

EXPLANATION

**By-law to amend the Zoning & Development By-law
Regarding False Creek Flats
I-2, I-3, IC-3, FC-2, MC-1 and MC-2 District Schedules**

After the public hearing on September 19, 2017, Council resolved on October 3, 2017 to amend I-2, I-3, IC-3, MC-1 and MC-2 District Schedules, to enact a new FC-2 District and to enact a series of ancillary amendments. Enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
October 31, 2017

He.

False Creek Flats
Amendments to the Zoning and Development By-law
Regarding I-2, I-3, IC-3,
FC-2, MC-1 and MC-2 District Schedules

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 striking the "and" at the end of 11.27.3 (e), replacing the "." at the end of 11.27.3(f) with ";", and 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. Council adds a new Schedule G to the Zoning and Development By-law by adopting the Schedule G attached to this By-law as the new Schedule G.

13. 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.

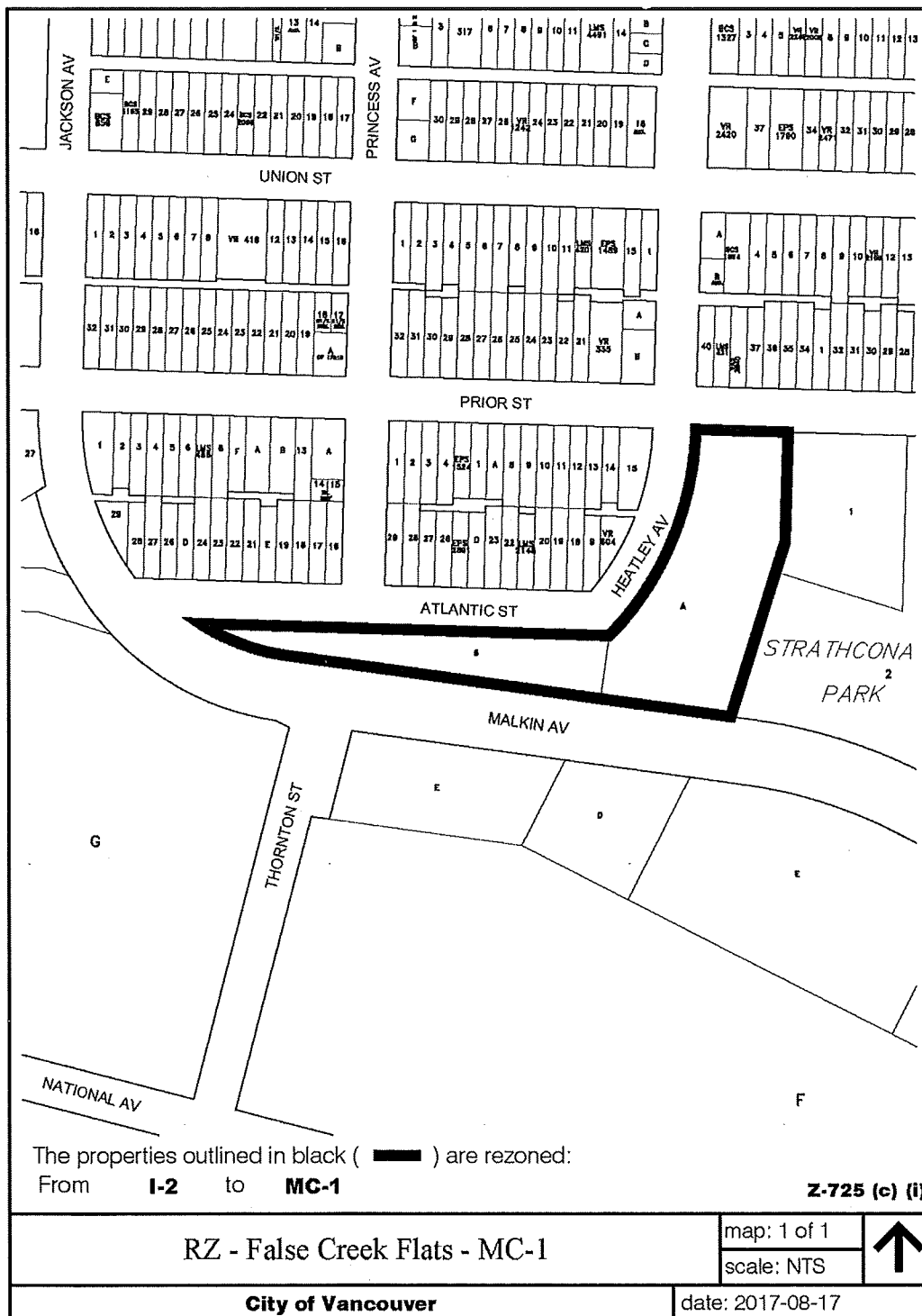
14. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this day of , 2017

