and
- (c) there is no conversion of existing residential floor area.

6.5.3 Despite the provisions of subsection 6.5.1, the maximum floor space ratio is 3.0 for apartment or mixed-use residential building within a Transit-Oriented Area provided that:

- (a) the form of tenure is secured as residential rental tenure for 100% of the residential floor area; and
- (b) a minimum of 20% of the residential units are developed as social housing.

6.5.4 Despite the provisions of subsection 6.5.1 and 6.5.3, the Director of Planning or the Development Permit Board may vary the permitted floor space ratio to a maximum of 11.0 for apartment or mixed-use residential building if:

- (a) a minimum of 50% of the total gross floor area is developed as residential;
- (b) the form of tenure is secured as residential rental tenure for 100% of the residential floor area;
- (c) a minimum of 20% of the residential units are developed as social housing; and
- (d) the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines and the proposed height, bulk, location and overall design of the building and its impact on the site and on surrounding buildings in terms of liveability, protected public views, and public spaces such as parks, playgrounds and plazas.

6.5.5 Despite the provisions of subsections 6.5.1, 6.5.2, 6.5.3 and 6.5.4, the Director of Planning or the Development Permit Board may increase the permitted floor space ratio by a maximum of 10% for the conservation of heritage property if:

- (a) Council first approves a heritage designation by-law;
- (b) the development includes substantial retention and conservation of the existing structure and its character-defining elements; and
- (c) the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines.”

39. Council strikes out section 6.6 and replaces it with the following:

## **“6.6 Physical Form**

### **Building Height**

6.6.1 The minimum building height is 7.0 m.

6.6.2 The maximum building height is 15.0 m, except in Transit-Oriented Areas the maximum building height is 30.0 m.

6.6.3 Despite the provisions of subsection 6.6.2, the Director of Planning or the Development Permit Board may increase the maximum building height to a height not exceeding 100.0 m if the Director of Planning or the Development Permit Board considers:

- (a) the intent of this Official Development Plan and all applicable Council policies and guidelines; and
- (b) height, bulk, location and overall design of the building and its impact on the site and on surrounding buildings in terms of liveability, protected public views, and public spaces such as parks, playgrounds, and plazas, including any shadow impacts between 10:00 am and 4:00 pm from March 21st to September 21st.

#### Frontage

6.6.4 For buildings with a floor space ratio greater than 3.0, the minimum site frontage is 15.0 m.

6.6.5 The maximum site frontage is 45.7 m, except that the Director of Planning or the Development Permit Board may increase the maximum site frontage if the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines.

#### Yards

6.6.6 Front Yard – Not Applicable

6.6.7 Side Yard

No side yard is required, except that where a site abuts an existing residential building with any window lighting a habitable room, any facing wall of a new building must be set back an adequate distance to ensure light and ventilation to the existing habitable rooms, in accordance with all applicable policies and guidelines adopted by Council.”

40. In section 6.6.4, Council strikes out the map titled “Downtown-Eastside/Oppenheimer District Map 6, Sub-Area 3 Powell Street/Japantown: Retail Continuity” and replaces it with the map attached to this by-law as Schedule H.

41. Council strikes out section 6.8.2 in its entirety.

42. Council rennumbers section 6.8.3 as 6.8.2, and in renumbered section 6.8.2:

- (a) strikes out “Bonuses” from the heading and replaces it with “Relaxations”;
- (b) in the first paragraph, adds “Development Permit” before “Board may relax,”; and
- (c) strikes out “, subject to prior approval by City Council” from the first paragraph.

43. Council adds a new section 6.8.3 as follows:

**“6.8.3 Relaxation for Provision of 100% Social Housing Developments**

The Director of Planning or the Development Permit Board may relax the regulations for retail continuity, including to permit apartment use, if 100% of the residential floor area is developed as social housing and the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.”

44. Council strikes out section 6.8.4 in its entirety.

45. In section 7.2.1, Council strikes out the map titled “Downtown-Eastside/Oppenheimer District Map 7, Sub-Area 4 Alexander/Powell” and replaces it with the map attached to this by-law as Schedule I.

46. Council numbers the first paragraph of section 7.3 as subsection 7.3.1 and adds the following subsection 7.3.2. after subsection 7.3.1(d):

“7.3.2 For apartment or mixed-use residential building, at least 25% of the total number of dwelling units must have 2 or more bedrooms, except that the Director of Planning or the Development Permit Board may vary this regulation if the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines.”

47. Council strikes out section 7.5 and replaces it with the following:

**“7.5 Density**

Developments requiring social housing are subject to the Schedule J: Affordable Housing Schedule of the Zoning and Development By-law.

