

Section 3

Administration

3.1 Approvals

- 3.1.1 It shall be the duty of the Director of Planning, or the Development Permit Board on his behalf, to exercise on behalf of Council such powers as are hereby expressly delegated to him.
- 3.1.2 Save and except as provided in section 3.3, it shall be the duty of the Director of Planning to administer the provisions of this By-law.
- 3.1.3 Approval shall be granted by the issuance of a development permit, if such permit is required in accordance with development permit approval process specified in the Zoning and Development By-law.

3.2 Relaxation

- 3.2.1 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law, except for the number of disability parking spaces required under section 4.8.4 for cultural and recreational uses, churches, chapels, places of worship, or similar places of assembly, in any case where literal enforcement would result in unnecessary hardship relating to any of the following:
- (a) required setbacks to off-street parking areas and parking spaces with associated manoeuvring aisles where, in the opinion of the Director of Planning, the landscaping provided or to be provided is adequate to warrant such relaxation, except that in a C-1 or R District, no relaxation shall be granted which has the effect of reducing the front yard to less than the required depth of an adjoining front yard;
 - (b) required screening on the boundary of a parking area serving a school, park or similar use on a site in excess of 0.8 hectares, in cases where the distance between such boundary and R districts outside the site of the principal use served by the parking area is in excess of 75 metres;
 - (c) the number of off-street parking spaces, loading spaces, passenger spaces, or disability parking spaces required or permitted;
 - (d) the location of off-street parking spaces relative to the site they are intended to serve;
 - (e) the retention of a heritage site, a building in an HA District or in sub-area C2 or a building on the Vancouver Heritage Register, provided that in the case of a building on the Vancouver Heritage Register that is neither a heritage site nor in an HA District or in sub-area C2 the Director of Planning may require that the owner of the building consent to its designation as a heritage site, without compensation, prior to issuance of any development permit issued pursuant to this provision for relaxation;
 - (f) the proportion of small car spaces;
 - (g) the requirement that parking or loading spaces be located so that each individual occupancy within a development has access to required spaces;
 - (h) the number of off-street bicycle spaces required;
 - (i) the requirement that bicycle spaces be located no lower than the first complete parking level below grade,
 - (j) the width of off-street disability parking spaces, after consultation with the City Engineer and Chief Building Official; and
 - (k) the vertical clearance of off-street disability parking spaces and of entrances, exits, drive aisles, other access to off-street disability parking spaces, and egress there from, after consultation with the City Engineer and Chief Building Official.

- 3.2.2 The Director of Planning and General Manager of Engineering Services, on conditions that are satisfactory to them, may allow the substitution of shared vehicles and shared vehicle parking spaces for required parking spaces:
- (a) except as set out in subsections (b) and (c), at a 1:5 ratio, to a maximum of one shared vehicle and one shared parking space for each 50 dwelling units up to a maximum of two shared vehicles for each 100 dwelling units, rounded to the nearest whole number, or such greater substitution of shared vehicles and shared vehicle parking spaces at such ratio and for such number of dwelling units as they may consider appropriate with respect to the site;
 - (b) for eligible developments, Downtown, at a 1:5 ratio, to a maximum of 6 shared vehicles and 6 shared parking spaces for each 100 dwelling units;
 - (c) in eligible developments not Downtown, at a 1:5 ratio, to a maximum of 2 shared vehicles and 2 shared parking spaces for each 100 dwelling units; and
 - (d) in developments that are both non-eligible and eligible, at a combination of the ratios set out in subsections (a) and (b) or (a) and (c), as the case may be, as to the Director of Planning and General Manager of Engineering Services seems appropriate.
- 3.2.2A The Director of Planning and General Manager of Engineering Services, on conditions that are satisfactory to them, for an eligible development that is within two blocks of a rapid transit station, or within two blocks of the intersection of two distinct bus routes that run north to south and east to west, and within the Metro Core as outlined in black on Map 3.2.2A, except for Downtown and Southeast False Creek, may reduce the minimum parking requirement, set out in the first paragraph in Column 2 of Table 4.5B, by 10%.
- 3.2.2B The conditions referred to in sections 3.2.2 and 3.2.2A are to include the following:
- (a) the owner of the development must register against title to the development, with such priority as the Director of Legal Services may require, and in form and substance satisfactory to the Director of Legal Services, a covenant under section 219 of the Land Title Act of British Columbia, or other instrument satisfactory to the Director of Legal Services, providing that:
 - (i) a professional car-sharing organization satisfactory to the Director of Planning and General Manager of Engineering Services must manage the car sharing vehicles,
 - (ii) the car sharing spaces must be accessible to members of the car sharing organization who do not reside in the development, and
 - (iii) with respect to eligible developments under section 3.2.2A, each dwelling unit within the eligible development will have the benefit of one or more zone transit passes for the greater of the life of the building comprising the eligible development or 60 years; and
 - (b) the owner of the development must register against title to the development, with such priority as the Director of Legal Services may require, and in form and substance satisfactory to the Director of Legal Services, a covenant under section 219 of the Land Title Act of British Columbia, statutory right of way, or other instrument satisfactory to the Director of Legal Services, providing that the car sharing spaces in the development must be accessible to members of the car sharing organization who do not reside in the development.
- 3.2.3 The Director of Planning, before granting any relaxation pursuant to section 3.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.
- 3.2.4 Any appeal from a decision of the Director of Planning made in the exercise of his discretion shall be to the Building Board of Appeal.

Vancouver Metropolitan Core

Map 3.2.2A



