

BY-LAW NO. _____

A By-law to amend the Zoning & Development By-law regarding
False Creek Flats

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

1. This by-law amends the indicated provisions of the Zoning and Development By-law.
2. This by-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plans marginally numbered as Z-725 (c) (i) to Z-725 (c) ((iii) and attached as Schedule A to this by-law, and incorporates Schedule A into Schedule D to By-law No. 3575.
3. In Section 2, Definitions under Transportation and Storage Uses, Council adds, in alphabetical order:

“Bulk Data Storage, which means the use of a wholly enclosed building, for the storage of information on operating data servers;”
4. Council amends the Zoning and Development By-law by repealing the I-2 District Schedule and enacting the new I-2 District Schedule as attached to this by-law as Appendix A.
5. Council amends the Zoning and Development By-law by repealing the I-3 District Schedule and enacting the new I-3 District Schedule as attached to this by-law as Appendix B.
6. Council amends the Zoning and Development By-law by repealing the IC-3 District Schedule and enacting the new IC-3 District Schedule as attached to this by-law as Appendix C.
7. Council amends the Zoning and Development By-law by repealing the MC-1 and MC-2 Districts Schedule and enacting the new MC-1 and MC-2 Districts Schedule as attached to this by-law as Appendix D.
8. Council amends the Zoning and Development By-law by enacting the new FC-2 District Schedule as attached to this by-law as Appendix E.
9. In Section 9, Zoning Districts, under the heading “Commercial” Council adds “FC-2” in the appropriate alphabetical order.

10. In Section 11, General Regulations, Council amends sub-section 11.27, “Micro dwelling” by adding the following to sub-section 11.27.3 in the appropriate numerical order:

- “(g) the FC-2 district; and
- (h) the area of the IC-3 district north of 2nd Avenue.”

11. Council amends Schedule F for Affordable Housing and Amenity Share Costs of the Zoning and Development By-law by adding the following:

Zoning District	Affordable Housing Share Cost	Amenity Share Cost
I-3		\$107.63 per m ²
FC-2		\$1291.67 per m ²

12. 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.

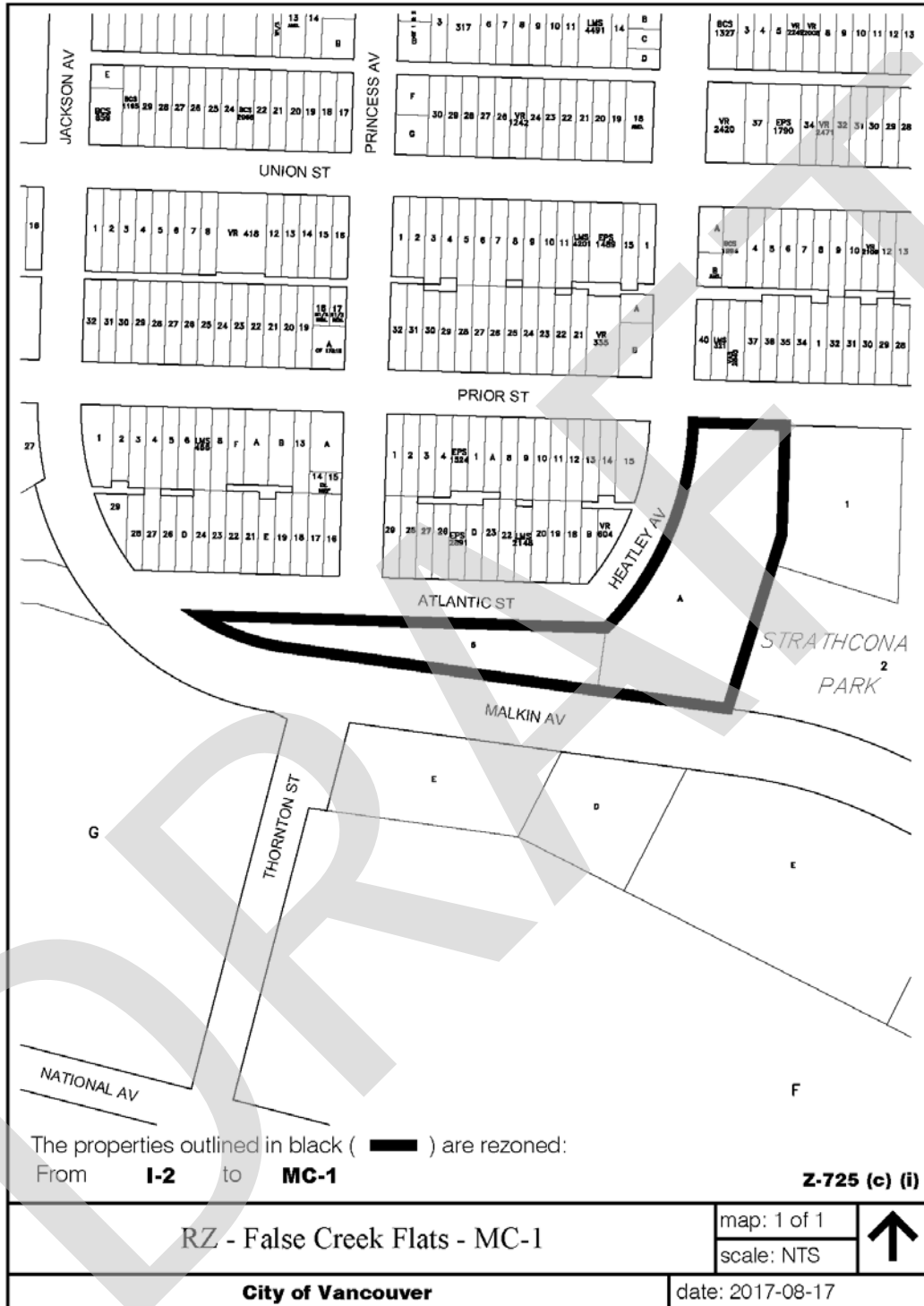
13. This By-law is to come into force and take effect on the date of its enactment.

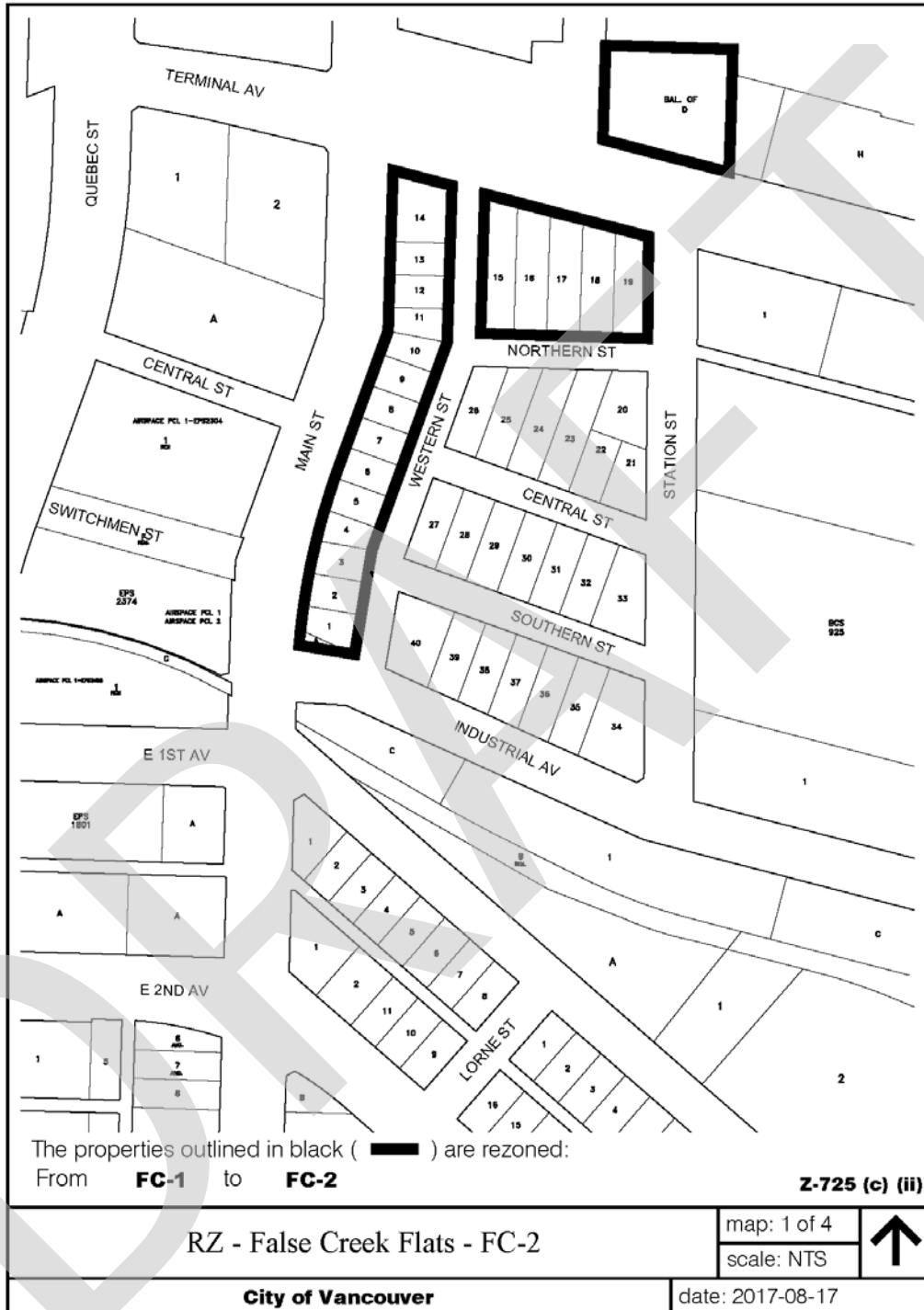
ENACTED by Council this _____ day of _____, 2017