Computation of floor area is subject to Section 8 of this Official Development Plan.

- 7.5.1 The maximum floor space ratio is 1.0.

- 7.5.2 Despite the provisions of subsection 7.5.1, the Director of Planning or the Development Permit Board may increase the permitted floor space ratio to a maximum of 1.5 for retail, service, manufacturing, or wholesale uses, and uses listed in section 7.2.1(h) and accessory uses, if:

- (a) the uses are existing as of April 29, 2014;
- (b) the uses are located on a site existing as of April 29, 2014; and
- (c) there is no conversion of existing residential floor area.

- 7.5.3 Despite the provisions of subsection 7.5.1, the Director of Planning or the Development Permit Board may vary the permitted floor space ratio to a maximum of 11.0 for apartment or mixed-use residential building if:

- (a) a minimum of 50% of the total gross floor area is developed as residential;
- (b) the form of tenure is secured as residential rental tenure for 100% of the residential floor area;
- (c) a minimum of 20% of the residential units are developed as social housing; and
- (d) the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines and the proposed height, bulk, location and overall design of the building and its impact on the site and on surrounding buildings in terms of liveability, protected public views, and public spaces such as parks, playgrounds and plazas.

7.5.4 Despite the provisions of subsections 7.5.1, 7.5.2 and 7.5.3, the Director of Planning or the Development Permit Board may increase the permitted floor space ratio by a maximum of 10% for the conservation of heritage property if:

- (a) Council first approves a heritage designation by-law;
- (b) the development includes substantial retention and conservation of the existing structure and its character-defining elements; and
- (c) the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines.”

48. Council strikes out section 7.6 and replaces it with the following:

## **“7.6 Physical Form**

### **Building Height**

7.6.1 The minimum building height is 15.0 meters.

7.6.2 Despite the provisions of subsection 7.6.1, the Director of Planning or the Development Permit Board may increase the maximum building height to a height not exceeding 100.0 m if the Director of Planning or the Development Permit Board considers:

- (a) the intent of this Official Development Plan and all applicable Council policies and guidelines; and
- (b) height, bulk, location and overall design of the building and its impact on the site and on surrounding buildings in terms of liveability, protected public views, and public spaces such as parks, playgrounds, and plazas, including any shadow impacts between 10:00 am and 4:00 pm from March 21st to September 21st.

## Frontage

7.6.3 For buildings with a floor space ratio greater than 3.0, the minimum site frontage is 15.0 m.

7.6.4 The maximum site frontage is 45.7 m, except that the Director of Planning or the Development Permit Board may increase the maximum site frontage if the Director of Planning or the Development Permit Board considers the intent of this Official Development Plan and all applicable Council policies and guidelines."

49. Council strikes out sections 7.8.1 and 7.8.2 in their entirety.

50. Council renumbers section 7.8.3 as 7.8.1, and in renumbered 7.8.1:

- (a) strikes out "Bonuses" from the heading and replaces it with "Relaxations";
- (b) in the first paragraph, adds "Development Permit" before "Board may relax,"; and
- (c) strikes out ", subject to prior approval by City Council" from the first paragraph.

51. Council strikes out section 7.8.4 in its entirety.

52. Council adds a new section 8 as follows:

### **"8 General Regulations**

All uses in this district are subject to the following regulations.

#### **8.1 Computation of Floor Area**

8.1.1 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building including accessory buildings; and
- (b) stairways, fire escapes, elevator shafts and other features that the Director of Planning considers similar to the foregoing, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

8.1.2 Computation of floor area must exclude:

- (a) balconies, decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that:
  - (i) the total area of these exclusions does not exceed 12% of the permitted floor area, and
  - (ii) the balconies must not be enclosed for the life of the building;
- (b) patios and roof decks;

- (c) entries, porches and verandahs, if:
  - (i) open or protected by guards that do not exceed the required minimum height, and
  - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions under section 8.1.2(a) above, does not exceed 16% of the permitted floor area;
- (d) child day care facilities to a maximum floor area of 10% of the total permitted floor area;
- (e) floors or portions of floors used for:
  - (i) off-street parking and loading, those floors or portions thereof which are located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
  - (ii) bicycle storage,
  - (iii) heating and mechanical equipment, or
  - (iv) uses that the Director of Planning considers similar to the foregoing;
- (f) areas of undeveloped floors that are located:
  - (i) above the highest storey or partial storey and to which there is no permanent means of access other than a hatch, or
  - (ii) adjacent to a storey or partial storey with a ceiling height of less than 1.2 m;
- (g) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (h) all residential storage area, except that if storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the storage area above base surface for that unit; and
- (i) common amenity areas to a maximum of 10% of the total permitted floor area.