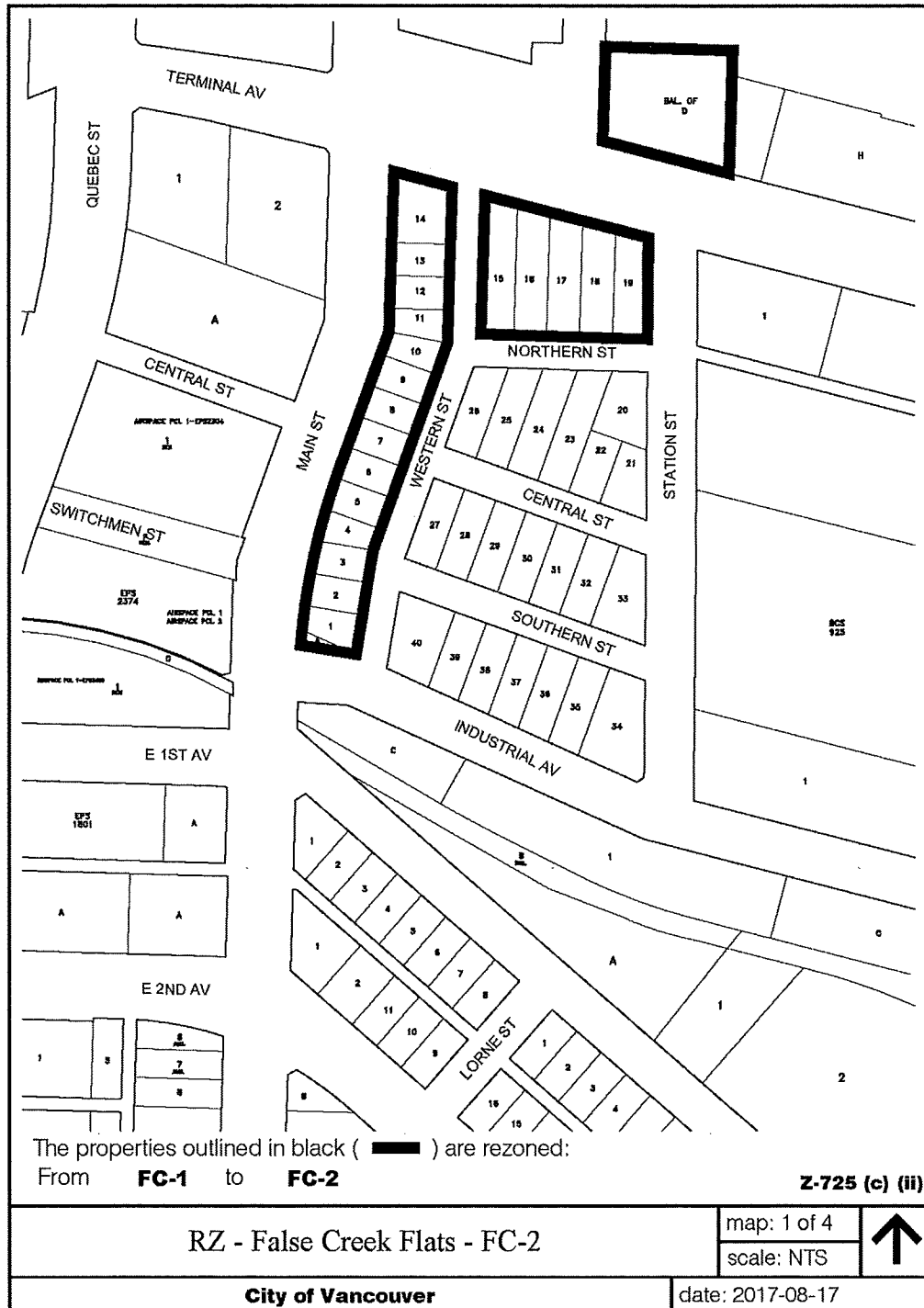
Mayor

City Clerk

Schedule A




Schedule A





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

Z-725 (c) (ii)

RZ - False Creek Flats - FC-2	map: 2 of 4	
	scale: NTS	
City of Vancouver	date: 2017-08-17	

Schedule A



The properties outlined in black (**█**) are rezoned:
From **I-3** to **FC-2**

Z-725 (c) (ii)

RZ - False Creek Flats - FC-2

map: 3 of 4

scale: NTS



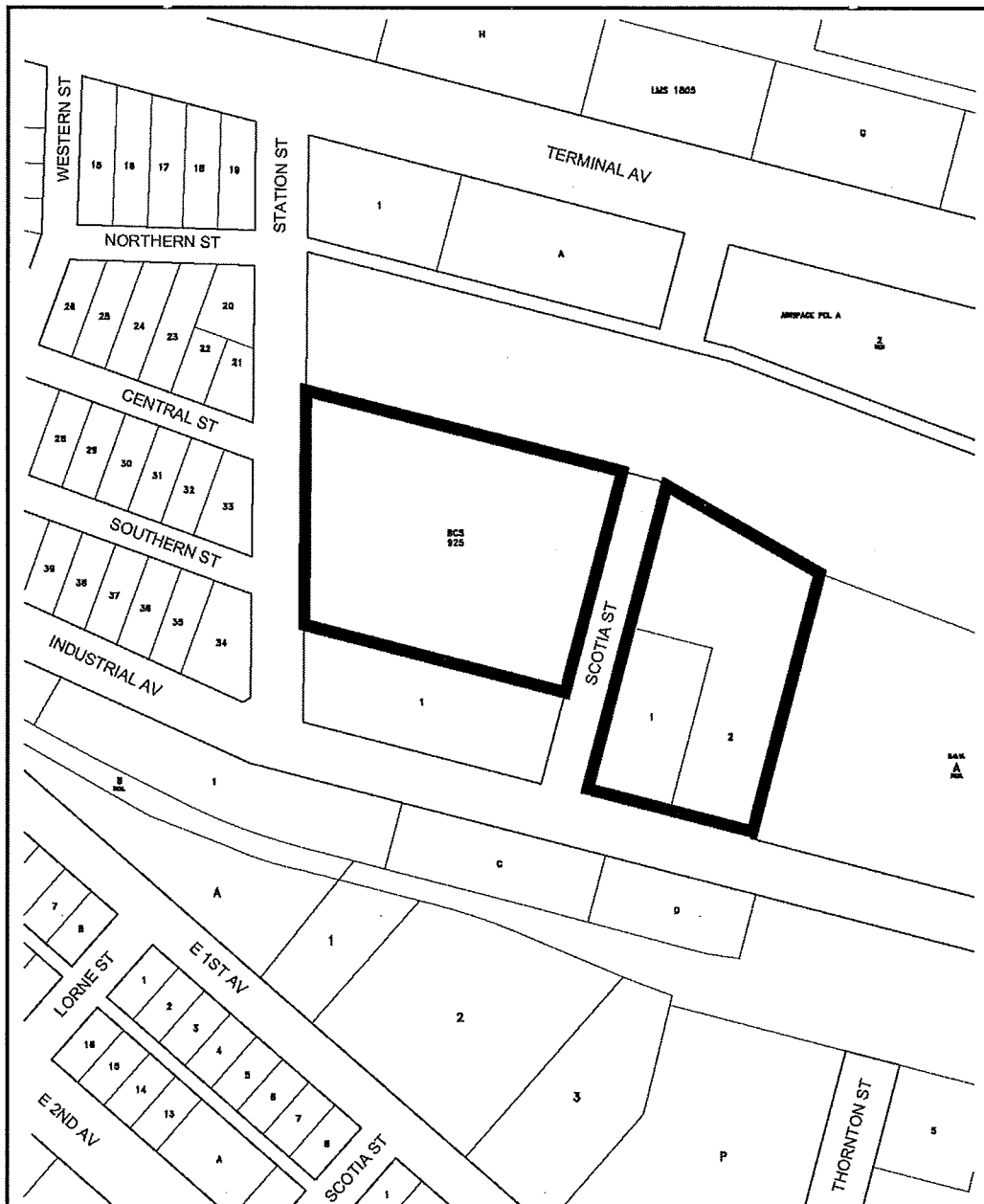
City of Vancouver

date: 2017-08-17

Schedule A



Schedule A



The properties outlined in black (**■**) are rezoned:
From **I-2** to **I-3**

Z-725 (c) (iii)