Mayor

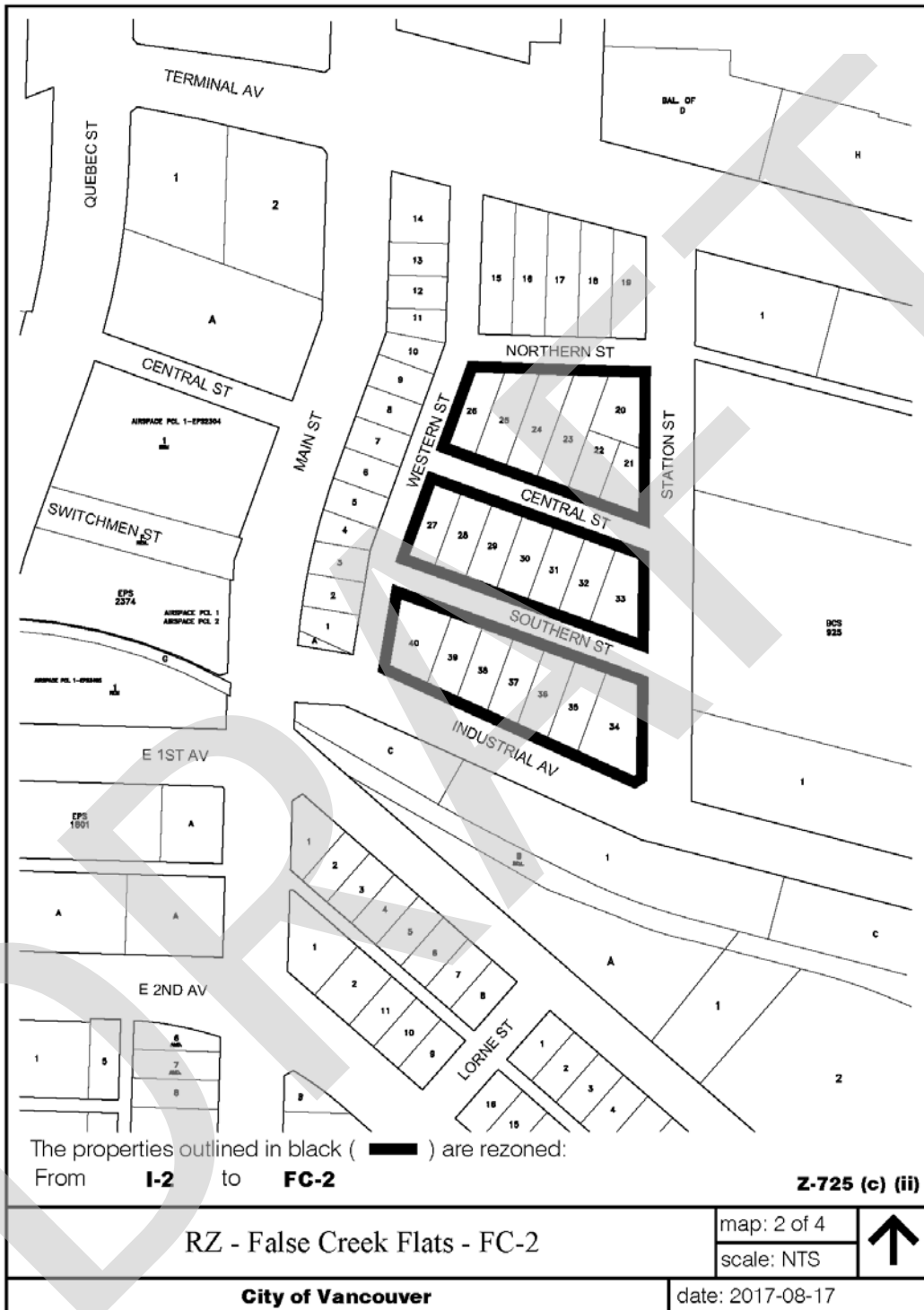
City Clerk

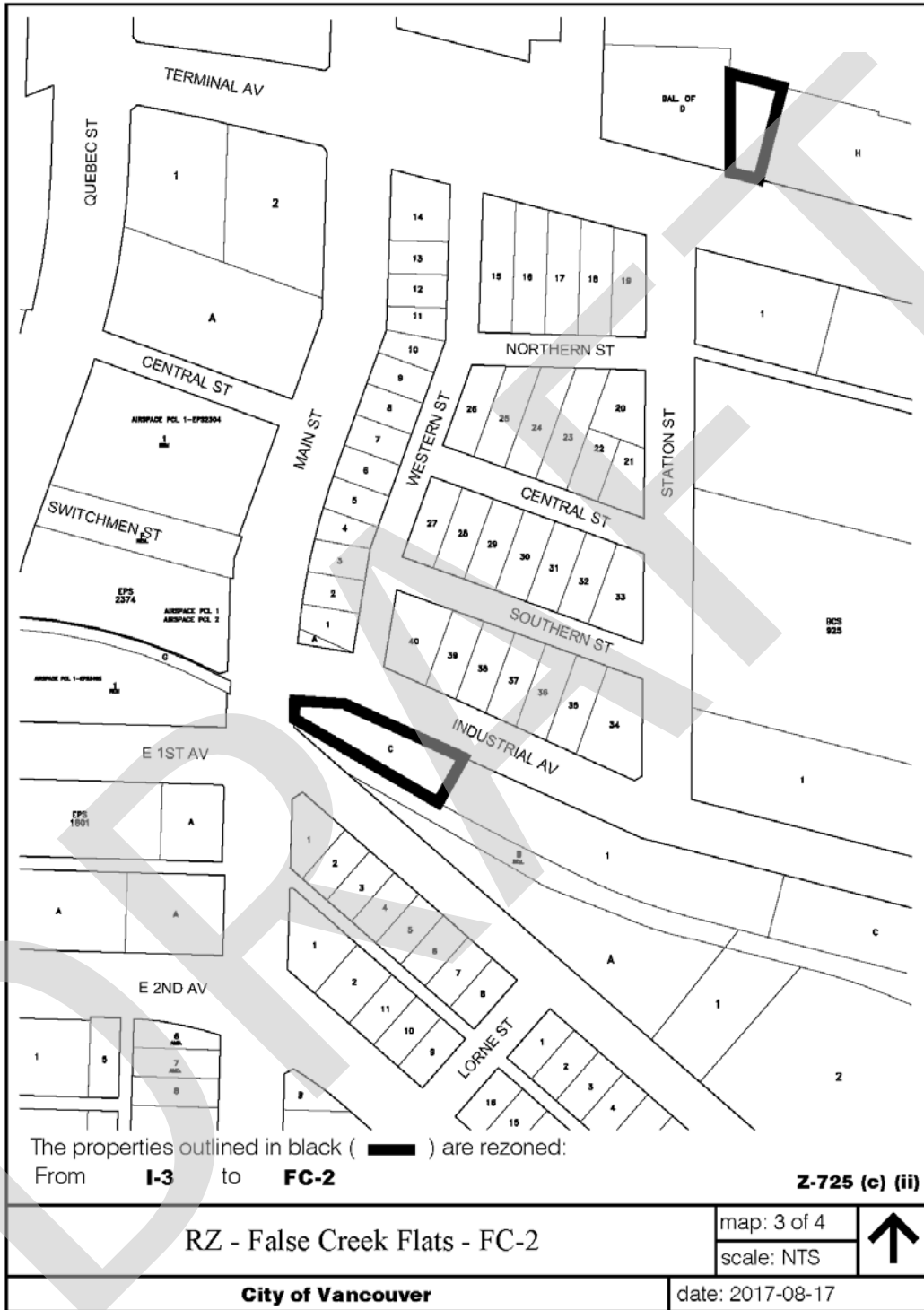
Schedule A





Schedule A





Schedule A



The properties outlined in black (———) are rezoned:
 From **IC-2** to **FC-2**

Z-725 (c) (ii)

RZ - False Creek Flats - FC-2

map: 4 of 4

scale: NTS



City of Vancouver

date: 2017-08-17

Schedule A



Appendix A

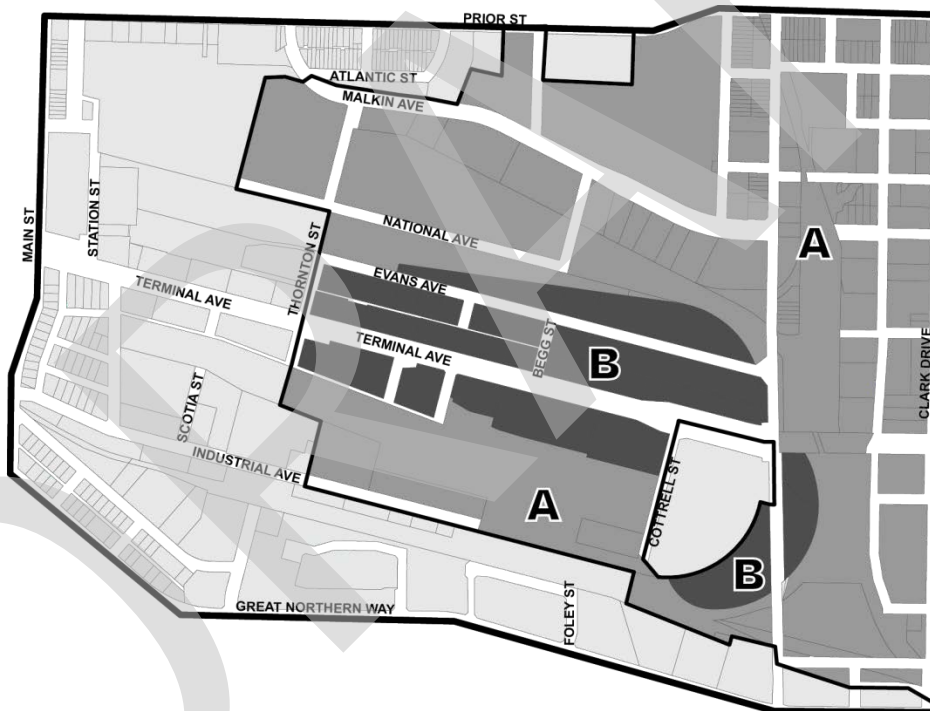
I-2 District Schedule

1 Intent

1.1 The intent of this Schedule is to permit industrial and other uses that are generally incompatible with residential land use but are beneficial in that they provide industrial and service employment opportunities or serve a useful or necessary function in the city. It is not the intent, however, to permit uses that are potentially dangerous or environmentally incompatible when situated near residential districts.

1.2 Within the False Creek Flats, bounded by Prior Street, Clark Drive, Great Northern Way and Main Street, I-2 is to include two sub-areas as illustrated in Figure 1, solely for the purpose of establishing permitted uses, setbacks, height, floor area and building width and depth. Sites with a frontage on Prior Street west of Malkin are not included as part of sub-area A or B.

Figure 1



2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses noted in section 2.2 shall be permitted in this District and shall be issued a permit.

2.2 Uses

- 2.2.A • Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, except that:

- (a) an accessory building must not exceed 4.6 m in height, and must not exceed 3.7 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof;
 - (b) not applicable [Location]
 - (c) an accessory building's total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.
- Accessory Uses customarily ancillary to any of the uses listed in this section, but not including accessory retail use in conjunction with wholesale uses listed in Section 2.2.W, provided that, unless permitted as an outright approval use pursuant to Section 2.2 of this schedule, the total floor area of all accessory uses is not greater than 33 ⅓ percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.

2.2.C [Cultural and Recreational]

- Artist Studio - Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Artist Studio - Class B, provided that the building contains no dwelling use other than a caretaker dwelling, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Artist Studio - Class A, but only in sub-area A or B as shown in Figure 1.
- Artist Studio - Class B, but only in sub-area A or B as shown in Figure 1.
- Arts and Culture Indoor Event.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class B.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Tobacco Products Manufacturing.
- Transportation Equipment Manufacturing.

- Wood Products Manufacturing - Class B.

2.2.R [Retail]

- Gasoline Station - Full Serve, subject to the provisions of section 11.10 of this By-law, but not in sub-area A or B as shown in Figure 1.

2.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laboratory.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio, but only in sub-area A or B as shown in Figure 1.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Public Utility, on a site not less than 61.0 m from any R district.
- Radiocommunication Station.

2.2.W [Wholesale]

- Wholesaling - Class A.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site of explosives, fireworks, ammunition, matches, or flares; radioactive material; coal tar products or derivatives; or, except for a full serve gasoline station, compressed gas or petroleum.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the bulk storage, other than wholly within a completely enclosed building, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; scrap or junk; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

2.3.3 No use listed in section 2.2 of this Schedule, except for an animal clinic or laboratory, shall involve the keeping of live animals, live poultry or other fowl.

2.3.4 No use listed in section 2.2 of this Schedule, except for a full serve gasoline station, shall involve the storage of goods or materials other than wholly within a completely enclosed building.

3 Conditional Approval Uses

- 3.1 Subject to all other provisions of this By-law, including section 3.3.3 and the additional regulations in section 11.3 of this By-law, 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 use in 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, except as provided for in section 2.2.A of this Schedule.
 - Accessory Uses to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of 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 - Class B, subject to the provisions of section 11.18 of this By-law, and provided that the change of use applies to floor area existing as of February 26, 2013 and additions are limited to a maximum of 10 percent of the existing floor area.
 - Community Centre or Neighbourhood House.
 - Marina.
 - Park or Playground.
- 3.2.D
- Deposition or extraction of material so as to alter the configuration of the land.
- 3.2.DW [Dwelling]
- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment, but not in sub-area A or B as shown in Figure 1.
 - Residential Unit associated with and forming an integral part of an Artist Studio - Class B, subject to the provisions of section 11.19 of this By-law, but not in sub-area A or B as shown in Figure 1.
- 3.2.I [Institutional]
- Ambulance Station.
 - Child Day Care Facility.
 - Public Authority Use.
 - Social Service Centre.
- 3.2.M [Manufacturing]
- Brewing or Distilling.
 - Chemicals or Chemical Products Manufacturing - Class A.
 - Creative Products Manufacturing, but only in sub-area B as shown in Figure 1.
 - Food or Beverage Products Manufacturing - Class A.
 - Linoleum or Coated Fabrics Manufacturing.
 - Miscellaneous Products Manufacturing - Class A.
 - Non-metallic Mineral Products Manufacturing - Class A.
 - Paper Manufacturing.
 - Rubber Manufacturing.
 - Vegetable Oil Manufacturing.

- 3.2.0 [Office]
- General Office, including Digital Entertainment and Information Communication Technology, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate, advertising, insurance, travel and ticket agencies.
- 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.
 - Gasoline Station - Split Island, subject to the provisions of section 11.10 of this By-law.
 - Public Bike Share.
 - Retail Store, but limited to:
 - Retail Store for the renting of merchandise in which the exclusive use of at least 50% of the floor area is for the storage of inventory.
 - Limited Service Food Establishment, which means the use of premises for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises, but where customers may also purchase food for take-out, and where live entertainment is not available.
 - convenience store, in conjunction with a Gasoline Station - Full Serve or Gasoline Station - Split Island.
 - Accessory Retail Use.
 - Vehicle Dealer, but not in sub-area A as shown in Figure 1.
- 3.2.S [Service]
- Auction Hall.
 - Funeral Home.
 - Laundromat or Dry Cleaning Establishment.
 - Photofinishing or Photography Studio.
 - Print Shop.
 - Repair Shop - Class B.
 - Restaurant - Class 1.
- 3.2.T [Transportation and Storage]
- Aircraft Landing Place.
 - Bulk Data Storage.
 - Booming Ground.
 - Marine Terminal or Berth.
 - Mini-storage Warehouse, but not in sub-area A or B as shown in Figure 1.
 - Railway Station or Rail Yard.
 - Storage Yard.
 - Taxicab or Limousine Station.
 - Truck Terminal or Courier Depot.
 - Weighing or Inspection Station.
 - Works Yard.
- 3.2.U [Utility and Communication]
- Public Utility, other than as provided for in section 2.2.U of this Schedule.

- Recycling Depot.
- Waste Disposal Facility, but limited to the transfer, sorting or recycling of refuse or garbage.

3.2.W [Wholesale]

- Cardlock Fuel Station.
- Junk Yard or Shop existing as of November 26, 1996.
- Lumber and Building Materials Establishment.
- 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 Director of Planning or Development Permit Board considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.
 - A use which is listed in section 2 of this Schedule but does not comply with the conditions of use in section 2.3.

3.3 Conditions of Use

3.3.1 Uses listed in section 3.2 of this Schedule, except for approved Transportation and Storage Uses, must not involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares, radioactive material; coal tar products or derivatives; or, except for a split island gasoline station, compressed gas or petroleum.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the bulk storage, other than wholly within a completely enclosed building or suitably contained for distribution off-site, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

3.3.3 No use listed in section 3.2 of this Schedule, except for a retail store, shall involve the keeping of live animals.

3.3.4 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

3.3.5 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

3.3.6 Except for entrances, Bulk Data Storage use shall not be permitted at the ground floor.

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.