8.1.3 Floor area excluded from a computation of floor space ratio pursuant to this by-law must not be put to any use other than that which justified the exclusion.

## **8.2 Access to Natural Light**

8.2.1 Each habitable room must have at least 1 window on an exterior wall of a building.”

53. In the Table of Contents, Council:

- (a) adds a new Section 8 titled “General Regulations”; and
- (b) updates the page numbers of each section accordingly.

54. This by-law is to come into force and take effect on the date of its enactment, except that sections 4 through 53 do not come into force or take effect and the Zoning and Development By-law existing on [day before enactment date] remains in force and effect with regard to any complete development permit applications accepted on or before [enactment date].

ENACTED by Council this                      day of                      , 2026

\_\_\_\_\_  
Mayor

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



## Schedule A

### Downtown Eastside/Oppenheimer District Boundaries



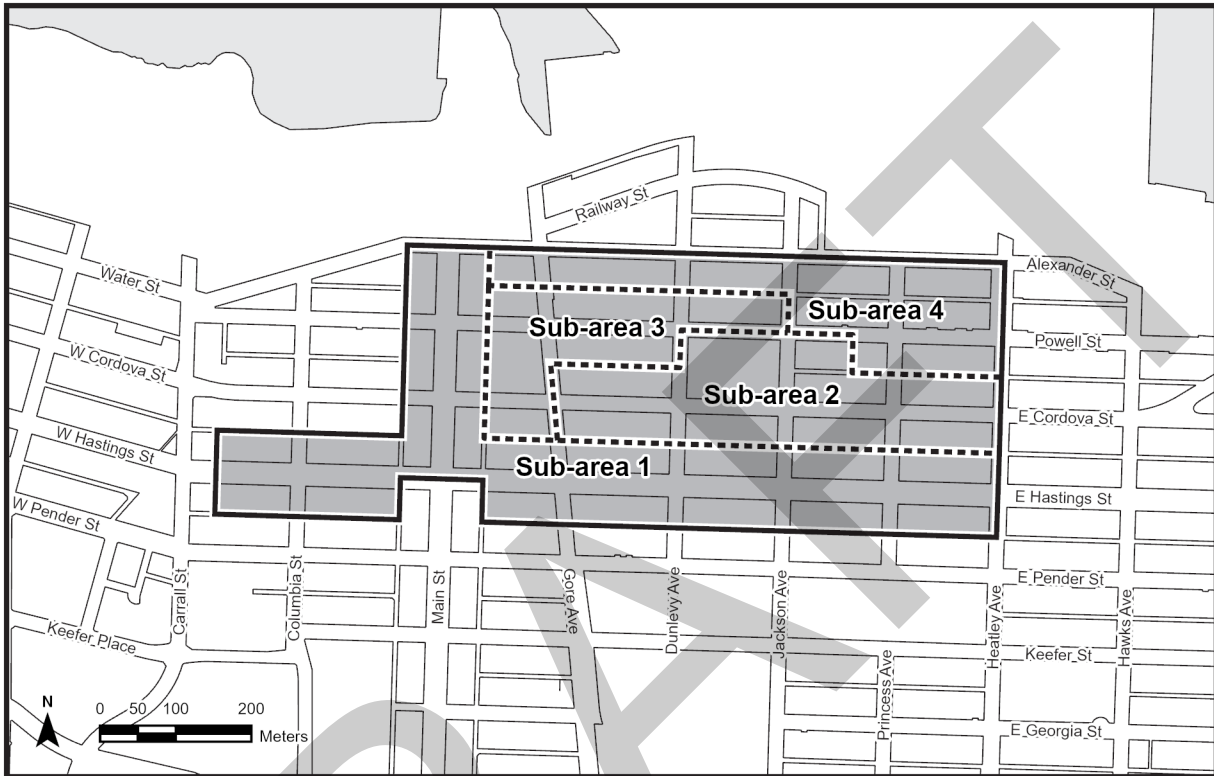
#### LEGEND

— DEOD boundary \*

*\* Only applies to properties zoned DEOD within the boundary shown.*

## Schedule B

### Downtown Eastside/Oppenheimer District Sub-areas



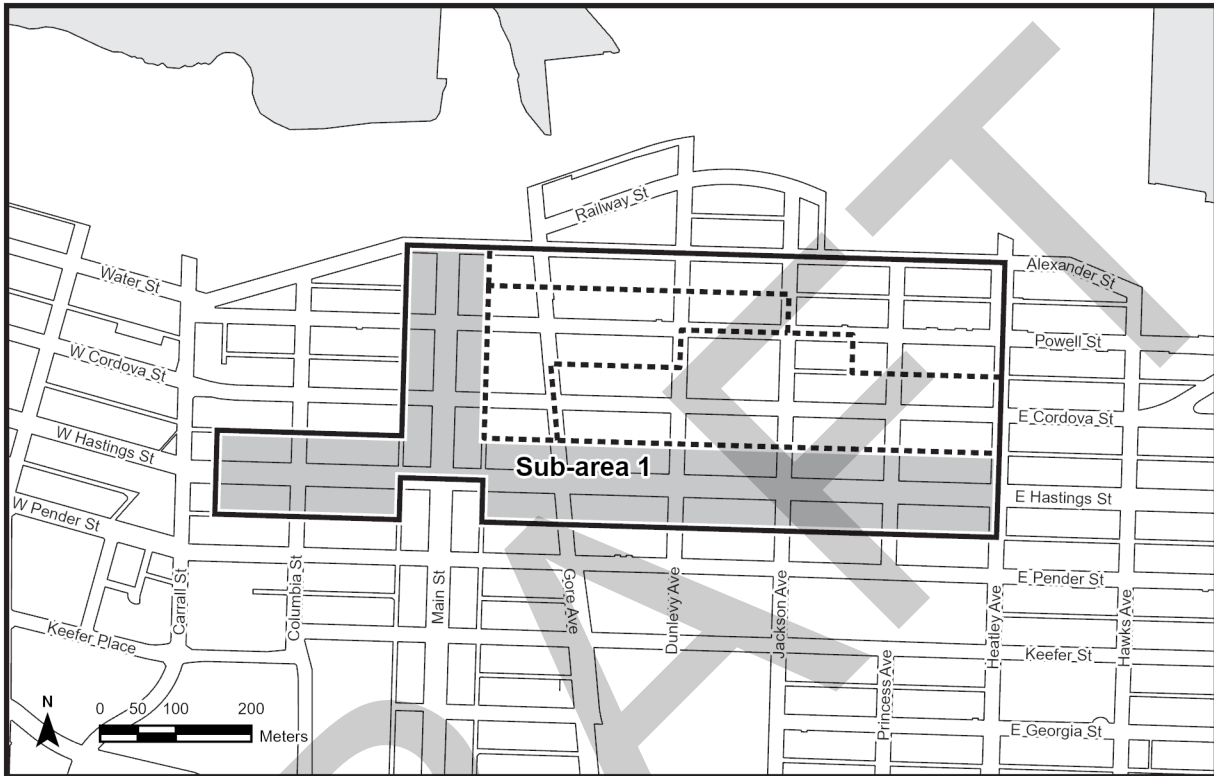
#### LEGEND

— DEOD boundary \*      - - - Sub-area boundaries

\* Only applies to properties zoned DEOD within the boundary shown.

