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(Revised)

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## ACCESSIBLE FLOOR LEVELS

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Buildings which are required to afford access to persons with disabilities should generally provide access to all storeys and all types of facilities used by the public. Exceptions to this requirement are described in Article 3.8.2.1. of Division B of the Vancouver Building By-law (VBBL). In buildings of assembly occupancy, including restaurants, bars, and meeting rooms, the VBBL intends that persons with disabilities be provided with access to facilities on the same basis as fully mobile persons.

In accordance with the VBBL, *access* or *accessible* means "that a person with disabilities is, without assistance, able to approach, enter, pass to and from, and make use of an area and its facilities, or either of them". It is not permissible to discriminate against persons with disabilities by restricting them from the full range of facilities and services available to others. The 1998 Building Access Handbook published by the then Provincial Ministry of Municipal Affairs states:-

*"Multiple levels in a floor area or suite should be avoided, but this is not always possible. Persons with disabilities must have access to all the services and facilities offered. The non-accessible levels cannot contain facilities or services unavailable elsewhere on the storey or in the suite. For example if pool tables are provided in a bowling alley they must be accessible along with the bowling and refreshment facilities."*

In certain circumstances it is desired to construct some facilities on split or multi-levels. This can cause problems for persons in wheelchairs where wheelchair ramps are not provided. In renovations and upgrades of existing buildings, it is understood that the existing building configuration and layout may make it difficult and costly to maintain all levels of a multi-level floor in a building fully accessible. In such cases, the City would permit a more flexible approach to providing access, provided the fundamental intent and objectives of the VBBL to permit use of all facilities by persons with disabilities can be met.

In the case of new buildings, use of split levels within a storey or floor area should be avoided wherever possible unless wheelchair access can be provided to all levels. If it is desired to construct raised or sunken areas without wheelchair accessibility, this may only be done on the following basis:-

- There is a functional design requirement which indicates that a split or multi-level design solution is required, e.g. headroom restrictions over a garage ramp,
- The non-accessible level(s) does not contain facilities or services which are unavailable elsewhere within the room or suite to persons with disabilities,
- The area of the non-accessible level(s) does not exceed 33% of the accessible floor area of the room or suite in which it is located, and
- The facilities and services on the non-accessible level are not provided with a higher standard of finish, better amenities, better views, or a more attractive environment generally than the accessible facilities.

Where multi or split levels are contemplated, the approval of the City should be obtained for the proposed arrangement before proceeding with detailed design.

In addition, designers of hotels which wish to conform to the Americans with Disabilities Act should be aware that the guidelines (ADAAG) to this act state:-

*" 5.4 Dining Areas. In new construction, all dining areas, including raised or sunken dining areas, loggias, and outdoor seating areas, shall be accessible. In non-elevator buildings, an accessible means of vertical access to the mezzanine is not required under the following conditions: 1) the area of mezzanine seating measures no more than 33 percent of the area of the total accessible seating area; 2) the same services and decor are provided in an accessible space usable by the general public; and 3) the accessible areas are not restricted to use by people with disabilities. In alterations, accessibility to raised or sunken dining areas, or to all parts of outdoor seating areas is not required provided that the same services and decor are provided in an accessible space usable by the general public and are not restricted to use by people with disabilities. "*

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