RZ - False Creek Flats - I-3

map: 1 of 1

scale: NTS



City of Vancouver

date: 2017-08-17

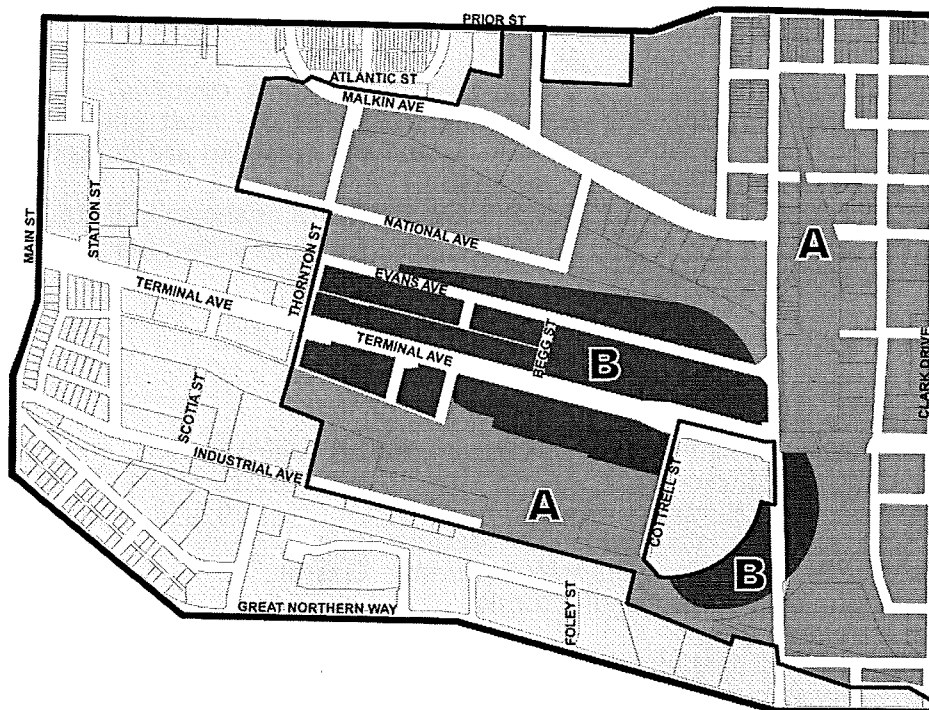
Appendix A

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.O [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 October 31, 2017:

- (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

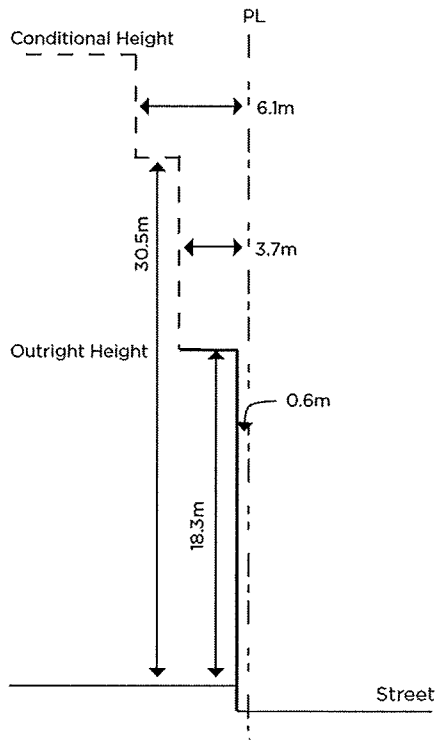
4.4.1 No front yard shall be required.

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.

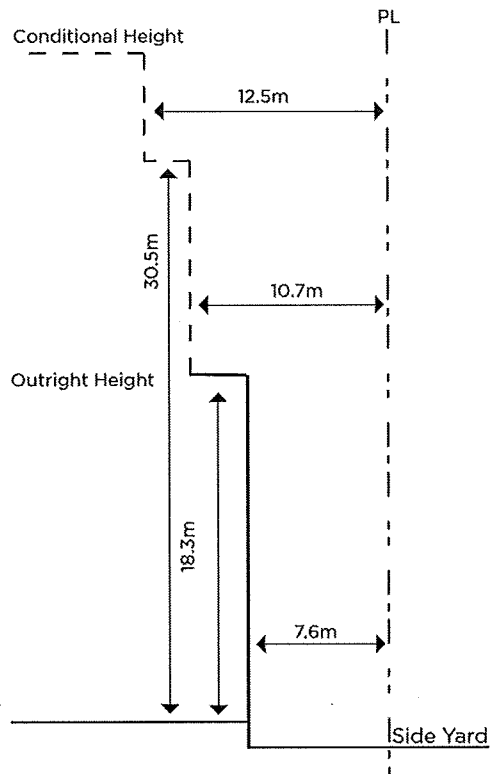
- 4.5.2 Where a side yard is provided, although not required, the minimum provisions of section 4.5.1 shall apply.

- 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.

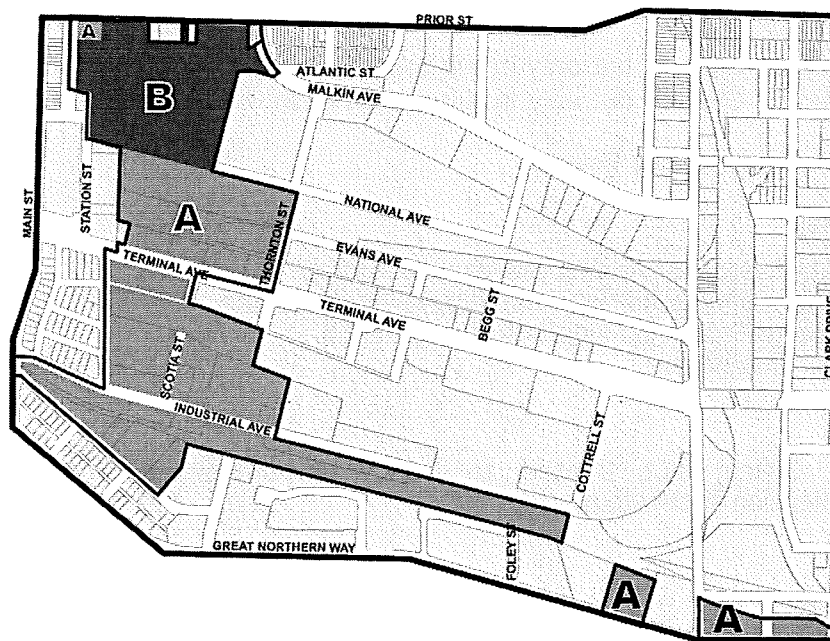
Appendix B

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]

- Drug Store, but only in sub-area A as show in Figure 1 on sites adjacent to Great Northern Way.
- 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.

- Neighbourhood Grocery Store, but only in sub-area A as show in Figure 1 on sites adjacent to Great Northern Way.
- 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.

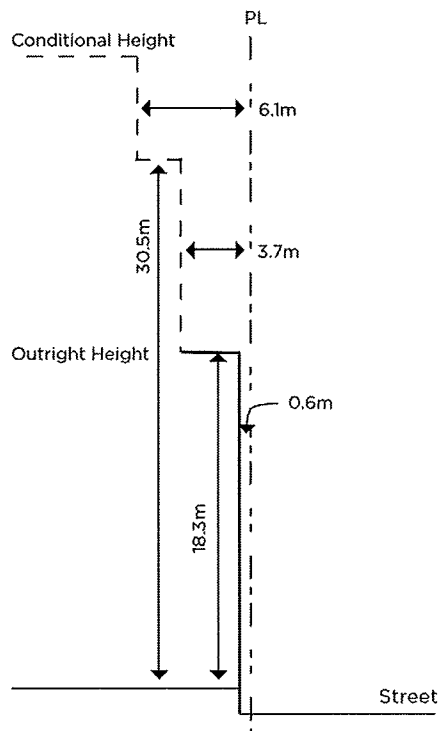
4.3 Height

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 October 31, 2017:

- (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 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,