## Schedule C

### Sub-area 1 Main/Hastings



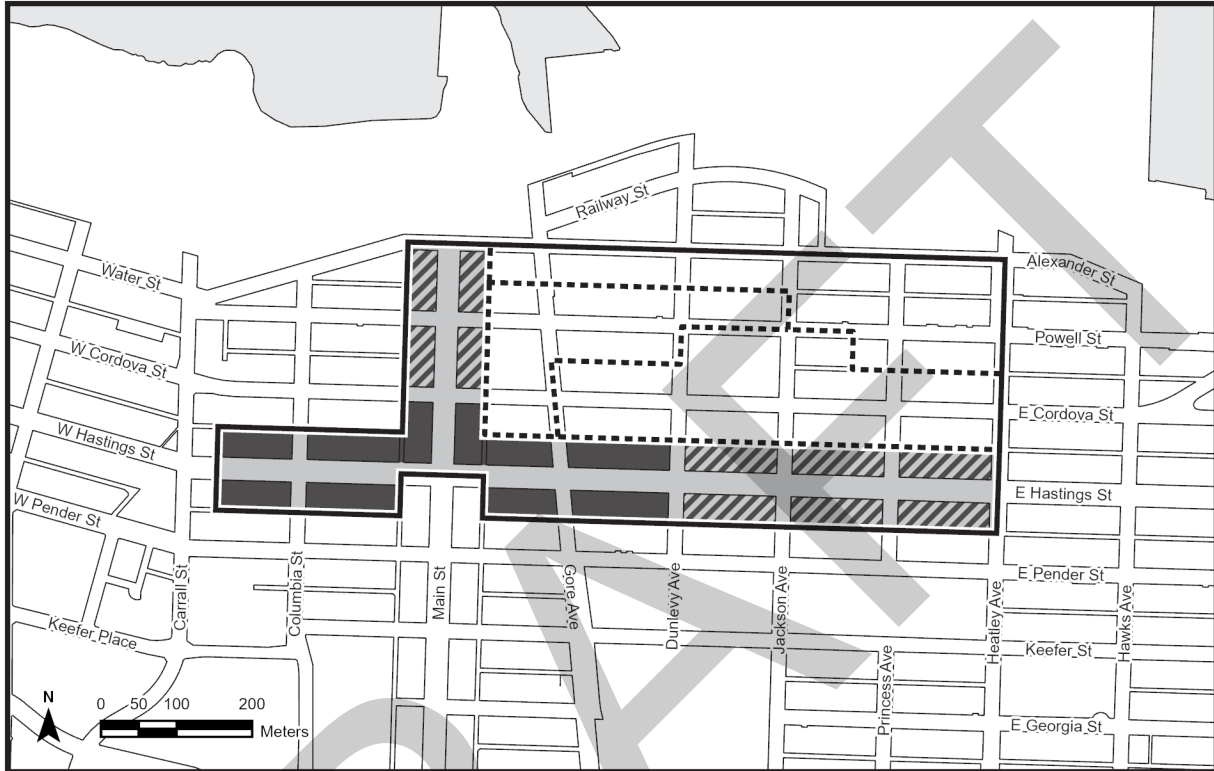
#### LEGEND

— DEOD boundary \*      --- Sub-area boundaries

\* Only applies to properties zoned DEOD within the boundary shown.

## Schedule D

### Sub-area 1 Main/Hastings: Retail Continuity



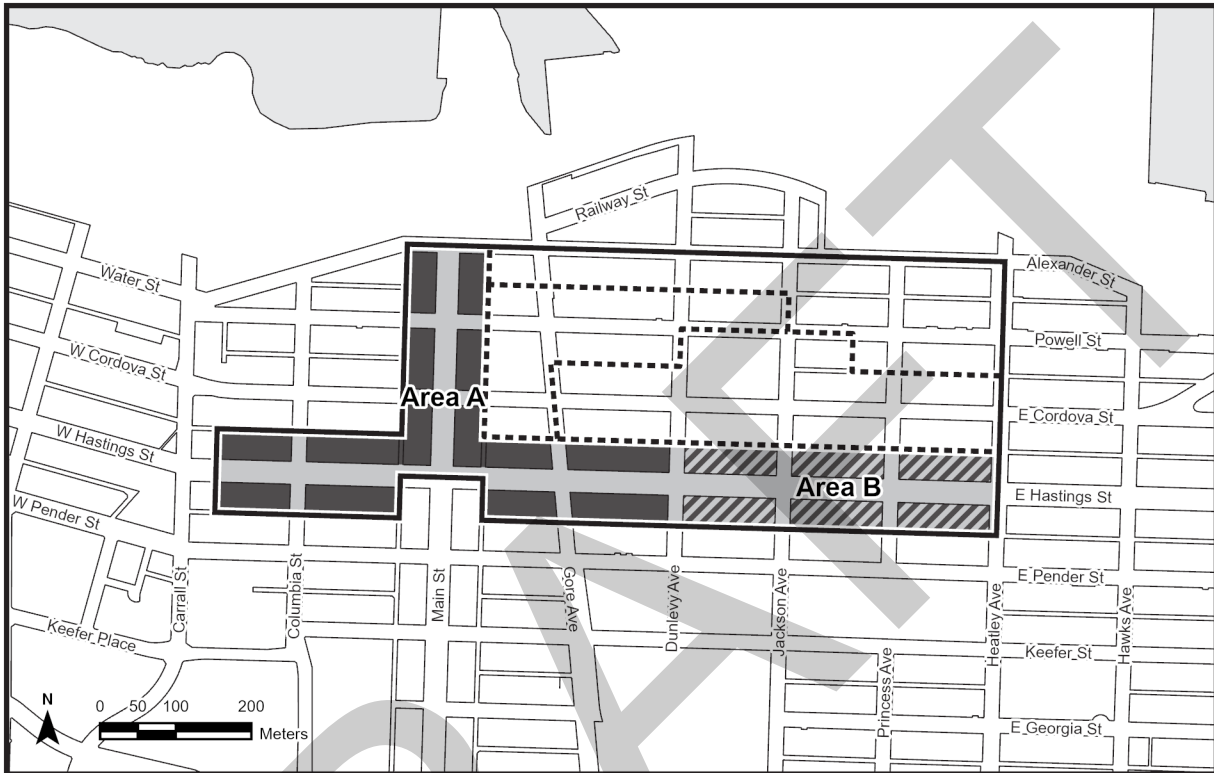
#### LEGEND

- DEOD boundary \*
- Sub-area boundaries
- Only retail and similar uses, social service centres, lawyers' offices, and other community-serving uses subject to section 4.4A permitted on the ground floor
- ▨ Retail and similar uses encouraged on the ground floor

\* Only applies to properties zoned DEOD within the boundary shown.

