

BY-LAW NO. 13347

**A By-law to amend Downtown-Eastside/Oppenheimer
Official Development Plan By-law No. 5532
regarding increases in height and FSR**

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. In section 5.5, Council:
 - (a) in subsection 5.5.1(b), strikes out “to a maximum floor space ratio of 4.5 if:” and substitutes “to a maximum floor space ratio of 5.5 if:”;
 - (b) renumbers sections 5.5.3, 5.5.4 and 5.5.5 as sections 5.5.4, 5.5.5 and 5.5.6, respectively;
 - (c) adds a new section 5.5.3 as follows:

“5.5.3 Despite the provisions of subsections 5.5.1 and 5.5.2, the Director of Planning or the Development Permit Board may permit an increase in the maximum floor space ratio to 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 of the existing structure and historically appropriate conservation treatments; and
 - (c) the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable Council policies and guidelines.”; and
 - (d) in section 5.5.6, strikes out “pursuant to sections 5.5.3 and 5.5.4” and substitutes “pursuant to sections 5.5.4 and 5.5.5”.
3. In section 5.6.1, Council:
 - (a) strikes out “may permit an increase in the maximum height of a building to a maximum of 22.8 m” and substitutes “may permit an increase in the maximum height of a building to a maximum of 30.5 m”;
 - (b) in subsection (b), strikes out “; and” and substitutes “;”
 - (c) renumbers subsection (c) as subsection (f);
 - (d) adds new subsections (c) through (e) as follows:

“(c) in the case of a site on the south side of East Cordova Street between Gore Avenue and Princess Avenue, no portion of a building extends

above an envelope formed by a vertical line measuring 17 m in height at the north property line and a plane formed by an angle of 40 degrees measured from the horizontal and having its vertex at the maximum building height, and as illustrated in Figure 1;

- (d) in the case of a site on the west side of Dunlevy Avenue between East Cordova Street and the lane between East Cordova and Powell Street, no portion of a building extends above an envelope formed by a vertical line measuring 14 m in height at the east property line and a plane formed by an angle of 35 degrees measured from the horizontal and having its vertex at the maximum building height, and as illustrated in Figure 2;
- (e) except for the portion of a site at the north property line at the corner of Jackson Avenue and Powell Street extending south up to 23 metres, in the case of a site on the east side of Jackson Avenue between East Cordova Street and Powell Street, no portion of a building extends above an envelope formed by a vertical line measuring 11 m in height at the west property line and a plane formed by an angle of 29 degrees measured from the horizontal and having its vertex at the maximum building height, and as illustrated in Figure 3; and”;
- (e) in clause (f)(ii), strikes out “and the impact on public areas such as parks and plazas.” and substitutes “and the impact on public areas such as parks, playgrounds, and plazas, including any shadow impacts between 10:00 am and 4:00 pm from March 21st to September 21st.”; and
- (f) inserts the following Figures at the end of the section:

“

Figure 1

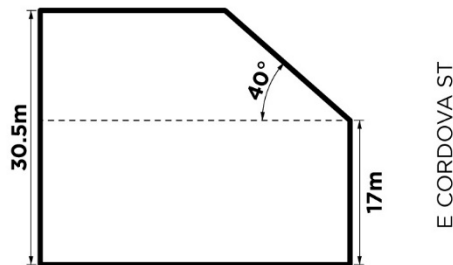


Figure 2

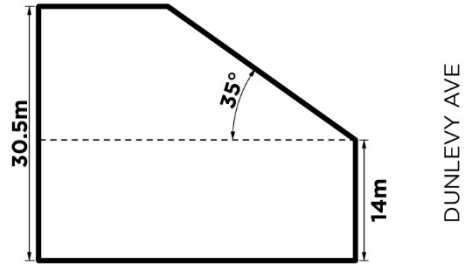
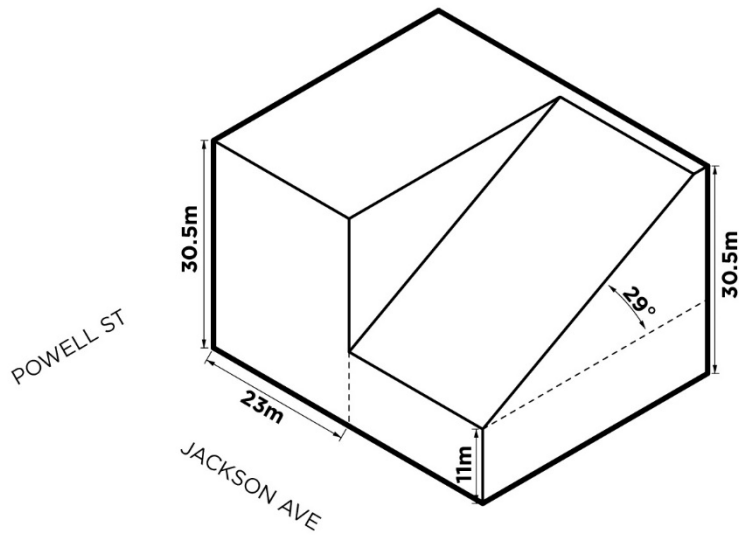


Figure 3



4. In section 6.5, Council:

- (a) in subsection 6.5.1(b), strikes out “to a maximum floor space ratio of 4.5 if:” and substitutes “to a maximum floor space ratio of 5.5 if:”;

(b) renumbers sections 6.5.3, 6.5.4 and 6.5.5 as sections 6.5.4, 6.5.5 and 6.5.6, respectively;

(c) adds a new section 6.5.3 as follows:

“6.5.3 Despite the provisions of subsections 6.5.1 and 6.5.2, the Director of Planning or the Development Permit Board may permit an increase in the maximum floor space ratio to 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 of the existing structure and historically appropriate conservation treatments; and
- (c) the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable Council policies and guidelines.”; and

(d) in section 6.5.6, strikes out “pursuant to sections 6.5.3 and 6.5.4” and substitutes “pursuant to sections 6.5.4 and 6.5.5”.

5. In section 6.6.1, Council strikes out “may permit an increase in the maximum height of a building to a maximum of 22.8 m” and substitutes “may permit an increase in the maximum height of a building to a maximum of 30.5 m”.

6. In section 7.5, Council:

(a) in subsection 7.5.1(b), strikes out “to a maximum floor space ratio of 4.5 if:” and substitutes “to a maximum floor space ratio of 5.5 if:”;

(b) renumbers sections 7.5.3, 7.5.4 and 7.5.5 as sections 7.5.4, 7.5.5 and 7.5.6, respectively;

(c) adds a new section 7.5.3 as follows:

“7.5.3 Despite the provisions of subsections 7.5.1 and 7.5.2, the Director of Planning or the Development Permit Board may permit an increase in the maximum floor space ratio to 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 of the existing structure and historically appropriate conservation treatments; and
- (c) the Director of Planning or Development Permit Board first considers the intent of this Schedule and all applicable Council policies and guidelines.”; and

(d) in section 7.5.6, strikes out “pursuant to sections 7.5.3 and 7.5.4” and substitutes “pursuant to sections 7.5.4 and 7.5.5”.

7. In section 7.6.1, Council strikes out “may permit an increase in the maximum height of a building to a maximum of 22.8 m” and substitutes “may permit an increase in the maximum height of a building to a maximum of 30.5 m”.

8. 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.

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

ENACTED by Council this 7th day of June, 2022

Signed _____ “Kennedy Stewart”
Mayor

Signed _____ “Katrina Leckovic”
City Clerk