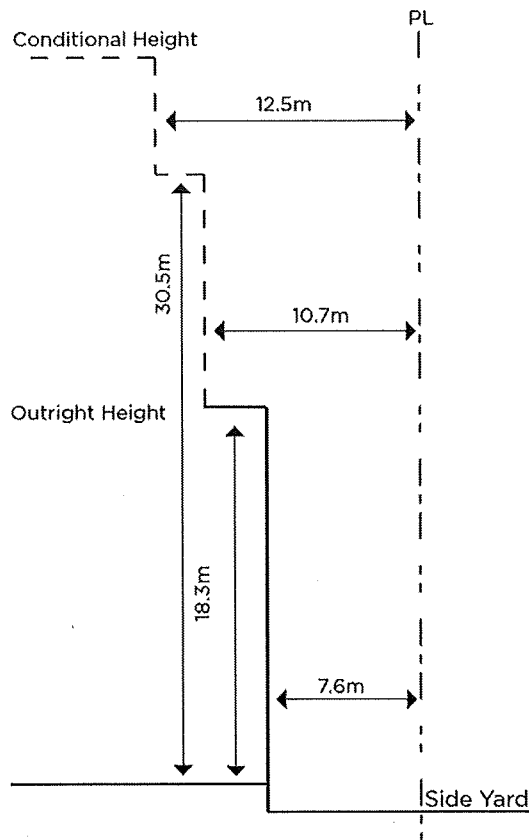
provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

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.
- 4.54 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 2.2.5; and
- (b) Office Uses listed in 2.2.0 and 3.2.0, 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

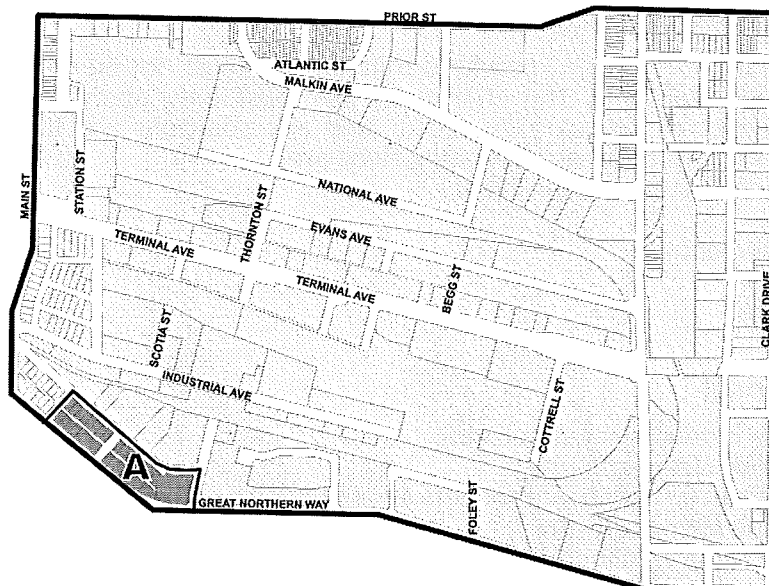
- 1.1 The primary intent of this Schedule is to permit a mix of light industrial, live arts and theatre, residential and related uses that are generally compatible with adjoining residential and commercial districts. Service uses compatible with and complementing light industrial uses and a limited number 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 33-⅓ 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.
- 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 4.14 (Reserved)

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

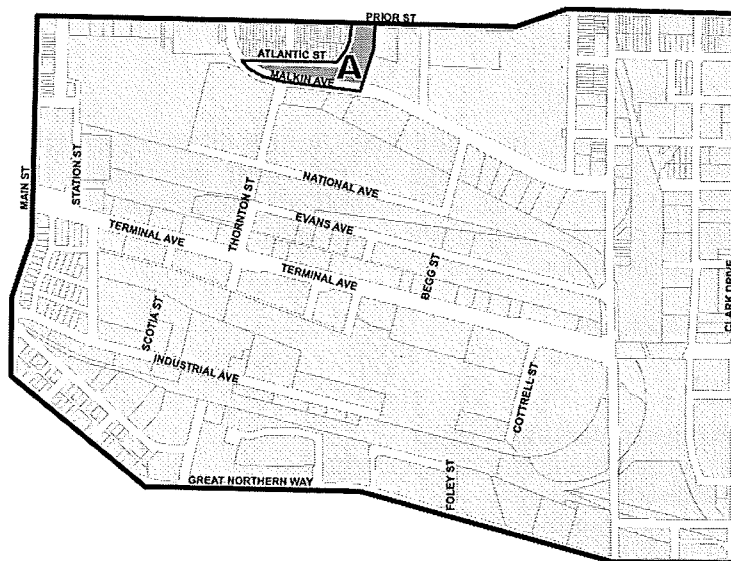
1 Intent

- 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 33-⅓ 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.

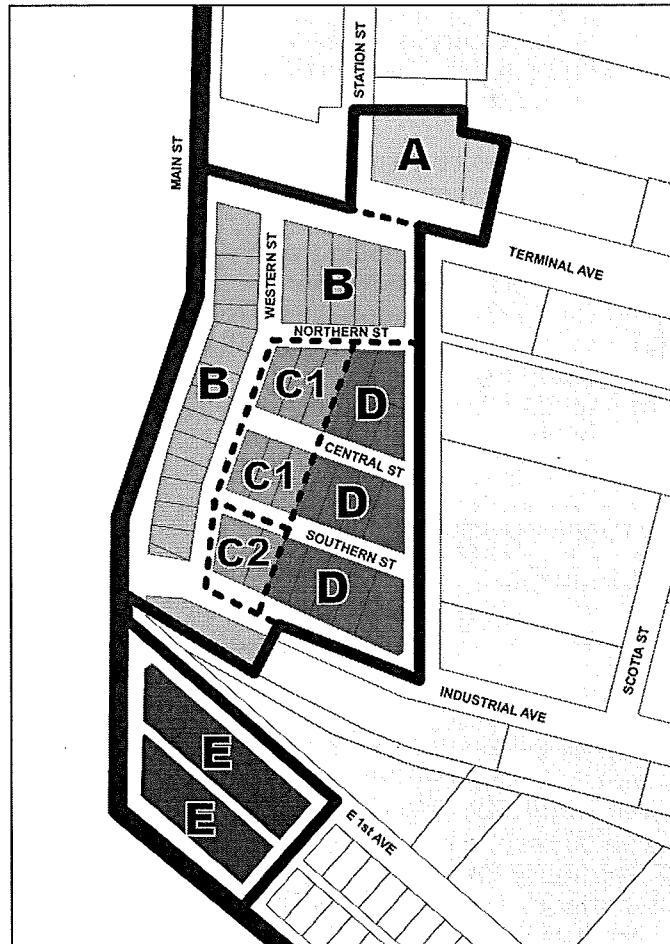
Appendix E

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 situate 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 October 31, 2017 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.S, 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 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 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), provided that a minimum of 35% of the dwelling units covering 35% of the floor space provided as secured market rental housing meet the rent requirements for each unit type set out in Schedule G of this By-law at the time of initial occupancy, and subject to the rental increases agreed upon in any Housing Agreement. Agreed upon rental increases will generally be in accordance with the increases permitted under section 22 of the Residential Tenancy Regulation, B.C. Reg. 477/2003.

4.7.13 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.