## Schedule E

### Sub-area 1 Main/Hastings: Minimum Building Heights



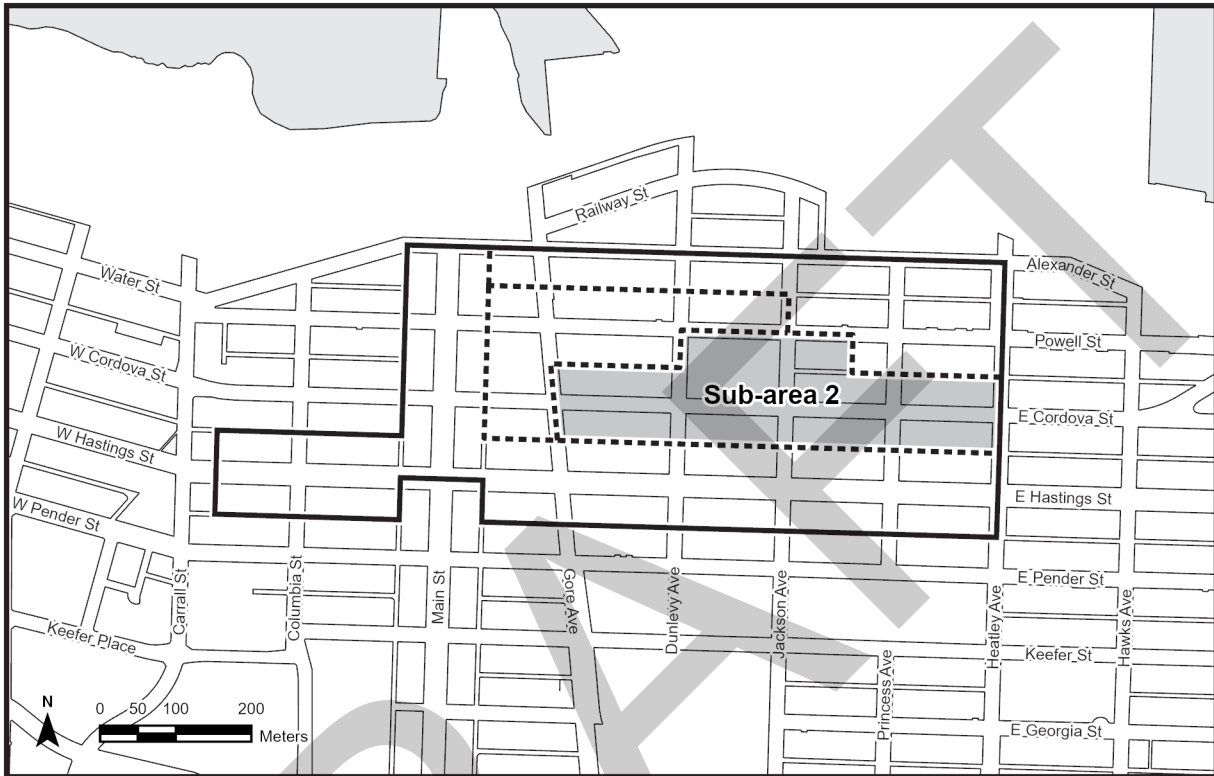
#### LEGEND

- DEOD boundary \*
- Sub-area boundaries
- Area A: Minimum building height - 11 meters
- ▨ Area B: No minimum building height

\* Only applies to properties zoned DEOD within the boundary shown.