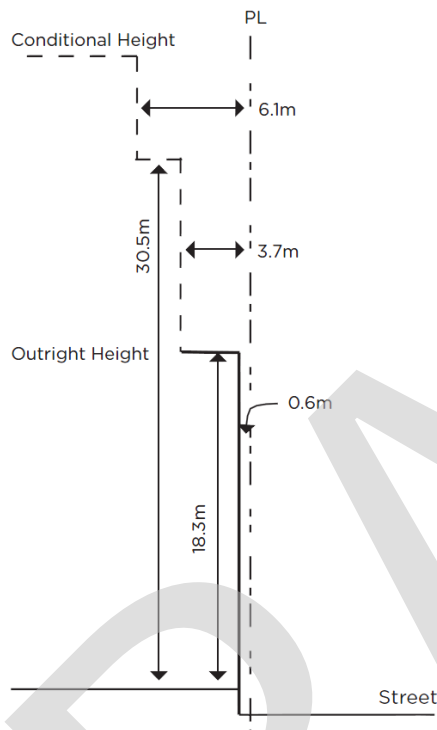
4.2 Frontage -- Not Applicable.

4.3 Height

- 4.3.1 The maximum height of a building shall be 18.3 m, and in sub-areas A and B, except for buildings existing as of [date of enactment]:
- (a) the floor to floor height of the first floor of a building must measure a minimum of 6.0 m; and
 - (b) the floor to floor height of any floor above the first floor of a building must measure a minimum of 4.0 m.
- 4.3.2 In all areas of the I-2 District except sub-area B, the Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 30.5 m with respect to any development provided that consideration is given to:
- (a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential districts;
 - (b) the submission of any advisory group, property owner or tenant; and
 - (c) the effect of building height, bulk and siting on daylight access and visual privacy of developments in nearby residential districts. Daylight access can be adequately maintained if there is no shadow impact at 10 a.m., noon and 2 p.m. on September 21 and March 21. Visual privacy can be achieved by separating building facades by 24.4 m.
- 4.3.3 In sub-area B, the Director of Planning or the Development Permit Board, as the case may be, may with respect to any development permit an additional increase in the maximum height of a building to a height not exceeding 36.5 m provided that consideration is given to the intent of this Schedule, all applicable policies and guidelines adopted by Council, and:
- (a) the provision of a minimum floor space ratio of 1.0 combined for any uses listed in sub-section 4.7.1 (e) (i), (ii), (iii) and (iv);
 - (b) the height, bulk, massing, location and overall design of the building and its effect on the site, surrounding buildings and streets;
 - (c) the provision of public open space, landscape, and the effects of overall design on the general amenity of the area;
 - (d) the effect of the development on traffic in the area; and
 - (e) the provision for pedestrian needs.
- 4.3.4 Despite sections 4.3.1 and 4.3.2, for sloping sites in sub-area A with a property line adjacent to Clark Drive, the Director of Planning may permit an increase in height of up to 4.0 m for portions of the building, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.
- 4.4 Front Yard and Setback
- 4.4.1 No front yard shall be required.
- 4.4.2 Despite section 4.4.1, in sub-area B the front yard and front setback shall be as follows and as illustrated in Figure 2:
- (a) For portions of buildings within 2.0 m above the officially established building grades at the front property line:
 - ii. subject to clause (ii) and (iii), the depth of the yard shall be 0.6 m, and
 - iii. above a height of 18.3 m measured from a plane formed by the lines extending horizontally back from the property line at grade, the minimum depth of the front setback shall be a minimum of 3.7 m except that open roof gardens may intrude into the setback; and

- iv. above a height of 30.5 m measured from a plane formed by the lines extending horizontally back from the property line at grade, the minimum depth of the front setback shall be a minimum of 6.1 m except that open roof gardens may intrude into the setback; and
- (b) despite subsection (a), the minimum front setback, measured from the front property line, of any parking area shall be 1.2 m.

Figure 2



4.4.3 Despite section 4.4.2, the Director of Planning may permit a reduced front yard or front setback for portions of the building, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.5 Side Yards and Setback

4.5.1 No side yard shall be required, except that where the site adjoins, without the intervention of a lane, a site located in an R district, in which case the following side yard requirements apply:

- (a) where the adjoining site is in an RM district, a side yard with a minimum width of 1.5 m shall be provided adjoining the RM district;
- (b) in all other cases, a side yard with a minimum width of 0.9 m shall be provided, except in the case of a corner site in which case an exterior side yard need not be provided.

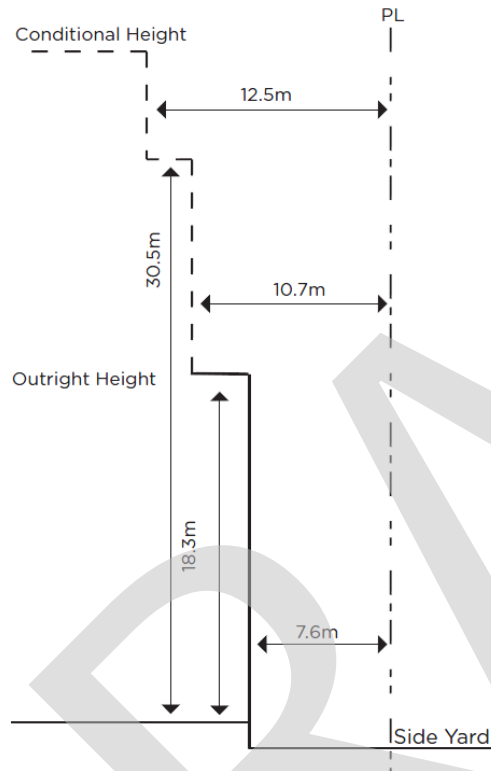
4.5.2 Where a side yard is provided, although not required, the minimum provisions of section 4.5.1 shall apply.

4.5.3 Despite sections 4.5.1 and 4.5.2, in sub-area B the side yards and side setback shall be as follows and as illustrated in Figure 3:

- (a) a side yard with a minimum depth of 7.6 metres shall be provided;

- (b) where any portion of a building is greater than 18.3 m in height, a side setback with a minimum depth of 10.7 m shall be provided;
- (c) where any portion of a building is greater than 30.5 m in height, a side setback with a minimum depth of 12.2 m shall be provided; and
- (d) on a corner site, the exterior side yard and side setback requirements shall be the same as the front yard and front setback requirements in section 4.4.2 and 4.4.3.

Figure 3:



4.5.5 Despite section 4.5.3, in sub-area B, the Director of Planning may permit a reduced side yard or side setback, provided that the Director of Planning first considers the existing street network, loading and vehicular access, and the provision of open space.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 The Director of Planning or the Development Permit Board, as the case may be, may waive the requirement to provide a rear yard where he is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and that site is sufficiently large to provide adequate open space.

4.7 Floor Area and Density

4.7.1 The floor space ratio shall not exceed 3.0, subject to the following:

- (a) the maximum floor space ratio shall be 3.0 for Manufacturing Uses, Transportation and Storage Uses, Utility and Communication Uses, Wholesale Uses, and the following Service Uses: Laboratory; Laundry or Cleaning Plant; Production or Rehearsal Studio; Repair Shop - Class A; Work Shop; and, in sub-area A and B, Artist Studio - Class B.
- (b) the maximum floor space ratio shall be 1.0 for each of the following Service Uses: Catering Establishment; Motor Vehicle Repair Shop; Photofinishing or Photography Laboratory; and Sign Painting Shop; and, in sub-area B, for Creative Products Manufacturing;
- (c) the maximum floor space ratio shall be 1.0 for all other uses combined;
- (d) the floor area in Retail Uses, including accessory retail but not including Vehicle Dealer, shall not exceed 1 000 m², except that in sub-areas A and B, the floor area for accessory retail shall not exceed 500 m²;
- (e) for Vehicle Dealer in sub-area B, the maximum floor space ratio shall be 1.0, subject to the provision of a minimum floor space ratio of 2.0 of uses listed in sub-section 4.7.1(a) which must include a minimum floor space ratio of 1.0 for any of the following uses combined:
 - (i) Cultural and Recreational, limited to Artist Studio - Class B;
 - (ii) Manufacturing, limited to Bakery Products Manufacturing, Brewing or Distilling, Chemicals or Chemical Products Manufacturing - Class B, Clothing Manufacturing, Dairy Products Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Metal Products Manufacturing - Class A or B, Miscellaneous Products Manufacturing - Class A, Miscellaneous Products Manufacturing - Class B, Non-metallic Mineral Products Manufacturing - Class B, Paper Products Manufacturing, Printing or Publishing, Plastic Products Manufacturing, Rubber Products Manufacturing, Shoes or Boots Manufacturing, Textiles or Knit Goods Manufacturing, and Wood Products Manufacturing - Class B;
 - (iii) Service, limited to Catering Establishment, Motor Vehicle Repair Shop, Print Shop, Repair Shop - Class A, Repair Shop - Class B, and Sign Painting Shop; or
 - (iv) Accessory Uses customarily ancillary to any use permitted in this section.
- (f) the floor area in General Office use shall not exceed the greater of 235 m² or 33 ⅓ percent of the total gross floor area of all principal and accessory uses combined;
- (g) the floor area in convenience store in conjunction with a Gasoline Station - Full Serve or Gasoline Station - Split Island use must not exceed 200 m² per site;
- (h) the floor area in Restaurant - Class 1 use must not exceed 300 m²; and
- (i) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

4.7.2 In sub-area B, the Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum floor space ratio to 4.0 with respect to any development, which may include up to 3.0 of Creative Products Manufacturing use, provided that consideration is given to the intent of this Schedule, all applicable policies and guidelines adopted by Council, and:

- (a) the provision of a minimum floor space ratio of 1.0 combined for any uses listed in sub-section 4.7.1 (e) (i), (ii), (iii) and (iv);
- (b) the height, bulk, massing, location and overall design of the building and its effect on the site, surrounding buildings and streets;
- (c) the provision of public open space, landscape, and the effects of overall design on the general amenity of the area;
- (d) the effect of the development on traffic in the area; and

(e) the provision for pedestrian needs.

4.7.3 The following shall be included in the computation of floor space ratio:

(a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

4.7.4 The following shall be excluded in the computation of floor space ratio:

(a) open balconies and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed twelve percent of the floor area being provided;

(b) roof decks if the Director of Planning first considers:

- (i) the design of landscape treatments;
- (ii) the effect on privacy and overlook; and
- (iii) all applicable Council policies and guidelines.

(c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:

- (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
- (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;

(d) storage space associated with an Artist Studio - Class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each Artist Studio - Class B; and

(e) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care provided that:

- (i) the total area being excluded shall not exceed the lesser of 20 percent of the permitted floor space or 100 m²; and
- (ii) in the case of a child day care centre, the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the building or in the immediate neighbourhood.

4.7.5 The Development Permit Board or the Director of Planning, as the case may be, may relax the provisions of section 4.7.1(e) for General Office uses limited to manufacturer's agent or import broker or similar uses, subject to the maximum floor space provisions of section 4.7.1(c) and provided that he first considers:

(a) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and

(b) the extent to which building design conforms to industrial standards for wholesale uses, including but not limited to consideration for loading bays, large truck access, freight elevators, ceiling heights, corridor and door widths, and load bearing surfaces.

4.8 Site Coverage -- Not Applicable.

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

4.10 Horizontal Angle of Daylight -- Not Applicable.

4.11 Vertical Angle of Daylight -- Not Applicable.

4.12 to Reserved

4.15

4.16 Building Depth and Building Width

4.16.1 In sub-area B, the building depth must not exceed 61 m, measured in a straight line parallel to the side property line, from the front exterior wall to rear exterior wall at street grade.

4.16.2 In sub-area B, the building width must not exceed 61 m, measured in a straight line parallel to the front property line, from the two side exterior walls at grade.

4.16.3 Notwithstanding sections 4.16.1 and 4.16.2, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum side yard to a maximum of 1.0 m measured horizontally

4.16.4 Despite sections 4.16.1 and 4.16.2, where a functional or hardship need is demonstrated, the Director of Planning may permit an increased building depth or width if consideration is given to:

- (a) the existing street network, loading and vehicular access;
- (b) the provision of a visually interesting building massing; and
- (c) the intent of this district schedule and all applicable policies and guidelines.

Appendix B

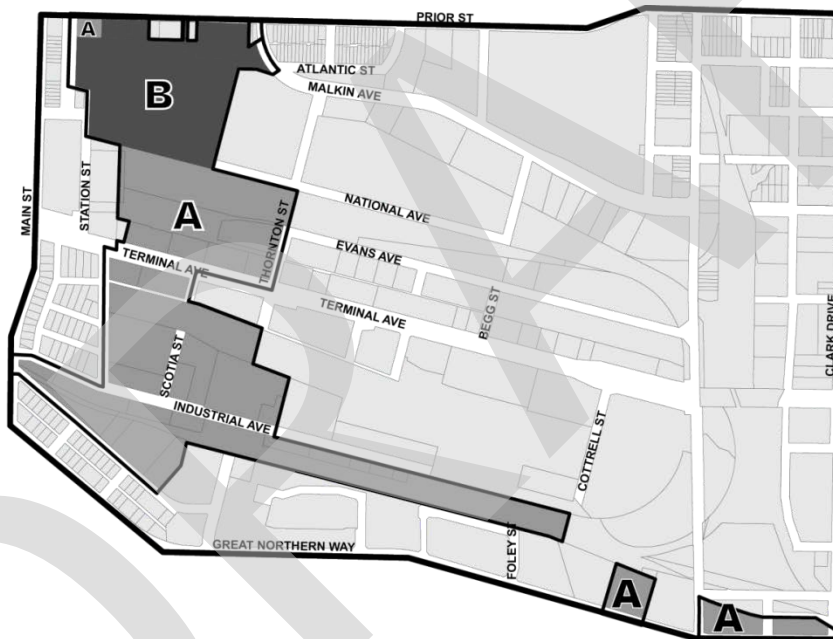
I-3 District Schedule

1 Intent

1.1 The intent of this Schedule is to permit high technology industry, creative products manufacturing, digital entertainment, information and communication technology, and related industry with a significant amount of research and development activity. It is also the intent to permit light industrial uses that are generally compatible with high-technology and other industrial uses, and with adjoining residential or commercial districts. Health care offices are encouraged in the area around the future St. Paul's Hospital site.