4.7.14 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.

4.7.15 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

“Schedule G”

Stipulated Rents at initial occupancy for secured market rental housing

This is Schedule G to By-law No. 3575, being the “Zoning and Development By-law”

	Targeted Rents in Below Market Units (35% of all units)	Income Level Served in Below Market Units
Studio	\$950	\$33,000 - \$46,000
1-Bed	\$1200	\$41,000 - \$58,000
2-Bed	\$1600	\$55,000 - \$77,000
3-Bed	\$2000	\$69,000 - \$96,000

Note: Income levels served assume 25% to 35% of income is spent on rent.

EXPLANATION

By-law to amend Regional Context Statement Official Development Plan By-law No. 10789

Following the public hearing on September 19, 2017, and appropriate consultation, Council approved the replacement of “Map 1. Regional Land Use Designations, Urban Centres and Frequent Transit Development Areas” in By-law 10789. The enactment of the attached By-law will implement Council’s resolution.

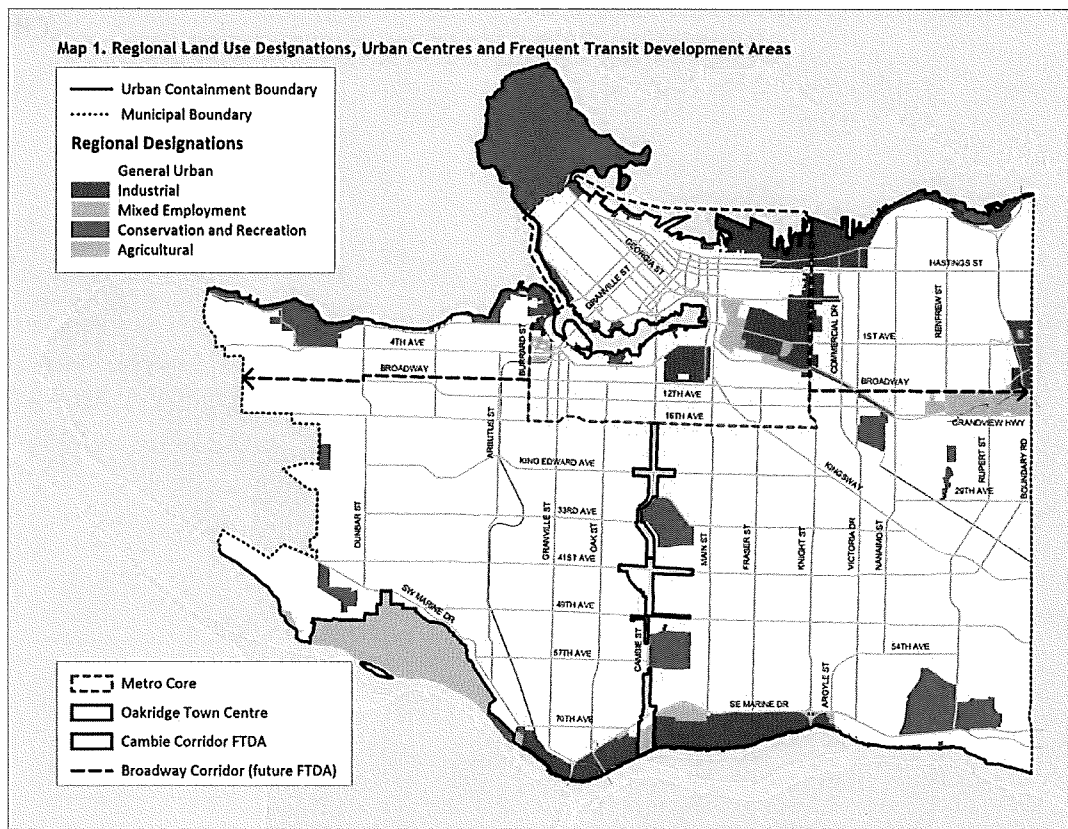
Director of Legal Services
October 31, 2017

116.

**A By-law to amend Regional Context Statement
Official Development Plan By-law No. 10789**

1. This By-law amends the indicated provisions of the Regional Context Statement Official Development Plan By-law No. 10789.

2. Council replaces “Map 1. Regional Land Use Designations, Urban Centres and Frequent Transit Development Areas” with the following:



3. 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.

4. 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

EXPLANATION**A By-law to amend the Zoning and Development By-law
Re: 1837-1847 Main Street, 180 East 2nd Avenue and
157-185 East 3rd Avenue**

Following the Public Hearing on November 24, 2015, Council resolved to give conditional approval to the rezoning of the site at 1837-1847 Main Street, 180 East 2nd Avenue and 157-185 East 3rd Avenue. The Director of Planning has advised that all prior to conditions have been met, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
October 31, 2017

1837-1847 Main Street and
180 East 2nd Avenue and
157-185 East 3rd Avenue

He.

BY-LAW NO. _____

**A By-law to amend
Zoning and Development By-law No. 3575
to rezone an area to CD-1**

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

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-696 (a) attached as Schedule A to this By-law and incorporates Schedule A into Schedule D to By-law No. 3575.

Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (684).

2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in the By-law or in a development permit, the only uses permitted within CD-1 (684), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Artist Studio and Fitness Centre - Class 1);
- (b) Dwelling Uses, including Social Housing;
- (c) Manufacturing Uses, limited to Bakery Products Manufacturing;
- (d) Office Uses, limited to Financial Institution, General Office and Health Care Office;
- (e) Retail Uses, limited to Grocery or Drug Store, Public Bike Share and Retail Store;
- (f) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop - Class B, Restaurant, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade;

- (g) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

Conditions of use

- 3.1 All uses except dwelling units must have direct access to grade.
- 3.2 The design and layout of at least 25% of the dwelling units must:
- (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council's "High-Density Housing for Families with Children Guidelines" or as required by the Director of Planning and the Chief Housing Officer.

Floor area and density

- 4.1 Computation of floor space ratio must assume that the site consists of 3,140 m², being the site size at the time of application for rezoning evidenced by this By-law, prior to any dedications.
- 4.2 The floor space ratio for all uses must not exceed 5.50 with the following condition:
- (a) a maximum floor space ratio of 5.0 for all uses other than Social Housing.
- 4.3 Computation of floor area must include all floors, including earthen floor, both above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.
- 4.4 Computation of floor area must exclude:
- (a) open residential balconies or sun decks and any other appurtenances, which in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all such exclusions must not exceed 8% of the residential floor area being provided;
 - (b) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;
 - (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, except that the exclusion for a parking space must not exceed 7.3 m in length; and
 - (d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit

there will be no exclusion for any of the residential storage area above base surface for that unit.

4.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) amenity areas and artist studio space, except that the exclusion must not exceed, in aggregate, the lesser of 20% of the permitted floor area or 929 m²;
- (b) tool sheds, trellises and other garden structures, which support the use of intensive green roofs and urban agriculture, and those portions of stairways and elevator enclosures, which are at the roof level providing access to the garden areas; and
- (c) enclosed residential balconies, if the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area provided; and
 - (ii) no more than 50% of the excluded balcony floor area may be enclosed.