## Schedule F

### Sub-area 2 Cordova Street



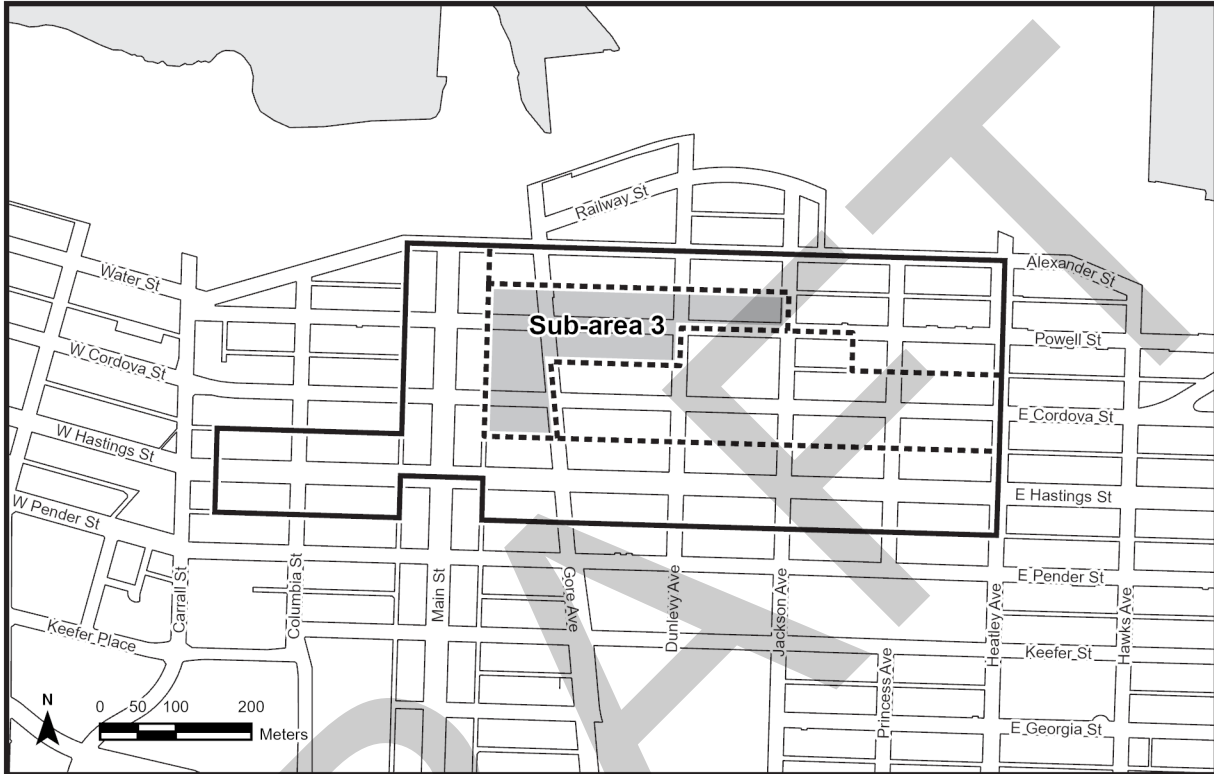
#### LEGEND

— DEOD boundary \*      --- Sub-area boundaries

\* Only applies to properties zoned DEOD within the boundary shown.