1.2 The I-3 District is to consist of two sub-areas as illustrated in Figure 1, solely for the purpose of establishing permitted uses, floor area and height.

Figure 1



2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses noted in section 2.2 shall be permitted in this District and shall be issued a permit.

2.2 Uses

- 2.2.A
- Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, except that:
 - (a) an accessory building must not exceed 4.6 m in height, and must not exceed 3.7 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof;
 - (b) an accessory building must be situated in the rear yard no less than 3.1 m from the ultimate centre line of any rear or flanking lane; and
 - (c) an accessory building's total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.
 - Accessory Uses customarily ancillary to any of the uses listed in this section, provided that, unless permitted as an outright approval use pursuant to Section 2.2 of this schedule, the total floor area of all accessory uses is not greater than 33 ⅓ percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.
- 2.2.C [Cultural and Recreational]
- Artist Studio - Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
 - Artist Studio - Class A, but only in sub-area A as shown in Figure 1.
 - Artist Studio - Class B, but only in sub-area A as shown in Figure 1.
 - Arts and Culture Indoor Event.
- 2.2.M [Manufacturing]
- Electrical Products or Appliances Manufacturing.
 - Information Communication Technology Manufacturing.
 - Miscellaneous Products Manufacturing - Class B.
 - Printing or Publishing.
- 2.2.O [Office]
- General Office, but limited to Digital Entertainment and Information Communication Technology.
- 2.2.S [Service]
- Laboratory.
 - Photofinishing or Photography Laboratory.
 - Production or Rehearsal Studio.
 - Work Shop.
- 2.2.U [Utility and Communication]
- Radiocommunication Station.

2.3 Conditions of Use

- 2.3.1 No use listed in section 2.2 of this Schedule, except a production or rehearsal studio, shall be carried on other than wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment which in the opinion of the Director of Planning are similar to the foregoing.
- 2.3.2 No use listed in section 2.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; coal tar products or derivatives; or compressed gas or petroleum.
- 2.3.3 No use listed in section 2.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; scrap or junk; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.
- 2.3.4 No use listed in section 2.2 of this Schedule, except for a laboratory, shall involve the keeping of live animals.

3 Conditional Approval Uses

- 3.1 Subject to all other provisions of this By-law, including section 3.3.3 and the additional regulations in section 11.3 of this By-law, and the provisions and regulations of this Schedule, the Director of Planning or Development Permit Board may approve any of the uses listed in section 3.2, subject to the conditions of use in section 3.3, and including such other conditions as it may decide, provided that consideration is given to:
- (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 Uses to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of 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 - Class B, subject to the provisions of section 11.18 of this By-law, and provided that the change of use applies to floor area existing as of February 26, 2013 and additions are limited to a maximum of 10 percent of the existing floor area.
 - Community Centre or Neighbourhood House.
 - Fitness Centre.
 - Hall.
 - Marina.
 - Park or Playground.
- 3.2.D • Deposition or extraction of material so as to alter the configuration of the land.

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment but only in sub-area B as shown in Figure 1.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B, subject to the provisions of section 11.19 of this By-law, but only in sub-area B as shown in Figure 1.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Public Authority Use.
- School - University or College.
- Social Service Centre.

3.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.
- Brewing or Distilling.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Creative Products Manufacturing. but only in sub-area A as shown in Figure 1.
- Dairy Products Manufacturing.
- Food or Beverage Products Manufacturing - Class A existing as of July 20, 1999.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class A.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Tobacco Products Manufacturing.
- Transportation Equipment Manufacturing.
- Wood Products Manufacturing - Class B.

3.2.O [Office]

- General Office, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate, advertising, insurance, travel and ticket agencies.
- Health Care Office, but only in sub-area A as shown in Figure 1.

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.
- Gasoline Station - Full Serve, subject to the provisions of section 11.10 of this By-law, but only in sub-area B as shown in Figure 1.
- Gasoline Station - Split Island, subject to the provisions of section 11.10 of this By-law, but only in sub-area B as shown in Figure 1..
- Public Bike Share.
- Retail Store, but only in sub-area A as shown in Figure 1, and limited to:
 - Limited Service Food Establishment, which means the use of premises for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises, but where customers may also purchase food for take-out, and where live entertainment is not available.
- Vehicle Dealer, but limited to the rental of motor vehicles, but only in sub-area B as shown in Figure 1..

3.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Studio.
- Print Shop.
- Repair Shop - Class A.
- Repair Shop - Class B.
- Restaurant - Class 1, provided that the total floor area does not exceed 300 m².
- Restaurant - Class 2, but only in sub-area A as shown in Figure 1, provided that the total floor area does not exceed 300 m².
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Sign Painting Shop.

3.2.T [Transportation and Storage]

- Aircraft Landing Place.
- Bulk Data Storage, but only in sub-area A as shown in Figure 1.
- Cold Storage Plant.
- Marine Terminal or Berth.
- Mini-storage Warehouse, but only in sub-area B as shown in Figure 1.
- Packaging Plant.
- Railway Station or Rail Yard.
- Storage Warehouse.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.

3.2.U [Utility and Communication]

- Public Utility.
- Recycling Depot.

3.2.W [Wholesale]

- 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 Director of Planning or Development Permit Board considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.
 - A use which is listed in section 2 of this Schedule but does not comply with the conditions of use in section 2.3.

3.3 Conditions of Use

3.3.1 No use listed in section 3.2 of this Schedule, except a gasoline station, vehicle dealer, parking uses and transportation and storage uses, shall be carried on other than wholly within a completely enclosed building unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; coal tar products or derivatives; or, except for a gasoline station, compressed gas or petroleum.

3.3.3 No use listed in section 3.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

3.3.4 No use listed in section 3.2 of this Schedule, except for an animal clinic, shall involve the keeping of live animals.

3.3.5 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

3.3.6 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

3.3.7 Except for entrances, Bulk Data Storage use shall not be permitted at the ground floor.

3.3.8 Except for entrances, Office Uses listed in 3.2.0 shall not be permitted at the ground floor.

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 maximum height of a building shall be 18.3 m, and in sub-area A, except for buildings existing as of [date of enactment]:

- (a) the floor to floor height of the first floor of a building must measure a minimum of 6.0 m; and
- (b) the floor to floor height of any floor above the first floor of a building must measure a minimum of 4.0 m.

4.3.2 In sub-area B, the Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 30.5 m with respect to any development provided that consideration is given to:

- (a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential districts;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the effect of building height, bulk and siting on daylight access and visual privacy of developments in nearby residential districts. Daylight access can be adequately maintained if there is no shadow impact at 10 a.m., noon and 2 p.m. on September 21 and March 21. Visual privacy can be achieved by separating building facades by 24.4 m.

4.3.3 In sub-area A, the Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 45.7 m with respect to any development provided that consideration is given to:

- (a) the provision of a minimum floor space ratio of 1.0 combined for any uses listed in sub-sections 4.7.5(b) (i), (ii), (iii) and (iv);
- (b) the height, bulk, massing, location and overall design of the building and its effect on the site, surrounding buildings and streets;
- (c) the provision of public open space, landscape, and the effects of overall design on the general amenity of the area;
- (d) the effect of the development on traffic in the area; and
- (e) the provision for pedestrian needs.

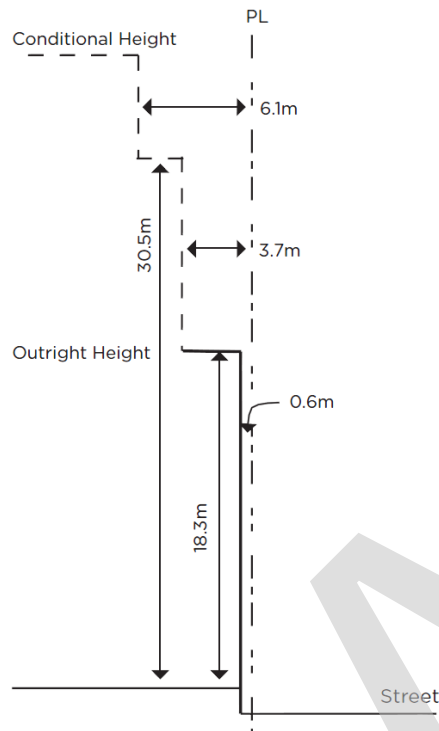
4.4 Front Yard

4.4.1 No front yard shall be required in sub-area B and the front yard and front setback in sub-area A shall be as follows and as illustrated in Figure 2:

- (a) For portions of buildings within 2.0 m above the officially established building grades at the front property line:
 - (i) subject to clause (ii) and (iii), the depth of the yard shall be 0.6 m;
 - (ii) above a height of 18.3 m measured from a plane formed by the lines extending horizontally back from the property line at grade, the depth of the front setback shall be a minimum of 3.7 m except that open roof gardens may intrude into the setback; and
 - (iii) above a height of 30.5 m measured from a plane formed by the lines extending horizontally back from the property line at grade, the minimum depth of the front setback shall be a minimum of 6.1 m except that open roof gardens may intrude into the setback; and

- (b) despite subsection (a), the minimum front setback, measured from the front property line, of any parking area shall be 1.2 m.

Figure 2



4.4.2 Despite section 4.4.1, the Director of Planning may permit a reduced front yard or front setback for portions of the building if consideration is given to the following:

- (a) to encourage massing that is stepped and varied in response to the context; and
- (b) to provide a more visually interesting form of architectural expression,

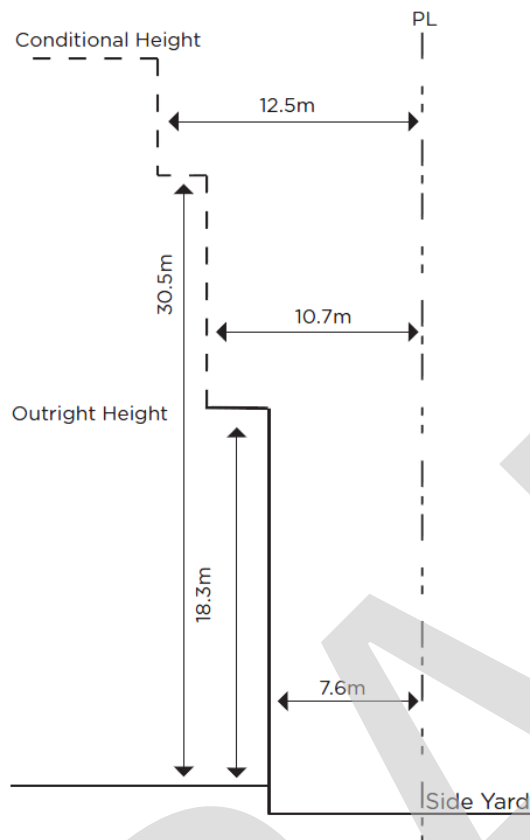
provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.5 Side Yards and Setbacks

4.5.1 In sub-area A, the side yards and side setback shall be as follows and as illustrated in Figure 3:

- (a) a side yard with a minimum depth of 7.6 meters shall be provided;
- (b) where any portion of a building is greater than 18.3 m in height, a side setback with a minimum depth of 10.7 m shall be provided;
- (c) where any portion of a building is greater than 30.5 m in height, a side setback with a minimum depth of 12.2 m shall be provided; and
- (d) on a corner site, the exterior side yard and side setback requirements shall be the same as the front yard and front setback requirements in section 4.4.1 and 4.4.2.

Figure 3



- 4.5.2 Despite section 4.5.1, the Director of Planning may permit a reduced side yard or side setback, provided that the Director of Planning first considers the existing street network, loading and vehicular access, and the provision of open space.
- 4.5.3 In sub-area B, no side yard shall be required, except that where the site adjoins, without the intervention of a lane, a site located in an R district, in which case a side yard with a minimum width of 1.5 m shall be provided adjoining the R district.
- 4.5.4 Where a side yard is provided in sub-area B, although not required, a side yard with a minimum depth of 0.9 m shall be provided.
- 4.6 Rear Yard
- 4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.
- 4.6.2 The Director of Planning or the Development Permit Board, as the case may be, may waive the requirement to provide a rear yard where ~~he is~~ satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required and that site is sufficiently large to provide adequate open space.
- 4.7 Floor Area and Density
- 4.7.1 The floor space ratio shall not exceed 3.0 in sub-area A, subject to the following:

- (a) the maximum floor space ratio shall be 3.0 for Artist Studio, Manufacturing Uses, Office Uses listed in section 2.2.O, Transportation and Storage Uses, Utility and Communication Uses, Wholesale Uses, Service Uses listed in section 2.2.S, and Parking Uses;
- (b) the maximum floor space ratio shall be 1.0 for all other uses combined;
- (c) the floor area in Retail Uses, including accessory retail, shall not exceed 1 000 m²;
- (d) the floor area for Office Uses listed in section 3.2.O shall not exceed 33 percent of the total gross floor area of all principal and accessory uses combined; and
- (e) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

4.7.2 The floor space ratio shall not exceed 3.0 in sub-area B, subject to the following:

- (a) the maximum floor space ratio shall be 3.0 for Manufacturing Uses, Transportation and Storage Uses, Utility and Communication Uses, Wholesale Uses, Service Uses listed in section 2.2.S, and Parking Uses;
- (b) the maximum floor space ratio shall be 1.0 for all other uses combined;
- (c) the floor area in Retail Uses, including accessory retail, shall not exceed 1 000 m²;
- (d) the floor area in Office Uses listed in section 3.2.O shall not exceed 33 percent of the total gross floor area of all principal and accessory uses combined; and
- (e) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

4.7.3 The following shall be included in the computation of floor space ratio:

- (a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

4.7.4 The following shall be excluded in the computation of floor space ratio:

- (a) open balconies and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed twelve percent of the floor area being provided;
- (b) roof decks if the Director of Planning first considers:
 - (i) the design of landscape treatments;
 - (ii) the effect on privacy and overlook; and
 - (iii) all applicable Council policies and guidelines.
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
 - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) storage space associated with an Artist Studio - Class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each Artist Studio - Class B; and
- (e) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care provided that:
 - (i) the total area being excluded shall not exceed the lesser of 20 percent of the permitted floor space or 100 m²; and

- (ii) in the case of a child day care centre, the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the building or in the immediate neighbourhood.