4.6 The use of floor area excluded under section 4.4 or 4.5 must not include any purpose other than that which justified the exclusion.

Building height

5. The building height, to the top of roof slab, excluding parapet wall, must not exceed 35.83 m.

Horizontal angle of daylight

6.1 Each habitable room must have at least one window on an exterior wall of a building.

6.2 The location of each such exterior window must allow 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, to encounter no obstruction over a distance of 24.0 m.

6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.

6.4 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 the unobstructed view is not less than 3.7 m.

6.5 An obstruction referred to in section 6.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 (684).

6.6 A habitable room referred to in section 6.1 does not include:

- (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.

Acoustics

7 All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

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

Severability

8. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

Force and effect

9. 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



BY-LAW NO. 11941

**A By-law to Contract a Debt by the Issue and Sale of 2.85%
Sinking Fund Debentures in the Aggregate Principal Amount
of \$ 85,000,000 for the Objects Set Out in Schedule "B"**

WHEREAS:

- A. Pursuant to sections 236 and 242 of the Vancouver Charter, S.B.C. 1953, c.55, as amended (the "Vancouver Charter"), the Council of the City of Vancouver (the "Council") has power, without the assent of the electors, to borrow money for:
- (a) the construction, installation, maintenance, replacement, repair and regulation of a waterworks system, including water mains and other water pipes, valves, fittings, hydrants, meters and other necessary appliances and equipment, for the purpose of the distribution and supply of water, and for acquiring real property and easements therefor, and
 - (b) the construction, installation, maintenance, replacement, repair and regulation of a system of sewerage and drainage, including all necessary appliances and equipment for such purposes, and for acquiring real property and easements therefor, and
 - (c) the design, construction, installation, maintenance and repair of an energy utility system, including all necessary appliances and equipment, and for acquiring real property and easements therefor;

2015 - 2018 Capital Plan

- B. Pursuant to section 245 of the Vancouver Charter, the Council on the 15th day of November, 2014 submitted to the electors of the City of Vancouver entitled to vote on by-laws requiring assent of the electors the questions set out in Schedule C hereto;
- C. As appears by Certificates of the Returning Officer to the Council, the votes cast in the affirmative on each of the questions set out in Schedule C hereto amounted to a majority of all of the votes cast thereon;
- D. As a result of the votes cast on the 15th day of November, 2014, the Council obtained the power, without the assent of the electors to pass by-laws in any of the years 2015 to 2018 inclusive, to borrow money by the issue and sale of debentures in the aggregate principal amounts not exceeding the amounts set out for the various projects referred to in each of the questions set out in Schedule C hereto or such proposed projects as varied by Council by a vote of not less than two-thirds of all its members, and if any of the projects or any part thereof was delayed for any reason, to pass by-laws to borrow such money at any time within the years 2019 to 2025 inclusive;
- E. The proposed projects set out in Schedule C hereto have not been delayed;
- F. The proposed projects set out in Schedule C hereto have not been varied by the Council;

- G. The Council has not heretofore borrowed any money by the issue and sale of debentures for the projects set out in Schedule C hereto; save and except by the sale of debentures in the principal amount of \$31,425,109 by By-Law No. 11673 of December 13, 2016, and the amount authorized for any specific project will not as a result of the borrowing authorized hereby, be exceeded;
- H. It is now deemed expedient under the authority of the Vancouver Charter and pursuant to the provisions of sections 236, 242 and 245 of the Vancouver Charter to borrow the sum of money and to contract a debt by the issue and sale of debentures of the City of Vancouver in the principal amount of \$85,000,000 in lawful money of Canada bearing interest at the rate of 2.85% per annum for the objects more particularly set forth in Schedule "B" hereto;
- I. The value according to the last revised assessment roll of all the real property within the boundaries of the City of Vancouver liable to taxation is \$378,524,111,681; and
- J. The total amount of the existing debenture debt of the City of Vancouver at the date of the first reading of this by-law is \$1,030,000,000 (exclusive of debts incurred for local improvements secured by special rates or assessments) of which none of the principal or interest is in arrears as at that date.

NOW THEREFORE THE COUNCIL OF THE CITY OF VANCOUVER in open meeting assembled enacts as follows:

1. THAT for the objects and in the principal amounts more particularly set forth in Part I of Schedule "B" hereto, the borrowing of which has received the assent of the electors pursuant to section 245 of the Vancouver Charter, and for the objects and in the principal amounts more particularly set forth in Part II of Schedule "B" hereto, the borrowing of which is authorized by sections 236 and 242(2) of the Vancouver Charter, a debt shall be contracted by the issue and sale of sinking fund debentures in the principal amount of \$85,000,000 in lawful money of Canada (the "Debentures"). The Debentures will bear interest at the rate of two point eight five per centum (2.85%) per annum payable in lawful money of Canada half-yearly on the 3rd day of May and the 3rd day of November during the years 2018 to 2027, inclusive; the first of such payments of interest being for the period from November 3, 2017 to May 3, 2018. The Debentures will be issued in the form of a fully registered global certificate (the "Global Debenture") registered in the name of CDS & Co. as nominee of CDS Clearing and Depository Services Inc. ("CDS") and held by CDS. The Global Debenture shall be in the form or substantially in the form attached hereto as Schedule "A". Interest shall be paid in the manner provided in the form of the Global Debenture.

2. THAT the Global Debenture (and any replacement global debenture that may be issued pursuant to the Book Entry Only Securities Services Agreement (defined below) if the Global Debenture is defaced, lost, stolen or destroyed) shall be sealed with the common seal of the City of Vancouver, shall bear the signature or facsimile signature of the Mayor of the City of Vancouver and shall be signed by any one of the following officials as the authorized signing officers of the City of Vancouver: the City Treasurer, the Deputy City Treasurer, the Director of Finance or a Deputy Director of Finance. The common seal of the City of Vancouver may be stamped, printed, lithographed or otherwise reproduced.

3. THAT the Global Debenture shall be dated the 3rd day of November, 2017 and shall be payable on the 3rd day of November, 2027.

4. THAT the Global Debenture will be payable as to principal in lawful money of Canada in accordance with the provisions of the Book Entry Only Securities Services Agreement and the Issuer Procedures (collectively the "Book Entry Only Securities Services Agreement") dated March 22, 2010 in respect of the issue of Debentures authorized by this By-law.

5. THAT the actions of the Director of Finance and the Deputy Director of Finance in negotiating, executing and delivering the Book Entry Only Securities Services Agreement (including the form of indemnity contained therein) and the actions of the Director of Finance in negotiating, executing and delivering the purchase agreement dated October 24, 2017 with CIBC World Markets Inc., as lead manager, on behalf of the City of Vancouver are hereby ratified, approved and confirmed and that the Director of Finance, a Deputy Director of Finance and the Director of Legal Services or an Assistant Director of Legal Services, or any one or more of them are hereby authorized to complete the issue and sale of the Debentures and, if issued, the Definitive Debentures (defined below) and to enter into and execute, with or without the common seal of the City of Vancouver and deliver on behalf of the City of Vancouver such other certificates, assurances, documents or instruments and to do all such things as may be necessary or desirable to complete the issue and sale of the Debentures and, if issued, the Definitive Debentures and to otherwise give effect to the intent of this by-law.