## Schedule G

### Sub-area 3 Powell Street/Japantown



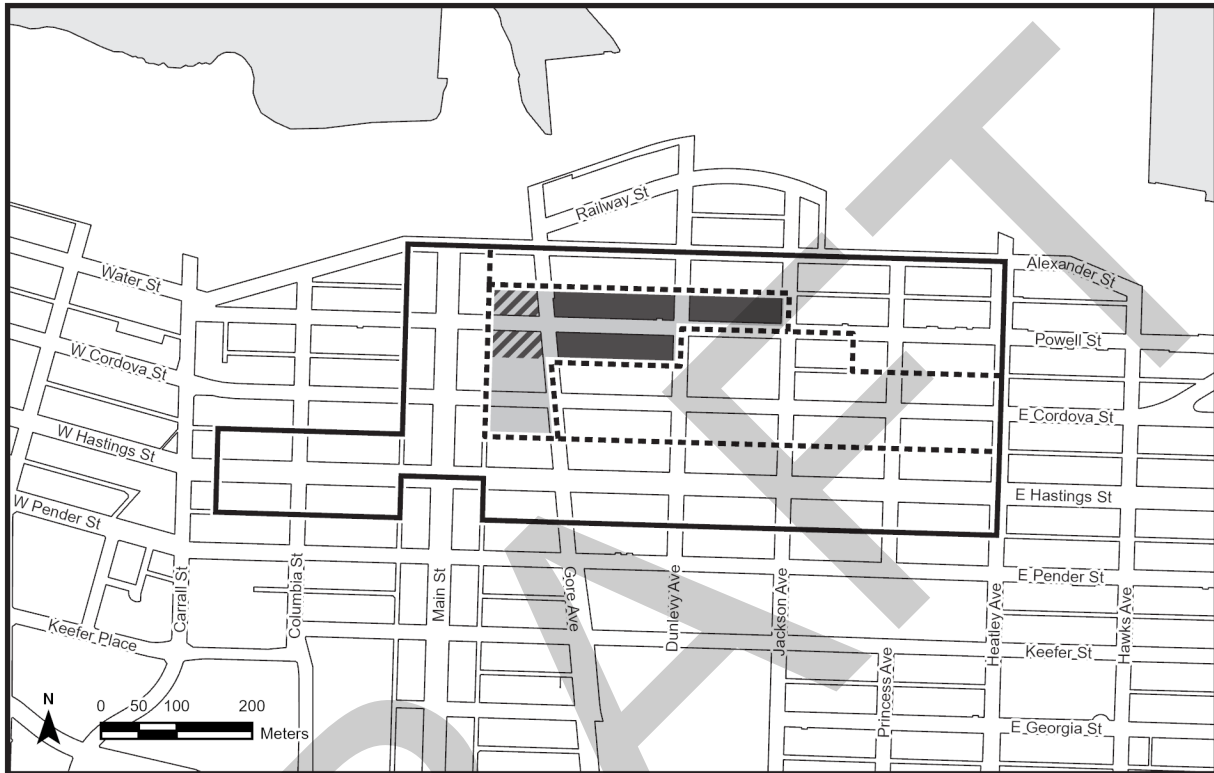
#### LEGEND

— DEOD boundary \*      --- Sub-area boundaries

\* Only applies to properties zoned DEOD within the boundary shown.

## Schedule H

### Sub-area 3 Powell Street/Japantown: Retail Continuity



#### LEGEND

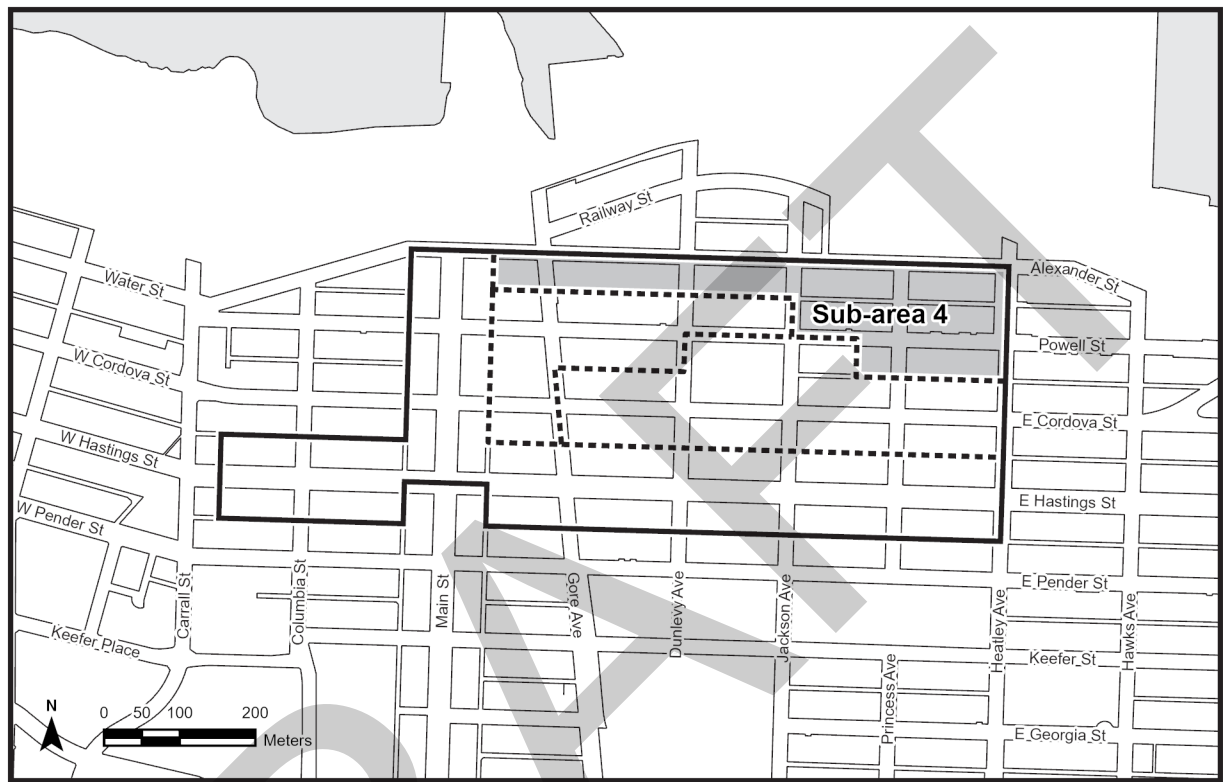
- DEOD boundary \*
- Sub-area boundaries
- Only retail and similar uses, social service centres, and other community-serving uses subject to section 6.4A permitted on the ground floor
- ▨ Retail and similar uses encouraged on the ground floor

\* Only applies to properties zoned DEOD within the boundary shown.



Schedule I

Sub-area 4 Alexander/Powell



LEGEND

- DEOD boundary \*      - - - Sub-area boundaries

\* Only applies to properties zoned DEOD within the boundary shown.