4.7.5 In sub-area A, notwithstanding section 4.7.1 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may permit an increase in the permitted floor area of one m² per amenity share, provided to the City at no cost to the City, to a maximum additional floor space ratio of 2.0 in addition to the maximum permitted floor space ratio of 3.0, for the following uses:

- (a) Artist Studio, Manufacturing Uses, Utility and Communication Uses, Wholesale Uses, and Service Uses listed in section 2.2.S; and
- (b) Office Uses listed in 2.2.O and 3.2.O, except that the total floor area may include up to a maximum floor space ratio of 4.0 for Office Uses, and must include a minimum 1.0 floor space ratio for any of the following uses combined:
 - (i) Cultural and Recreational, limited to Artist Studio - Class B;
 - (ii) Manufacturing, limited to Bakery Products Manufacturing, Brewing or Distilling, Chemicals or Chemical Products Manufacturing - Class B, Clothing Manufacturing, Dairy Products Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Metal Products Manufacturing - Class A or B, Miscellaneous Products Manufacturing - Class A, Miscellaneous Products Manufacturing - Class B, Non-metallic Mineral Products Manufacturing - Class B, Paper Products Manufacturing, Printing or Publishing, Plastic Products Manufacturing, Rubber Products Manufacturing, Shoes or Boots Manufacturing, Textiles or Knit Goods Manufacturing, and Wood Products Manufacturing - Class B;
 - (iii) Retail, limited to Farmers' Market;
 - (iv) Service, limited to Catering Establishment, Motor Vehicle Repair Shop, Print Shop, Repair Shop - Class A, Repair Shop - Class B, and Sign Painting Shop; or
 - (v) Accessory Uses customarily ancillary to any use permitted by this section.

4.7.6 Notwithstanding section 4.7.5, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this district schedule and this by-law, and consideration shall be given to:

- (a) the height, bulk, massing, location and overall design of the building and its effect on the site, surrounding buildings and streets;
- (b) the provision of public open space, landscape, and the effects of overall design on the general amenity of the area;
- (c) the provision of roads and bike and pedestrian connections as outlined in plans and policies adopted by Council;
- (c) the effect of the development on traffic in the area; and
- (d) the provision for pedestrian needs.

4.7.7 For the purposes of section 4.7.5, amenity share means an amenity share as set out in Schedule F of the Zoning and Development By-law.

- 4.7.8 For the purposes of this district schedule, amenity means the following:
- (a) Community Centre or Neighbourhood House.
- 4.7.9 In sub-area B, the Development Permit Board or the Director of Planning, as the case may be, may relax the provisions of section 4.7.2 up to a floor space ratio of 3.0 for Office Uses listed in section 2.2.0, if the Development Permit Board or the Director of Planning, as the case may be, first considers:
- (a) the intent of the schedule, all applicable policies and guidelines adopted by Council, and the relationship of the development to any nearby residential uses;
 - (b) the height, bulk, location, and overall design of the building and its effect on the site, surrounding buildings, and streets; and
 - (c) the provision of roads and bike and pedestrian connections as outlined in plans and policies adopted by Council.
- 4.8 to 4.15 (Reserved)
- 4.16 **Building Depth and Building Width**
- 4.16.1 In sub-area A, the building depth must not exceed 61 m, measured in a straight line parallel to the side property line, from the front exterior wall to rear exterior wall at street grade.
- 4.16.2 In sub-area A, the building width must not exceed 61 m, measured in a straight line parallel to the front property line, from the two side exterior walls at grade.
- 4.16.3 Notwithstanding sections 4.16.1 and 4.16.2, eaves and gutters or other projections, which in the opinion of the Director of Planning are similar, may project into the minimum side yard to a maximum of 1.0 m measured horizontally
- 4.16.4 Despite sections 4.16.1 and 4.16.2, where a functional need is demonstrated, the Director of Planning may permit an increased building depth or width if the Director of Planning first considers:
- (a) the existing street network, loading and vehicular access;
 - (b) the provision of a visually interesting building massing; and
 - (c) the intent of this district schedule and all applicable policies and guidelines.
- 4.17 **External Design**
- 4.17.1 Any fence, wall, or landscaping located along the street property line (which is, for the purposes of this section 4.17, the property line along an abutting street but not a lane) shall facilitate pedestrian interest to the satisfaction of the Director of Planning.
- 4.17.2 All garbage containers shall be enclosed, located, or screened so as not to be visible from the centre line of an abutting street.

Appendix C

IC-3 District Schedule

1 Intent

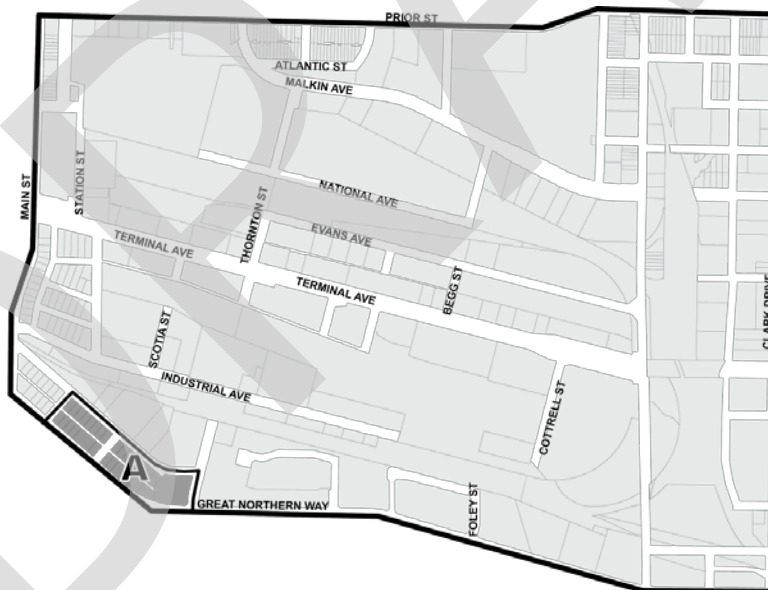
- 1.1 The primary intent of this Schedule is to permit a mix of light industrial, live arts and theatre, residential and related uses that are generally compatible with adjoining residential and commercial districts. Service uses compatible with and complementing light industrial uses and a limited number of office uses are also permitted, but not general retail stores.

In the False Creek Flats, north of Great Northern Way, additional discretionary height and density may be considered where 20% of the residential floor area is used for social housing or where all of the dwelling units are secured market rental housing.

The general intent of the external design regulations is to achieve certain public objectives with respect to the historic Brewery Creek water course.

- 1.2 Within the False Creek Flats, the area north of Great Northern Way and 2nd Avenue illustrated in Figure 1 is referred to as sub-area A, solely for the purpose of establishing permitted uses, setbacks, floor area and height.

Figure 1



2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law, including the additional regulations in section 11.3 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.A • Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, except that:

- (a) an accessory building must not exceed 4.6 m in height, and must not exceed 3.7 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof;
- (b) an accessory building must be situated in the rear yard no less than 3.1 m from the ultimate centre line of any rear or flanking lane; and
- (c) an accessory building's total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.

- Accessory Uses customarily ancillary to any of the uses listed in this section, but not including accessory retail use in conjunction with wholesale uses listed in section 2.2.W, provided that, unless permitted as an outright approval use pursuant to section 2.2 of this Schedule, the total floor area of all accessory uses shall not be greater than 33- $\frac{1}{3}$ percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.

2.2.C [Cultural and Recreational]

- Artist Studio - Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Arts and Culture Indoor Event.
- Club.
- Fitness Centre.
- Hall.
- Theatre.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries Manufacturing.
- Chemicals or Chemical Products Manufacturing - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.

- Leather Products Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Tobacco Products Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.R [Retail]

- Retail Store, but limited to the sale of art and hand-crafted products.

2.2.S [Service]

- Catering Establishment.
- Laboratory.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- Production or Rehearsal Studio.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Radiocommunication Station.

2.2.W [Wholesale]

- Lumber and Building Materials Establishment.
- Wholesaling - Class A.
- Wholesaling - Class B, provided that floor area does not exceed 1 000 m².

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule, except a retail store and a lumber store, shall be carried on other than wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment which in the opinion of the Director of Planning are similar to the foregoing.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; rags or cotton waste; and compressed gas, petroleum, coal or tar products or derivatives.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including section 3.3.3, and the additional regulations in section 11.3 of this By-law, 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 Uses customarily ancillary to any of the uses listed in this section, subject to the same provisions as section 2.2.A of this Schedule.
 - Accessory Uses customarily ancillary to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of 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.
- Bingo Hall.
- Casino - Class 1.
- Community Centre or Neighbourhood House.

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker, watchman or other person or persons similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.
- Dwelling Units in conjunction with any of the uses listed in this schedule except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width shall be used for residential purposes except for entrances to the residential portion.
- Dwelling Unit existing as of and used continuously since October 25, 1988, provided that any additions thereto are limited to 10 percent of existing floor space or 37 m², whichever is the lesser.
- Micro dwelling, subject to the provisions of section 11.27 of this By-law, but only in sub-area A as shown in Figure 1.
- 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]

- Ambulance Station.
- Child Day Care Facility.
- Public Authority Use.
- Social Service Centre.

3.2.M [Manufacturing]

- Brewing or Distilling.
- Chemicals or Chemical Products Manufacturing - Class A.
- Food or Beverage Products Manufacturing - Class A.
- Linoleum or Coated Fabrics Manufacturing.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class A.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class A.
- Rubber Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Transportation Equipment Manufacturing.
- Vegetable Oil Manufacturing.

3.2.O [Office]

- General office, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate, advertising, insurance, travel and ticket agencies.

3.2.P • 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.
- Public Bike Share.

3.2.S [Service]

- Auction Hall.
- Cabaret.
- Restaurant - Class 1.
- Restaurant - Class 2.
- School-Arts or Self Improvement.

3.2.T [Transportation and Storage]

- Aircraft Landing Place.
- Railway Station or Rail Yard.
- Storage Yard.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.
- Weighing or Inspection Station.
- Works Yard.

3.2.U [Utility and Communication]

- Public Utility.
- Recycling Depot.

3.2.W [Wholesale]

- Cardlock Fuel Station.
- Wholesaling - Class B, other than as provided for in section 2.2.WH of this Schedule.

- 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.
 - Any use which is listed in section 2.2 of this Schedule but which does not comply with the conditions of use of section 2.3.1.
 - Any other use which is not specifically listed in this District Schedule but which was a legally conforming use existing as of October 25, 1988.

3.3 Conditions of Use

3.3.1 No use listed in section 3.2 of this Schedule, except a Cardlock fuel station and transportation and storage uses, shall be carried on other than wholly within a completely enclosed building unless appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; rags or cotton waste; and, except for a Cardlock fuel station, compressed gas, petroleum, coal or tar products or derivatives.

3.3.3 No use listed in section 3.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of toxic or corrosive chemicals or acids; scrap; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

3.3.4 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.

3.3.5 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials or the placement of machinery or of refuse or garbage receptacles other than wholly within a completely enclosed building unless adequately screened from view from any adjacent R district, or any R district across an adjacent street or lane, by evergreen planting, wall, or fence and related landscaping that is acceptable to the Director of Planning.

3.3.6 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

4 Regulations

All uses approved under sections 2 and 3 of this 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 maximum height of a building shall be 18.3 m.

4.4 Front Yard

4.4.1 No front yard shall be required.

4.5 Side Yards

4.5.1 No side yard shall be required, except where the site adjoins, without the intervention of a lane, a site located in an R District, in which case a side yard with a minimum width of 1.5 m shall be provided adjoining the R District.

4.5.2 Where a side yard is provided, although not required, a side yard with a minimum width of .9 m shall be provided.

4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre of the lane.

4.6.2 The Director of Planning may waive the requirement to provide a rear yard where he is satisfied that the site is located within an area where rear access to the site and adjacent sites is not likely to be required.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 3.00, subject to the following:

- (a) the maximum floor space ratio shall be 1.00 for all uses other than artist studio, manufacturing uses, retail store, school, theatre, transportation and storage uses, and wholesaling - class A;
- (b) the maximum floor space ratio shall be 2.5 for artist studio and the associated residential unit;
- (c) the floor area in retail uses, including accessory retail, shall not exceed 1 000 m²; and
- (d) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed 80 m².

4.7.2 The following shall be included in the computation of floor space ratio:

- (a) all floors of all buildings, both above and below ground level, to be measured to the extreme outer limits of the building; and
- (b) in dwelling units and artists studios, where the distance from a floor to the floor above, or where there is no floor above, to the top of the roof rafters or deck exceeds 3.7 m, an additional amount equal to the area of the floor below the excess height, except that the Director of Planning may exclude additional height in combination with:
 - (i) an undeveloped floor area beneath roof elements which are, in the opinion of the Director of Planning, solely for decorative purposes and to which the only means of access is a hatch, residential lobby or mechanical penthouse, or

- (ii) venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation.