6. THAT if definitive sinking fund debentures (the "Definitive Debentures") are issued in exchange for the Global Debenture in accordance with the terms and conditions of the Global Debenture, they shall be in the form or substantially in the form and contain substantially the conditions as set out in Schedule "D" hereto and the following provisions, *inter alia*, shall apply to the Definitive Debentures:

- (a) the Definitive Debentures shall be issued in fully registered form as to principal and interest and interest shall be paid by cheque as provided in the form of debenture attached hereto as Schedule "D";
- (b) the Definitive Debentures shall be in the denominations of \$1,000 of lawful money of Canada and multiples thereof, shall be sealed with the common seal of the City of Vancouver, shall bear the facsimile signature of the Mayor of the City, and shall be signed by any one of the following officials as the authorized signing officers of the City of Vancouver: the City Treasurer, the Deputy City Treasurer, the Director of Finance or a Deputy Director of Finance. The common seal of the City of Vancouver and the signatures of the authorized signing officers of the City of Vancouver may be stamped, printed, lithographed or otherwise reproduced;
- (c) the Definitive Debentures will be dated and be payable on the respective dates and in the respective amounts appropriate to the date of the issuance of the Definitive Debentures in exchange for and upon the surrender of the Global Debenture which amounts will not exceed in aggregate the outstanding balance of the Global Debenture at the date of exchange and in accordance with the maturity date and the Definitive Debentures shall bear the same interest rate (together with unmatured interest obligations) all as set out in the Global Debenture; and

- (d) the Definitive Debentures shall be payable as to principal in lawful money of Canada at any branch in Canada of the bank set out in the Definitive Debentures at the holder's option.

7. THAT if Definitive Debentures are issued in exchange for the Global Debenture, the Council may appoint a transfer agent, registrar and interest disbursing agent for the City of Vancouver for the purposes of performing, *inter alia*, the services of transfer agent, registrar and interest disbursing agent and to perform such other services in accordance with the Vancouver Charter and do such other things in relation to the Debentures as may be authorized by the Council.

8. THAT in each of the years 2018 to 2027, inclusive, a sum shall be levied and raised, in addition to all other rates, by way of real property taxes by a specific rate on all rateable real property in the City of Vancouver or by way of special levies, charges, rates or taxes sufficient to pay the interest falling due in such years on the Debentures.

9. THAT in each of the years 2018 to 2027, inclusive, there shall be levied and raised, in addition to all other rates, by way of real property taxes by a specific rate on all rateable real property in the City of Vancouver or by way of special levies, charges, rates or taxes, such sums which, with interest on the investment of all such sums, calculated at the rate of five per centum (5%) per annum and capitalized yearly will be sufficient to pay the principal amounts on the Debentures when they become due.

10. THAT the Debentures and, if issued in exchange for the Global Debenture, the Definitive Debentures, shall rank *pari passu* with all other general obligations of the City of Vancouver, except as to sinking funds.

11. THAT the City of Vancouver is hereby authorized to carry out the objects for which the Debentures and, if issued in exchange for the Global Debenture, the Definitive Debentures are issued.

12. THAT subject to due authorization by the City by borrowing resolution and subject to receipt of such other approvals as may be necessary, the Council may, without the consent of the holders of the Debentures, issue from time to time further debentures in addition to the \$85,000,000 principal amount of Debentures authorized by this by-law having the same terms and conditions as the Debentures in all respects (except where applicable for the first payments of interest thereon). Such further issues shall be consolidated and form a single series with the outstanding Debentures (and, where applicable, other debentures of the same series as may have been issued) and shall mature on the same date or dates and may be interchangeable with the Debentures authorized by this by-law (and, where applicable, other debentures of the same series as may have been issued).

13. THAT Schedules "A" to "D" inclusive shall at all times be deemed an integral part of this by-law.

14. THAT this by-law shall come into force and take effect on the 31st day of October 2017.

DONE AND PASSED in open Council this 31st day of October 2017.

[SEAL]

MAYOR

CITY CLERK

**THIS IS SCHEDULE "A" REFERRED TO IN
BY-LAW NO. 11941 OF THE CITY OF VANCOUVER**

CV2017-1

CANADA

ISIN: CA921577RL81

PROVINCE OF BRITISH COLUMBIA

CITY OF VANCOUVER

GLOBAL DEBENTURE

Issue of \$85,000,000, 2.85% Sinking Fund Debentures due November 3, 2027 under the provisions of the Vancouver Charter, as amended, and By-Law No. 11941.

The City of Vancouver (the "City") is indebted to and for value received promises to pay to CDS & Co., as nominee of CDS Clearing and Depository Services Inc. or registered assigns, on November 3, 2027, the principal sum of \$85,000,000 in lawful money of Canada and to pay interest on such principal sum in like money from November 3, 2017, or from the last interest payment date to which interest shall have been paid or made available for payment, whichever is the later, at the rate of two point eight five per centum (2.85%) per annum, payable half yearly not in advance on the 3rd day of May and the 3rd day of November in each of the years 2018 to 2027 inclusive. The first payment of interest shall be for the period from November 3, 2017 to May 3, 2018. Interest shall be payable in the manner and in accordance with the Book Entry Only Securities Services Agreement (including the Issuer Procedures) dated March 22, 2010 addressed to CDS Clearing and Depository Services Inc. and the Acknowledgement dated October 25, 2017 which was signed on behalf of the City by the City Treasurer and the Director of Finance of the City.

The City is hereby and firmly bound and its faith and credit and taxing power are hereby pledged for the prompt payment of the principal and interest of this Global Debenture.

This Global Debenture represents an authorized issue of \$85,000,000, 2.85% sinking fund debentures of the City due November 3, 2027 (the "Debentures").

This Global Debenture is issued by the City under and by authority of and in full compliance with the laws of the Province of British Columbia, including the Vancouver Charter, as amended, and By-Law No. 11941 duly and legally passed by the Council of the City.

The Debentures rank pari passu with all other general obligations of the City, except as to sinking funds.

All acts, conditions and things necessary to be done and to exist precedent to and in the issuance of this Global Debenture have been properly done, fulfilled and performed and exist in regular and in due form as required by the laws of the Province of British Columbia and the total indebtedness of the City, including this Global Debenture, does not exceed any statutory limitations, and provision has been made to levy real property taxes or to levy special levies, charges, rates or taxes sufficient to pay the interest promptly as it matures and to pay the principal of this Global Debenture when due.

This Global Debenture is subject to the conditions endorsed hereon which form a part hereof.

IN WITNESS WHEREOF the City has caused this Global Debenture to be sealed with the common seal of the City, to bear the signature of its Mayor, to be signed by its authorized signing officer and to be dated November 3, 2017.

[SEAL]

Mayor

Authorized Signing Officer

CONDITIONS

This Global Debenture is registered in the name of CDS & Co., as nominee of CDS Clearing and Depository Services Inc. ("CDS") and held by CDS. Beneficial interests in this Global Debenture are represented through book-entry accounts to be established and maintained by CDS of financial institutions acting on behalf of beneficial owners as direct and indirect participants of CDS.

