

## HA-2 (Gastown Historic Area)

### 1 Intent

Gastown is the site of the old Granville Townsite, and it is from this area that the City of Vancouver developed and grew. This District Schedule is designed to recognize the area's special status and to ensure the maintenance of Gastown's "turn of the century" historical and architectural character.

### 2 Outright Approval Uses

**2.1** Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted in this District and shall be issued a permit.

#### **2.2 Uses**

2.2.C [Cultural and Recreational]

- Arts and Culture Indoor Event.

2.2.R [Retail]

- Grocery or Drug Store.
- Retail Store.

2.2.S [Service]

- Restaurant - Class 1.

#### **2.3 Conditions of Use**

2.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:

- (a) parking and loading facilities;
- (b) restaurant and refreshment facilities;
- (c) display of flowers, plants, fruits and vegetables.

2.3.2 Notwithstanding the provisions of section 5 of this By-law, any and all proposed alterations or changes to the exterior treatment or appearance of any building or structure or changes of use shall require the approval of the Development Permit Board after consultation with any advisory group approved by Council for the area.

2.3.3 For the purposes of this Schedule, "ground floor" does not include a basement.

2.3.4 All uses listed in this section shall be limited to the ground floor only and shall be further limited to a maximum gross floor area of 500 m<sup>2</sup> and a maximum frontage of 10.7 m.

### 3 Conditional Approval Uses

**3.1** Subject to all other provisions of this By-law, section 3.3.3 and the provisions and regulations of this Schedule, the Development Permit Board may approve any of the uses listed in section 3.2, subject to the conditions of section 3.3, and including such other conditions as it may decide, provided that it first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant.

### 3.2 Uses

- 3.2.A
  - Accessory Buildings to any of the uses listed in this Schedule.
  - Accessory Uses to any of the uses listed in this Schedule.
- 3.2.AG [Agricultural]
  - Urban Farm - Class B, subject to the provisions of section 11.30 of this By-law.
- 3.2.C [Cultural and Recreational]
  - Artist Studio, subject to the provisions of section 11.18 of this By-law.
  - Hall.
  - Fitness Centre.
  - Library.
  - Museum or Archives.
  - Park or Playground.
  - Swimming Pool.
  - Theatre.
  - Zoo or Botanical Garden.
- 3.2.D
  - Deposition or extraction of material so as to alter the configuration of the land.
- 3.2.DW [Dwelling]
  - Dwelling Uses.
  - Micro dwelling, subject to the provisions of section 11.27 of this By-law.
  - Residential Unit associated with and forming an integral part of an artist studio, subject to the provisions of section 11.19 of this By-law.
- 3.2.I [Institutional]
  - Child Day Care Facility.
  - Church.
  - Public Authority Use.
  - School - Elementary or Secondary.
  - School - University or College.
  - Social Service Centre.
- 3.2.LW [Live-Work Use]
  - Live-Work Use, subject to section 11.23 of this By-law.
- 3.2.M [Manufacturing]
  - Bakery Products Manufacturing.
  - Clothing Manufacturing.
  - Jewellery Manufacturing.
- 3.2.O [Office]
  - Office Uses.
- 3.2.P [Parking]
  - Parking Uses.

## 3.2.R [Retail]

- Farmers' Market, subject to the provisions of Section 11.21 of this By-law. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
- Furniture or Appliance Store.
- Grocery or Drug Store, other than as provided for in section 2.2.
- Liquor Store.
- Medical Marijuana-related Use, subject to the provisions of section 11.28 of this By-law.
- Public Bike Share.
- Retail Store, other than as provided for in section 2.2.
- Small-scale Pharmacy, subject to the provisions of section 11.22 of this By-law.
- Vehicle Dealer.

## 3.2.S [Service]

- Auction Hall.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Bed and Breakfast Accommodation, subject to the provisions of section 11.4 of this By-law.
- Cabaret.
- Catering Establishment.
- Hotel.
- Laundromat or Dry Cleaning Establishment.
- Laundry or Cleaning Plant.
- Neighbourhood Public House.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class B.
- Restaurant - Class 1, other than as provided for in section 2.2.
- Restaurant - Class 2.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Sign Painting Shop.
- Wedding Chapel, subject to section 11.20 of this By-law.

## 3.2.U [Utility and Communication]

- Public Utility.

## 3.2.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B.

- 3.2.Z • Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Development Permit Board considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

### 3.3 Conditions of Use

3.3.1 All uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) restaurant;
- (c) display of flowers, plants, fruits and vegetables;
- (d) neighbourhood public house;
- (e) farmers' market; and
- (f) public bike share.

3.3.2 Any development permit issued for live-work use must stipulate as permitted uses:

- (a) dwelling unit;
- (b) 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).

## 4 Regulations

All uses approved under sections 2 and 3 of this District Schedule shall be subject to the following regulations.

**4.1 Site Area -- Not Applicable.**

**4.2 Frontage -- Not Applicable.**

### 4.3 Height

4.3.1 The minimum height of a building shall be 12.2 m, and the maximum height of a building shall be 22.9 m.

4.3.2 The Development Permit Board may permit an increase or decrease in the maximum or minimum height of a building with respect to any development provided they first consult with any advisory group approved by Council for the area and take into account the following:

- (a) the height, bulk and location of the building and its effect on the site, surrounding buildings and streets, and existing views;
- (b) the effects of overall design on the general amenity of the area; and
- (c) the intent of this Schedule.

**4.4 Front Yard and Setback -- Not Required.**

**4.5 Side Yards -- Not Required.**

**4.6 Rear Yard and Setbacks -- Not Required.**

**4.7 Floor Space Ratio -- Not Applicable.**

**4.8 Site Coverage -- Not Applicable.**

**4.9 [Deleted -- see Parking By-law.]**

#### **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>.

### **5 Relaxation of Regulations**

- 5.1** The Development Permit Board or the Director of Planning, as the case may be, may relax the use conditions of sections 2.3.1 and 3.3.1 for the following uses, and may include additional conditions, provided they first consider the intent of this Schedule and all applicable policies and guidelines adopted by Council and the submission of any advisory group.
- (a) restaurant and refreshment facilities;
  - (b) retail uses.
- 5.2** 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.