4.7.3 The following shall be excluded in the computation of floor space ratio:

- (a) open balconies and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed twelve percent of the floor area being provided;
- (b) roof decks if the Director of Planning first considers:
 - (i) the design of landscape treatments;
 - (ii) the effect on privacy and overlook; and
 - (iii) all applicable Council policies and guidelines.
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the off-street parking spaces do not have a length of more than 7.3 m for the purpose of exclusion from floor space ratio computation;
- (d) storage space associated with an artist studio where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each artist studio; and
- (e) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total permitted floor area.

4.7.4 Where a need for a cultural facility has been demonstrated to the satisfaction of the Development Permit Board or Director of Planning, the Development Permit Board or Director of Planning may increase the maximum floor space ratio for any one building, which includes one or more of such facilities. The Development Permit Board or the Director of Planning will require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

In determining the increase in floor area that may be permitted, the Development Permit Board or Director of Planning shall consider:

- (a) the construction cost of the facility;
- (b) any costs to the developer of continuing maintenance required for the facility;
- (c) the rental value of the increased floor area;
- (d) the value of any authorized relaxation of other restrictions;
- (e) the opinion of City Council; and
- (f) all applicable policies and guidelines adopted by Council.

4.7.5 The Director of Planning or the Development Permit Board may, for any development where a residential unit is being provided in conjunction with and forming an integral part of an artist studio, permit an increase in floor space ratio, subject to prior approval by City Council, and the securing of a Housing Agreement and provided that the residential unit is occupied by persons receiving income equal to or less than the income defined by the British Columbia Housing Management Corporation as 'core need'.

In determining the amount of the increase in floor space ratio that may be permitted by this section 4.7.5, the Director of Planning or the Development Permit Board, with advice from the Manager of the Housing Centre and the Manager of Real Estate, shall consider:

- (a) the cost to the developer of adhering to the conditions of the housing agreement;
- (b) the value of the increased floor area;
- (c) the value of any relaxation of other regulations;
- (d) the impact upon livability and environmental quality of the neighbourhood; and
- (e) all applicable policies and guidelines adopted by Council.

4.8 to (Reserved)
4.154

4.15 Acoustics

4.15.1 In sub-area A as shown in Figure 1, a development permit application for dwelling uses requires evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements, demonstrating that the noise levels in those portions of the dwelling units listed below do not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

4.16 (Reserved)

4.17 External Design

4.17.1 Building continuity shall be achieved at the street property line (which is, for the purposes of this section 4.17, the property line along an abutting street but not a lane) as follows:

- (a) no yard shall be permitted along a street property line, except for a required setback, side or rear yard, and yard established by building line;
- (b) the first storey shall include the main pedestrian entrance and facilities serving the public, such as reception area or lobby and showroom or display area, which shall be oriented with maximum visibility to the abutting street or, in the case of a corner site, the widest abutting street;
- (c) where a building occupies a corner site, architectural features, lighting, signage, and related facade characteristics shall be located so as to orient the building to the widest abutting street;
- (d) transparent window area shall comprise at least 80 percent of the exterior wall surface of the first storey along an abutting street and 40

percent of the exterior wall surface on every upper storey along an abutting street;

- (e) no portion of the floor of the first storey along an abutting street shall be more than 1.0 m above or below grade at the street property line.

4.17.2 If the Director of Planning or Development Permit Board is satisfied that enforcement of section 4.17.1 will result in unnecessary hardship, and that the form of development will otherwise achieve building continuity, the Director of Planning or Development Permit Board may relax all or some of the requirements of section 4.17.1.

4.17.3 Garbage container storage areas, heating and mechanical equipment, and off-street parking and loading facilities shall be enclosed, located or screened so as not to be visible from the centre line of an abutting street.

4.17.4 Any use which is not carried on wholly within a completely enclosed building, including parking use, shall be set back 1.2 m from the street property line at an abutting street and screened, so as not to be visible from the centre line of every abutting street, by evergreen planting, wall, or fence with related landscaping.

5 Relaxation of Regulations

5.1 In sub-area A, as shown in Figure 1, the Director of Planning or the Development Permit Board may relax the regulations regarding permitted floor space ratio for dwelling units in conjunction with other permitted uses, if the Director of Planning or the Development Permit Board first considers the intent of this schedule, and all applicable Council policies and guidelines, and:

- (a) the total floor space ratio does not exceed 4.0, except that the maximum floor space ratio for dwelling uses shall not exceed 3.5, and
- (b) for the purpose of this clause an artist studio and its associated residential unit shall together be considered a dwelling use; and
- (c) a minimum of 20% of the residential floor area included in the calculation of floor space ratio must be used for social housing, or
- (d) all dwelling units must be secured market rental housing.

5.2 In sub-area A, as shown in Figure 1, the Director of Planning or the Development Permit Board may relax the regulations regarding permitted height for dwelling units in conjunction with other permitted uses, if the Director of Planning or the Development Permit Board first considers the intent of the schedule, and all applicable Council policies and guidelines, and:

- (a) the maximum height does not exceed 30.5 m.; and
- (b) a minimum of 20% of the residential floor area included in the calculation of floor space ratio is used for social housing, or
- (c) all dwelling units must be secured market rental housing.

Appendix D

MC-1 and MC-2 Districts Schedule

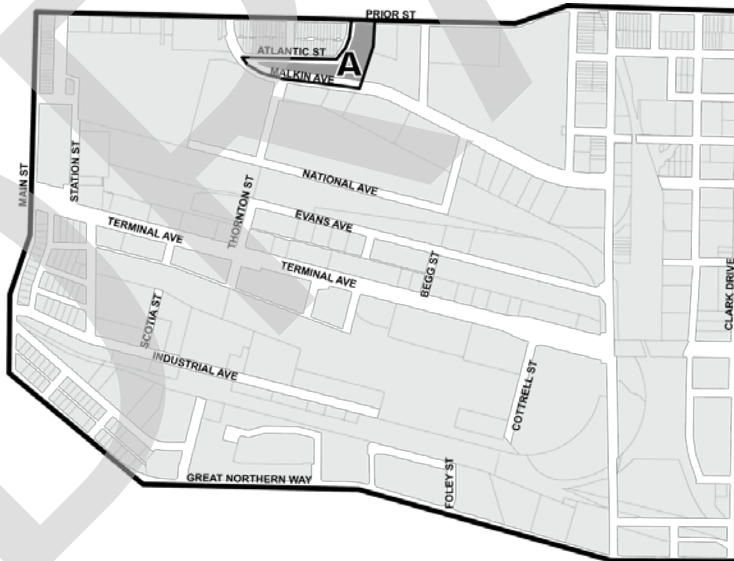
1 Intent

- 1.1 The intent of this Schedule is to reinforce the mixed use nature of this area, with residential, commercial and light industrial uses permitted. Emphasis is placed on building design that furthers compatibility among uses, and contributes to area character and pedestrian interest. The MC-2 District differs from the MC-1 District in limiting dwelling uses in areas adjacent to a heavy impact industrial zone.

The area of MC-1 bounded by Malkin Avenue, Atlantic Street and Prior Street allows conditional height and density to achieve new secured market rental housing to provide a transition between the residential area north of Atlantic and Prior streets and the employment-focused area of the False Creek Flats to the south.

- 1.2 Within the False Creek Flats, the MC-1 area north of Malkin Avenue and illustrated in Figure 1 is referred to as sub-area A, solely for the purpose of establishing permitted uses, setbacks, floor area and height.

Figure 1



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 the MC-1 District and MC-2 District and shall be issued a permit.

2.2 Uses

2.2.1 The uses listed in section 2.2.1 shall be permitted in the MC-1 and MC-2 Districts.

2.2.1A • Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, provided that:

- (a) no accessory building exceeds 3.7 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may exceed 4.6 m in height;
- (b) all accessory buildings are located in the rear yard and in no case are less than 3.1 m from the ultimate centre line of any rear or flanking lane;
- (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 15 percent of the total area of the site;
- (d) not applicable;
- (e) not applicable;
- (f) no accessory building obstructs the horizontal daylight access prescribed in this Schedule for residential use.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that the total area of all accessory uses is not greater than 25 percent of the gross floor area of the principal and accessory uses combined.

2.2.1C [Cultural and Recreational]

- Artist Studio - Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Arts and Culture Indoor Event.
- Library.
- Museum or Archives.

2.2.1M [Manufacturing]

- Bakery Products Manufacturing.
- Chemical or Chemical Products - Class B.
- Clothing Manufacturing.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.

- Leather Products Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Non-Metallic Minerals Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Shoes or Boots Manufacturing.
- Tobacco Products Manufacturing.

2.2.10 [Office]

- Financial Institution.
- General Office.
- Health Care Office.

2.2.1R [Retail]

- Grocery or Drug Store except for Small-scale Pharmacy.
- Retail Store.

2.2.1S [Service]

- Animal Clinic.
- 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.
- Catering Establishment.
- Laboratory.
- Laundromat or Dry Cleaning Establishment.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- Repair Shop - Class B.
- Restaurant - Class 1.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; fish; fish oil or meal; animal oil or fat; grain; sugar; hops; scrap or waste materials; junk; lime; fertilizer; fungicides; herbicides; pesticides; explosives; matches; ammunition; fireworks; flares; wax; industrial chemicals; acids; paints; varnishes; rags; cotton waste; radioactive materials; or, except for a full serve or split island gasoline station, compressed gas, petroleum, coal tar products or derivatives.

- 2.3.2 No use listed in section 2.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of vegetable oil or fat; fish; fish oil or meal; animal oil or fat; scrap or waste material; paints; varnishes; oil shellac or turpentine; grain; sugar; hops; pesticides; fungicides; herbicides; or toxic or corrosive chemicals or acids.
- 2.3.3 No commercial or industrial use listed in section 2.2 of this Schedule shall involve the keeping of live animals except:
- (a) animal clinic;
 - (b) laboratory; and
 - (c) retail store.
- 2.3.4 All uses listed in section 2.2 of this Schedule shall be carried on wholly within a completely enclosed building except for the following:
- (a) parking and loading facilities;
 - (b) full serve and split island gasoline station, except that section 11.10.2 of this By-law continues to apply;
 - (c) restaurant;
 - (d) display of flowers, plants, fruits and vegetables;
 - (e) neighbourhood public house;
 - (f) vehicle dealer;
 - (g) transportation and storage uses; and
 - (h) lumber and building materials establishment.
- 2.3.5 Where goods, materials, machinery, or refuse or garbage receptacles are stored or placed outside a building, they shall be enclosed by a minimum 1.8 m high fence, wall or evergreen planting, to restrict public access and screen from public view.

3 Conditional Approval Uses

- 3.1 Subject to all other provisions of this By-law, including 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

3.2.1 The uses listed in section 3.2.1 may be permitted in the MC-1 and MC-2 Districts.

- 3.2.1A • Accessory uses to any of the uses listed in this section, subject to the same provisions as section 2.2.1A of this Schedule.

3.2.1AG [Agricultural]

- Urban Farm - Class B, subject to the provisions of section 11.30 of this By-law.

3.2.1C [Cultural and Recreational]

- Billiard Hall.

- Bowling Alley.
 - Club.
 - Community Centre or Neighbourhood House.
 - Fitness Centre.
 - Hall.
 - Park or Playground.
 - Rink.
 - Swimming Pool.
 - Theatre.
 - Zoo or Botanical Garden.
- 3.2.1D • Deposition or extraction of material so as to alter the configuration of the land.
- 3.2.1I [Institutional]
- Ambulance Station.
 - Child Day Care Facility.
 - Church.
 - Detoxification Centre.
 - Public Authority Use.
 - School - Elementary or Secondary.
 - School - University or College.
 - Social Service Centre.
 - Community Care Facility - Class A.
 - Community Care Facility - Class B, subject to the provisions of section 11.17 of this By-law.
 - Group Residence, subject to the provisions of section 11.17 of this By-law.
- 3.2.1M [Manufacturing]
- Food or Beverage Products Manufacturing - Class A
 - Metal Products Manufacturing - Class B.
 - Textiles or Knit Goods Manufacturing.
 - Wood Products Manufacturing - Class B.
- 3.2.1O [Office]
- Health Enhancement Centre.
- 3.2.1P [Parking]
- Parking Area.
- 3.2.1R [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 and Appliance Store.
 - Gasoline Station - Full Serve, subject to the provisions of section 11.10 of this By-law.
 - Gasoline Station - Split Island, subject to the provisions of section 11.10 of this By-law.
 - Liquor Store.
 - Pawnshop.
 - Public Bike Share.

- Secondhand Store.
- Small-scale Pharmacy, subject to the provisions of section 11.22 of this By-law.
- Vehicle Dealer.

3.2.1S [Service]

- Auction Hall.
- Funeral Home.
- Neighbourhood Public House.

3.2.1T [Transportation and Storage]

- Cold Storage Plant.
- Mini-storage Warehouse.
- Storage Warehouse.
- Taxicab or Limousine Station.
- Works Yard.

3.2.1U [Utility and Communication]

- Public Utility.
- Radiocommunication Station.
- Recycling Depot.

3.2.1W [Wholesale]

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

- 3.2.1Z • 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.

3.2.2 The uses listed in section 3.2.2 may be permitted only in the MC-1 District.

3.2.2.C [Cultural and Recreational]

- Artist Studio, Subject to section 11.18 of this by-law.
- Artist Studio - Class A, but only in sub-area A as shown in Figure 1.
- Artist Studio - Class B, but only in sub-area A as shown in Figure 1.

3.2.2DW [Dwelling]

- Dwelling Unit in conjunction with any of the uses listed in this District Schedule, except that there must be no use for residential purposes of any portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width unless the use consists only of entrances to the residential portion of the building, and except that, before making a decision to permit a dwelling Unit, the Development Permit Board must consider the design and livability of the Dwelling Unit.
- Multiple Conversion Dwelling, resulting from the conversion of a building which was in existence prior to June 18, 1956, except that a Multiple Conversion Dwelling must not contain any Housekeeping Unit or Sleeping

Unit, and except that, before making a decision to permit a Multiple Conversion Dwelling, the Development Permit Board must consider the quality and livability of the Multiple Conversion Dwelling, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area.

- Multiple Dwelling, but not in sub-area A as shown in shown in Figure 1.
- Residential Unit associated with and forming an integral part of an Artist Studio, subject to section 11.19 of this By-law.
- Seniors Supportive or Assisted Housing, subject to section 11.17 of this By-law.

3.2.3 The uses listed in section 3.2.3 may be permitted only in the MC-2 District.

3.2.3 C [Cultural and Recreational]

- Artist Studio - Class B, subject to section 11.18 of this By-law, but only if the change of use applies to floor area existing as of February 26, 2013 and additions do not exceed a maximum of 10 percent of the existing floor area.

3.2.3 DW[Dwelling]

- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such Dwelling Unit is essential to the operation of the business or establishment.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class B, subject to section 11.19 of this By-law.

3.3 Conditions of Use

3.3.1 No use listed in section 3.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; fish; fish oil or meal; animal oil or fat; grain; sugar; hops; scrap or waste materials; junk; lime; fertilizer; fungicides; herbicides; pesticides; explosives; matches; ammunition; fireworks; flares; wax; industrial chemicals; acids; paints; varnishes; rags; cotton waste; radioactive materials; or, except for a full serve or split island gasoline station, compressed gas, petroleum, coal tar products or derivatives.

3.3.2 No use listed in section 3.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of vegetable oil or fat; fish; fish oil or meal; animal oil or fat; scrap or waste material; paints; varnishes; oil shellac or turpentine; grain; sugar; hops; pesticides; fungicides; herbicides; or toxic or corrosive chemicals or acids.

3.3.3 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) full serve and split island gasoline station, except that section 11.10.2 of this By-law continues to apply;
- (c) display of flowers, plants, fruits and vegetables;
- (d) neighbourhood public house;
- (e) vehicle dealer;

- (f) transportation and storage uses;
- (g) lumber and building materials establishment;
- (h) farmers' market;
- (i) public bike share; and
- (j) Urban Farm - Class B.

3.3.4 Where goods, materials, machinery, or refuse or garbage receptacles are stored or placed outside a building, they shall be:

- (a) enclosed by a suitable fence or wall restricting public access; and
- (b) adequately screened from view from any adjacent R district, or any R district across an adjacent street or lane, by evergreen planting, wall, or fence or related landscaping that is acceptable to the Director of Planning.

3.3.5 Where uses are carried on outside a building, pursuant to sections 3.3.3 and 3.3.4, appropriate measures shall be taken to the satisfaction of the Director of Planning to minimize any noxious or otherwise objectionable impacts that could adversely affect the surrounding area.

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 maximum height of a building shall be 12.2 m.

4.3.2 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building to a height not exceeding 13.8 m, provided that consideration is given to:

- (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.

4.4 Front Yard and Setback

4.4.1 No front yard or front setback shall be permitted except that the Director of Planning may permit:

- (a) a front yard or front setback where a pedestrian or shopping courtyard or other features benefitting pedestrian character are provided;
- (b) a front setback to improve the livability of dwelling uses or community care facilities or group residences above grade;
- (c) for sites in MC-1 to provide a transition to dwelling units fronting on Heatley Avenue or Atlantic Street, a front setback may be required from either of those streets;

provided that in all cases the Director of Planning first considers:

- (i) the intent of this Schedule and all applicable policies and guidelines adopted by Council; and
 - (ii) the submission of any advisory group, property owner or tenant.
- 4.4.2 A setback of 1.2 m from the front property line shall be required for any parking area.
- 4.5 Side Yards and Setback
 - 4.5.1 No side yard shall be required.
 - 4.5.2 Where a side yard is provided, it shall have a minimum width of 0.9 m.
 - 4.5.3 In the case of a corner lot, a setback of 1.2 m from the side property line abutting the flanking street shall be required for any parking area.
- 4.6 Rear Yard and Setback
 - 4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.
 - 4.6.2 Any portion of a building containing residential uses, and any portion of a building above the first storey and below the fourth storey, except for open roof gardens at the second storey floor level, shall be set back a minimum of 7.6 m from the rear property line across the full width of the building, except that where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.
 - 4.6.3 All portions of a building at the fourth storey and above shall be set back 9.1 m from the rear property line across the full width of the site, except that where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.
- 4.7 Floor Space Ratio
 - 4.7.1 The floor space ratio shall not exceed 0.75.
 - 4.7.2 The following shall be included in the computation of floor space ratio:
 - (a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.
 - 4.7.3 The following shall be excluded in the computation of floor space ratio:
 - (a) open balconies, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed twelve percent of the floor area being provided;
 - (b) roof decks if the Director of Planning first considers:
 - (i) the design of landscape treatments;
 - (ii) the effect on privacy and overlook; and
 - (iii) all applicable Council policies and guidelines.

- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
 - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total permitted floor area, provided that for child day care facilities the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood; and
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.7.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by council and approves the design of any balcony enclosure, subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4.7.5 Floor Area and Density in Sub-area A, MC-1 District

4.7.5.1 Notwithstanding section 4.7.1 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups, neighbourhood property owners or tenants consulted by the Director of Planning, the Director of Planning may permit an increase in the permitted floor area in sub-area A as shown in Figure 1 up to a maximum of 2.50 subject to the following:

- (a) the following uses shall not exceed a floor space ratio of 1.50:
 - (i) cultural and recreational;
 - (ii) institutional;
 - (iv) manufacturing, transportation and storage, utility and communication, and wholesale, combined;
 - (iv) office;
 - (v) parking;
 - (vi) service; and
 - (vii) other uses pursuant to section 3.2.Z;

4.7.5.2 Notwithstanding section 4.7.1 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups, neighbourhood

property owners or tenants consulted by the Director of Planning, the Director of Planning may permit an increase in the permitted floor area in sub-area A as shown in Figure1 as follows:

- (a) Dwelling Uses provided that either:
 - (i) all of the residential floor area is developed as social housing; or
 - (ii) all of the dwelling units are developed as secured market rental housing;

to a maximum additional floor space ratio of 1.8 provided that a minimum 0.7 FSR of any cultural and recreational, manufacturing, transportation and storage, utility and communication, and wholesale uses is provided.

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 3.7 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 m².

4.11 to

4.14 (Reserved)

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of

the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

5 Relaxation of Regulations

- 5.1 The Director of Planning may relax the maximum height, location regulations and floor area in section 2.2.A for accessory buildings and accessory uses except that, in any event, the relaxed height shall not exceed the maximum prescribed in section 4.3.1 and the relaxed floor space shall not exceed 33- $\frac{1}{3}$ percent of the gross floor area of the principal and accessory uses combined.
- 5.2 The Director of Planning may relax the use conditions of sections 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as the Director deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this Schedule.
- 5.3 The Director of Planning may, provided that the Director first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council and the submission of any advisory group, property owner or tenant, relax the provisions of section 4.7.1 in the MC-1 District, excluding sub-area A as shown in Figure 1, and the MC-2 District, to permit an increase in the total floor space ratio up to a maximum of 2.50, subject to the following:
- (a) none of the following uses shall, subject to clause (b), exceed a floor space ratio of 1.50:
 - (i) cultural and recreational;
 - (ii) In MC-1, dwelling and, for the purpose of this clause, an Artist Studio and its associated residential unit which shall together be considered as a dwelling use;
 - (iii) institutional;
 - (iv) manufacturing, transportation and storage, utility and communication, and wholesale, combined;
 - (v) office;
 - (vi) parking;
 - (vii) service; and
 - (viii) other uses pursuant to section 3.2.Z;
 - (b) as part of the increased total floor space ratio permitted under clause (a), the Director of Planning may relax the maximum floor space ratio for dwelling uses to up to 1.80;
 - (c) In MC-2, dwelling and, for the purposes of this clause, an Artist Studio - Class B and its associated residential unit which shall together be considered as a dwelling use, the maximum floor space ratio shall be 1.0; and;
 - (d) the maximum floor area in retail use shall be 1 300 m².

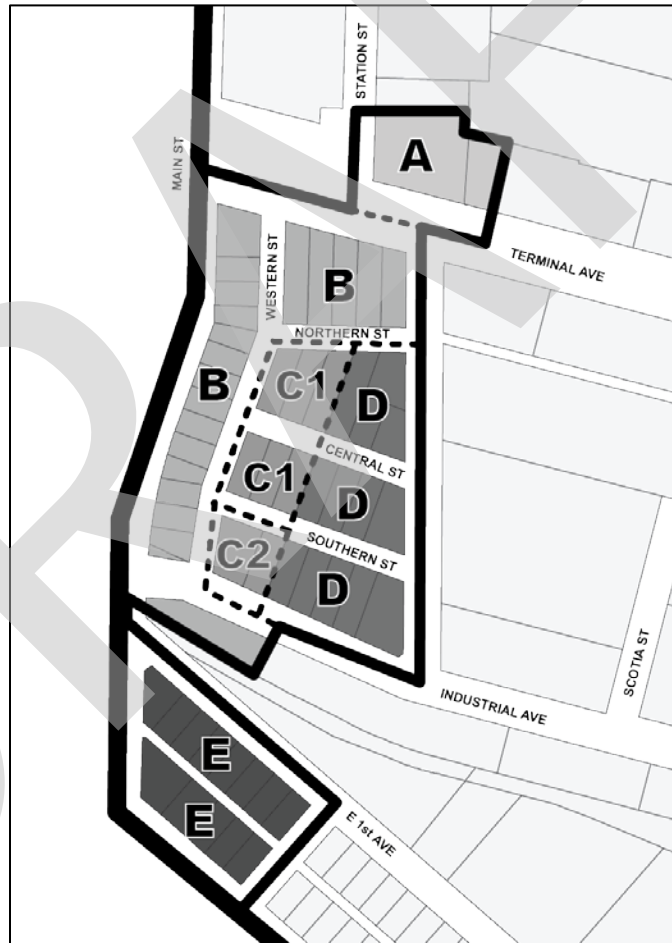
Appendix E
FC-2 District Schedule
(False Creek Flats Innovation District)

1 Intent

1.1 The intent of this Schedule is to permit and encourage the development of a high-density mixed-use neighbourhood, including some residential and compatible industrial uses, together with job space to support a wide spectrum of economic uses, representing the broader False Creek Flats economy, including the creative, cultural and food economy, industrial production, research and development, and employment intensification.

1.3 The FC-2 District is to consist of six sub-areas as illustrated in Figure 1, solely for purpose of establishing permitted uses, floor area and height.

Figure 1



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 as specified in section 2.2 and shall be issued a permit.

2.2 Uses

2.2 The uses listed in section 2.2 shall be permitted in all sub-areas of the FC-2 District.

2.2.A • Accessory Buildings customarily ancillary to any of the uses listed in this Schedule, except that:

- (a) an accessory building must not exceed 4.6 m in height, and must not exceed 3.7 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof;
- (b) an accessory building must be situated in the rear yard no less than 3.1 m from the ultimate centre line of any rear or flanking lane; and
- (c) an accessory building's total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.

• Accessory Uses customarily ancillary to any of the outright uses listed in this section, except that accessory retail use:

- (a) may not be combined with wholesale use;
- (b) is limited to the lesser of 33 1/3 percent or 500 m² of the gross floor area of the principal and accessory uses combined;
- (c) must be separated by a wall from the floor area used for all other uses; and
- (d) all uses other than accessory retail use must be inaccessible to the public.

2.2.C [Cultural and Recreational]

- Artist Studio.
- Arts and Culture Indoor Event.
- Theatre.

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Clothing Manufacturing.
- Creative Products Manufacturing.
- Food or Beverage Products Manufacturing - Class B.
- Furniture or Fixtures Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Printing or Publishing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.S [Service]

- Catering Establishment.
- Laboratory.
- Photofinishing or Photography Studio.
- Photofinishing or Photography Laboratory.
- Print Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- Restaurant - Class 1, provided that the total floor area does not exceed 300 m².
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.2.U [Utility and Communication]

- Radiocommunication Station.

2.3 Conditions of Use

2.3.1 No use listed in section 2.2 of this Schedule, except for Cultural and Recreational uses, Production or Rehearsal Studio, and Restaurant, shall be carried on other than wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment which in the opinion of the Director of Planning are similar to the foregoing.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; coal tar products or derivatives; or compressed gas or petroleum.

2.3.3 No use listed in section 2.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; scrap or junk; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

2.3.4 No use listed in section 2.2 of this Schedule, except for a Laboratory, shall involve the keeping of live animals.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, including section 3.3.3 and the additional regulations in section 11.3 of this By-law, 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 use in 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

3.2.1 The uses listed in section 3.2.1 shall be permitted in all sub-areas of the FC-2 District.

3.2.1.A • Accessory Uses to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.

3.2.1.AG [Agricultural]

- Urban Farm - Class B, subject to the provisions of section 11.30 of this By-law.

3.2.1.C [Cultural and Recreational]

- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Park or Playground.

3.2.1.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Public Authority Use.
- Social Service Centre.

3.2.1.M [Manufacturing]

- Batteries Manufacturing.
- Brewing or Distilling.
- Dairy Products Manufacturing.
- Electrical Products or Appliances Manufacturing.
- Food or Beverage Products Manufacturing - Class A.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class A.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Rubber Products Manufacturing.
- Transportation Equipment Manufacturing.

3.2.1.O [Office]

- General Office, including Digital Entertainment Information and Communication Technology, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate, advertising, insurance, travel and ticket agencies.
- General Office, but only in sub-areas A and E as shown in Figure 1.
- Financial Institution.
- Health Care Office, but only in sub-area A as shown in Figure 1.

3.2.1.P [Parking]

- Parking Uses.

3.2.1.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.
- Public Bike Share.
- Neighbourhood Grocery Store.
- Retail Store, but limited to:
 - Accessory Retail Use.
 - Retail Store, but limited to the sale of art and hand-crafted products.
 - Limited Service Food Establishment, which means the use of premises for the primary purpose of selling, or selling and serving, prepared food to the public during all hours of operation, where the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises, but where customers may also purchase food for take-out, and where live entertainment is not available.

3.2.1.S [Service]

- Animal Clinic.
- Hotel
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Neighbourhood Public House.
- Restaurant - Class 2, provided that the total floor area does not exceed 300 m².
- Auction Hall.
- Repair Shop - Class B.

3.2.1.T [Transportation and Storage]

- Bulk Data Storage.
- Railway Station or Rail Yard.
- Taxicab or Limousine Station.
- Truck Terminal or Courier Depot.
- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

3.2.1.U [Utility and Communication]

- Public Utility.
- Recycling Depot.

3.2.1.W [Wholesale]

- Wholesaling - Class A.
- Wholesaling - Class B.

3.2.1.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 or

Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

- A use which is listed in section 2 of this Schedule but does not comply with the conditions of use in section 2.3.

3.2.2 The uses listed in section 3.2.2 shall be permitted in sub-areas B, C and E of the FC-2 District.

3.2.2.DW [Dwelling]

- Dwelling Units in conjunction with any of the uses listed in this Schedule.
- 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.
- Temporary Modular Housing.

3.3 Conditions of Use

3.3.1 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;
- (c) neighbourhood grocery store;
- (d) restaurant;
- (e) retail store;
- (f) farmers' market;
- (g) public bike share;
- (h) Urban Farm - Class B;
- (i) park or playground;
- (j) neighbourhood public house;
- (k) Parking Uses; and
- (l) Transportation and Storage Uses.

3.3.2 Despite section 3.3.1, the Director of Planning may permit a use listed in section 3.2 of this Schedule to be carried on outside of a completely enclosed building if appropriate measures are taken, to the satisfaction of the Director of Planning, to eliminate any dangerous, injurious, noxious or otherwise objectionable impact that could adversely affect the surrounding area and adjoining non-industrial districts.

3.3.3 No use listed in section 3.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; coal tar products or derivatives; or compressed gas or petroleum.

3.3.4 No use listed in section 3.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.

3.3.5 No use listed in section 3.2 of this Schedule, except for an animal clinic, shall involve the keeping of live animals.

- 3.3.6 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than wholly within a completely enclosed building unless the yard or portion of the yard containing the goods or materials is enclosed by a suitable fence or wall restricting public access.
- 3.3.7 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.
- 3.3.8 Except for entrances, Office uses are not permitted at street level.
- 3.3.9 Except for entrances, Bulk Data Storage use shall not be permitted at the ground floor.
- 3.3.10 Except for residential entrances, no dwelling uses are permitted at grade.

4 Regulations

All uses approved under sections 2 and 3 of this 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 maximum height of a building shall be
 - (a) 22.9 m in sub-areas A and B;
 - (b) 10.7 m in sub-area C1;
 - (c) 18.3 m in sub-areas C2, D, and E.

and except for buildings existing as [date of enactment] the floor to floor height of the first floor of a building must measure a minimum of 6.0 m.

- 4.3.2 Despite section 4.3.1, the Director of Planning may relax the requirement to provide a minimum 6.0 m floor to floor height of the first floor of a building, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.
- 4.3.3 The Director of Planning or the Development Permit Board, as the case may be, may permit an increase in the maximum height of a building with respect to any development, provided that it first considers:
 - (a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;
 - (b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets and existing views;
 - (c) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
 - (d) the provision for pedestrian needs;

- (e) the preservation of the character and general amenity desired for the area; and
- (f) the submission of any advisory group, neighbouring property owner or tenant;

and the maximum height may not exceed:

- (a) 51.8 m in sub-areas A, B, C2, and D;
- (b) 18.3 m in sub-area C1; and
- (c) 42.7 m in sub-area E.

4.4 Front Yard

4.4.1 A front yard with a minimum depth of 0.6 m shall be provided, except that the minimum front setback for any parking area shall be 1.2 m.

4.4.2 Despite section 4.4.1, the Director of Planning may permit a reduced or increased front yard or front setback for portions of the building, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.5 Side Yards and Setbacks

4.5.1 No side yard shall be provided, except that on a corner site, the exterior side yard and side setback requirements shall be the same as the front yard and front setback requirements in section 4.4.1 and 4.4.2.

4.5.2 Despite section 4.5.1, the Director of Planning may permit a reduced or increased front yard or front setback for portions of the building, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.6 Rear Yard and Setback

4.6.1 A rear yard with a minimum depth of 0.6 m shall be provided.

4.6.2 Despite section 4.6.1, the Director of Planning or the Development Permit Board may permit a reduced rear yard or rear setback provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

4.7 Floor Area and Density

Floor Area and Density in Sub-Area A

- 4.7.1 The floor space ratio shall not exceed 7.0 in sub-area A, subject to the following:
- (a) the maximum floor space ratio for retail or service uses except hotel shall be 1.0;
 - (b) the maximum floor space ratio for hotel use shall be 4.0;
 - (c) the maximum floor space ratio for all other uses permitted by sections 2.2 and 3.2 but not listed in (a) or (b) of this section 4.7.1 shall be 3.0; and

- (d) the maximum floor space ratio for office use shall be 6.75,

provided that the Director of Planning or the Development Permit Board first considers:

- (i) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;
- (ii) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views;
- (iii) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
- (iv) the effect of the development on traffic in the area; and
- (v) the provision for pedestrian needs.

Floor Area and Density in Sub-Area B

- 4.7.2 The floor space ratio shall not exceed 5.00 for non-residential uses, and not exceed 3.0 for dwelling uses in sub-area B. The Director of Planning or the Development Permit Board may permit an increase in this maximum floor space ratio to any figure up to and including 6.50, which may include up to 5.00 of dwelling uses, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;
- (b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views;
- (c) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
- (d) the effect of the development on traffic in the area;
- (e) the provision for pedestrian needs; and
- (f) the design and livability of any dwelling uses.

Floor Area and Density in Sub-Area C1

- 4.7.3 The floor space ratio shall not exceed 1.00 for non-residential uses in sub-area C-1. The Director of Planning or the Development Permit Board may permit an increase in this maximum floor space ratio up to and including 2.50, limited to 1.50 of non-residential uses and which may include up to 1.00 of dwelling uses developed as social housing, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;
- (b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views;

- (c) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
- (d) the effect of the development on traffic in the area;
- (e) the provision for pedestrian needs; and
- (f) the design and livability of any dwelling uses.

Floor Area and Density in Sub-Area C2

4.7.4 The floor space ratio shall not exceed 4.00 in sub area C-2, with a maximum of 1.00 for non-residential uses and a maximum of 3.00 for dwelling uses developed as social housing. The Director of Planning or the Development Permit Board may permit an increase in this maximum floor space ratio up to and including 6.50, limited to 1.50 of non-residential uses, and which may include up to 5.00 of dwelling uses developed as social housing, provided that the Director of Planning or the Development permit Board first considers:

- (a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;
- (b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views;
- (c) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
- (d) the effect of the development on traffic in the area;
- (e) the provision for pedestrian needs; and
- (f) the design and livability of any dwelling uses.

Floor Area and Density in Sub-Area D

4.7.5 The floor space ratio shall not exceed 3.00 in sub-area D. The Director of Planning or Development Permit Board may permit an increase in this maximum floor space ratio up to and including 7.50 except that:

- (a) the total floor area must include a minimum 1.00 FSR for any of the following uses combined:
 - (i) Cultural and Recreational, limited to Artist Studio - Class B;
 - (ii) Manufacturing, limited to Bakery Products Manufacturing, Brewing or Distilling, Chemicals or Chemical Products Manufacturing - Class B, Clothing Manufacturing, Dairy Products Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Metal Products Manufacturing - Class A or B, Miscellaneous Products Manufacturing - Class A, Miscellaneous Products Manufacturing - Class B, Non-metallic Mineral Products Manufacturing - Class B, Paper Products Manufacturing, Printing or Publishing, Plastic Products Manufacturing, Rubber Products Manufacturing, Shoes or Boots Manufacturing, Textiles or Knit Goods Manufacturing, and Wood Products Manufacturing - Class B;

- (iii) Service, limited to Catering Establishment, Motor Vehicle Repair Shop, Print Shop, Repair Shop - Class A, Repair Shop - Class B, and Sign Painting Shop; or
- (iv) Accessory Uses customarily ancillary to any use permitted by this section; and

Provided the Director of Planning or Development Permit Board first considers:

- (i) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential areas;
- (ii) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and streets, and existing views;
- (iii) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area;
- (iv) the effect of the development on traffic in the area;
- (v) the provision for pedestrian needs; and
- (vi) the design and livability of any dwelling uses.

Floor Area and Density in Sub-Area E

4.7.6 The floor space ratio shall not exceed 3.00, subject to the following:

- (a) the maximum floor space ratio shall be 3.00 for Artist Studio, Manufacturing Uses, Transportation and Storage Uses, Utility and Communication Uses, Wholesale Uses, Service Uses listed in section 2.2.5, and Parking Uses;
- (b) the maximum floor space ratio shall be 1.00 for Creative Products Manufacturing and the maximum floor space ratio shall be 1.00 for all other uses combined;
- (c) the floor area for Retail Uses shall not exceed 1 000 m²;
- (d) the floor area for General Office or Health Care Office combined shall not exceed 33 percent of the total gross floor area of all principal and accessory uses combined, except that the Director of Planning may permit up to a maximum floor space ratio of 2.00 for General Office if a minimum floor space ratio of 1.00 is provided for any of the following uses combined:
 - (i) Cultural and Recreational, limited to Artist Studio - Class B;
 - (ii) Manufacturing, limited to Bakery Products Manufacturing, Brewing or Distilling Clothing Manufacturing, Dairy Products Manufacturing, Food or Beverage Products Manufacturing - Class B, Jewellery Manufacturing, Leather Products Manufacturing, Metal Products Manufacturing - Class B, Miscellaneous Products Manufacturing - Class A, Miscellaneous Products Manufacturing - Class B, Non-metallic Mineral Products Manufacturing - Class B, Paper Products Manufacturing, Printing or Publishing, Shoes or Boots Manufacturing, Textiles or Knit Goods Manufacturing, Wood Products Manufacturing - Class B;
 - (iii) Service, limited to Catering Establishment, Motor Vehicle Repair Shop, Print Shop, and Repair Shop - Class B; or

- (iv) Accessory Uses customarily ancillary to any use permitted by this section; and
- (e) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

4.7.7 Notwithstanding section 4.7.6 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups, neighbourhood property owners or tenants consulted by the Director of Planning, the Director of Planning may permit an increase in the permitted floor area for the following uses:

- (a) Dwelling Uses, provided that at least 50% of the residential floor area is comprised of social housing,

to a maximum additional floor space ratio of 3.50 in addition to the maximum permitted floor space ratio of 3.00 of non-residential uses, including the provision of a minimum floor space ratio for 1.00 combined of any uses listed in sub-sections 4.7.6 (d) (i), (ii), (iii) and (iv).

4.7.8 Notwithstanding section 4.7.6 of this schedule, if the Director of Planning first considers the intent of this schedule and all applicable Council policies and guidelines, and the submissions of any advisory groups neighbourhood property owners or tenants consulted by the Director of Planning, the Director of Planning may permit an increase in the permitted floor area of one m² per amenity share, provided to the City at no cost to the City, for the following uses:

- (a) Dwelling Uses developed as secured market rental housing,

to a maximum additional floor space ratio of 3.5 in addition to the maximum permitted floor space ratio of 3.0 of non-residential uses, including the provision of a minimum floor space ratio of 1.0 combined for any uses listed in sub-sections 4.7.6 (d) (i), (ii), (iii) and (iv).

4.7.9 Notwithstanding section 4.7.8, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this district schedule and this by-law.

4.7.10 For the purposes of section 4.7.8, amenity share means an amenity share as set out in Schedule F of this by-law.

4.7.11 For the purposes of this district schedule, amenity means the following:

- (a) Community Centre or Neighbourhood House.

4.7.12 Computation of floor area shall include:

- (a) All floors of all buildings, both above and below ground level, to be measured to the extreme outer limits of the buildings.

4.7.13 Computation of floor area shall exclude:

- (a) open balconies and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed 12% of the floor area being provided;

- (b) patios, roof decks and roof gardens, provided that the Director of Planning first considers:
 - (i) the design of landscape treatments;
 - (ii) the effect on privacy and overlook; and
 - (iii) all applicable Council policies and guidelines.
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface provided that the off-street parking spaces do not have a length of more than 7.3 m;
- (d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and
- (d) storage space associated with an Artist Studio - Class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each Artist Studio - Class B.

4.7.14 Computation of floor area may exclude:

- (a) interior public space, including atria and other similar spaces, provided that:
 - (i) the excluded area shall not exceed the lesser of 10 % of the permitted floor area or 600 m²;
 - (ii) the excluded area shall be secured by covenant and right-of-way in favour of the City which sets out public access and use; and
 - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.
- (b) amenity areas, including day care facilities and non-profit recreation facilities, to a maximum floor area of the lessor of 20 % of the permitted floor area or 1 000 m², provided, in the case of day care facilities, the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood.

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 3.7 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 m².

4.11 to (Reserved)

4.14

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45