Except in limited circumstances, owners of beneficial interests in this Global Debenture will not be entitled to have debentures registered in their names and will not receive nor be entitled to receive certificated debentures in definitive form. The City will have no responsibility or liability for maintaining, supervising or reviewing any records of CDS relating to beneficial interests in this Global Debenture or for any aspect of the records of CDS relating to payments made by CDS on account of such beneficial interests.

Unless this certificate is presented by an authorized representative of CDS Clearing and Depository Services Inc. ("CDS") to the City or its agent for registration of transfer, exchange or payment, and any certificate issued in respect thereof is registered in the name of CDS & Co., or in such other name as is requested by an authorized representative of CDS (and any payment is made to CDS & Co. or to such other entity as is requested by an authorized representative of CDS), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered holder hereof, CDS & Co., has a property interest in the securities represented by this certificate herein and it is a violation of its rights for another person to hold, transfer or deal with this certificate.

SCHEDULE "B"**PART I 2015 - 2018 CAPITAL PROGRAM PLEBISCITE****AUTHORIZED UNDER SECTION 245 OF THE VANCOUVER CHARTER****1. Parks**

To provide for major maintenance, upgrading or replacement of existing parks and features within parks, such as pathways, playgrounds and playfields that are beyond economical repair or no longer meet operational requirements. \$ 2,000,000

2. Recreational and Exhibition Facilities

To provide for major maintenance, upgrading or replacement of existing recreational, entertainment and exhibition facilities that are beyond economical repair or no longer meet operational requirements, and provision of new recreational facilities to serve Vancouver's growing population. \$ 6,000,000

3. Public Safety Facilities

To provide for major maintenance, upgrading or replacement of existing public safety facilities, such as fire halls and police buildings, that are beyond economical repair or no longer meet operational requirements. \$ 1,500,000

4. Street and Bridge Infrastructure

To provide for major maintenance, reconstruction and enhancement of the arterial and neighbourhood transportation networks, greenways and cycle routes and to undertake major maintenance of bridges and other structures. \$ 15,000,000

5. Street Lighting, Traffic Signals and Communications Systems

To provide for major maintenance, replacement and expansion of street lighting, traffic signal and communication systems that are beyond economical repair or no longer meet operational requirements. \$ 7,500,000

6. Community Facilities

To provide for major maintenance, upgrading or replacement of existing community facilities, such as libraries, cultural facilities, affordable housing, social facilities and childcare centres, that are beyond economical repair or no longer meet

operational requirements, and provision of new community facilities to serve Vancouver's growing population.	\$	3,500,000
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7. Civic Facilities and Infrastructure

To provide for major maintenance, upgrading or replacement of existing civic facilities and infrastructure, such as information technology systems, civic offices and maintenance yards, that are beyond economical repair or no longer meet operational requirements.	\$	6,000,000
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PART II: AUTHORIZED BY SECTIONS 236 AND 242(2) OF THE VANCOUVER CHARTER

1. Sewer

To provide funds for the construction, installation, maintenance, replacement, repair and regulation of a system of sewerage and drainage, including all necessary appliances and equipment for such purposes, and for acquiring real property and easements therefor.	\$	40,000,000
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2. Water

To provide funds for the construction, installation, maintenance, replacement repair and regulation of a waterworks system, including water mains and other water pipes, valves, fittings, hydrants, meters and other necessary appliances and equipment, for the purpose of the distribution and supply of water, and for acquiring real property and easements therefor.	\$	<u>3,500,000</u>
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Total	\$	<u>85,000,000</u>
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SCHEDULE C

**CITY OF VANCOUVER
2015 - 2018 CAPITAL PLAN BORROWING QUESTIONS
PARKS AND RECREATION**

SUBMITTED TO ALL ELECTORS

This question seeks authority to borrow funds to be used in carrying out the basic capital works program with respect to Parks and Recreation.

- 1. ARE YOU IN FAVOUR OF COUNCIL HAVING THE AUTHORITY, WITHOUT FURTHER ASSENT OF THE ELECTORS, TO PASS BY-LAWS BETWEEN JANUARY 1, 2015 AND DECEMBER 31, 2018 TO BORROW AN AGGREGATE \$58,200,000 FOR THE FOLLOWING PURPOSES?**

A. Parks

To provide for major maintenance, upgrading or replacement of existing parks and features within parks, such as pathways, playgrounds and playfields that are beyond economical repair or no longer meet operational requirements. \$ 17,950,000

B. Recreational and Exhibition Facilities

To provide for major maintenance, upgrading or replacement of existing recreational, entertainment and exhibition facilities that are beyond economical repair or no longer meet operational requirements, and provision of new recreational facilities to serve Vancouver's growing population. \$ 40,250,000

Total \$ 58,200,000

If this question receives the assent of the electors, Council has the power, without further assent of the electors, to pass by-laws, as and when Council considers appropriate, to borrow money for the projects described up to \$58,200,000.

**CITY OF VANCOUVER
2015 - 2018 CAPITAL PLAN BORROWING QUESTIONS
PUBLIC SAFETY AND PUBLIC WORKS
SUBMITTED TO ALL ELECTORS**

This question seeks authority to borrow funds to be used in carrying out the basic capital works program with respect to Public Safety and Public Works.

2. ARE YOU IN FAVOUR OF COUNCIL HAVING THE AUTHORITY, WITHOUT FURTHER ASSENT OF THE ELECTORS, TO PASS BY-LAWS BETWEEN JANUARY 1, 2015 AND DECEMBER 31, 2018 TO BORROW AN AGGREGATE \$95,700,000 FOR THE FOLLOWING PURPOSES?

A. Public Safety Facilities

To provide for major maintenance, upgrading or replacement of existing public safety facilities, such as fire halls and police buildings, that are beyond economical repair or no longer meet operational requirements.	\$ 22,250,000
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B. Street and Bridge Infrastructure

To provide for major maintenance, reconstruction and enhancement of the arterial and neighbourhood transportation networks, greenways and cycle routes and to undertake major maintenance of bridges and other structures.	\$ 56,450,000
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C. Street Lighting, Traffic Signals and Communications Systems

To provide for major maintenance, replacement and expansion of street lighting, traffic signal and communication systems that are beyond economical repair or no longer meet operational requirements.	\$ 17,000,000
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Total	<u>\$ 95,700,000</u>
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If this question receives the assent of the electors, Council has the power, without further assent of the electors, to pass by-laws, as and when Council considers appropriate, to borrow money for the projects described up to \$95,700,000.

**CITY OF VANCOUVER
2015 - 2018 CAPITAL PLAN BORROWING QUESTIONS
COMMUNITY AND CIVIC FACILITIES
SUBMITTED TO ALL ELECTORS**

This question seeks authority to borrow funds to be used in carrying out the basic capital works program with respect to Community and Civic Facilities.

3. ARE YOU IN FAVOUR OF COUNCIL HAVING THE AUTHORITY, WITHOUT FURTHER ASSENT OF THE ELECTORS, TO PASS BYLAWS BETWEEN JANUARY 1, 2015 AND DECEMBER 31, 2018 TO BORROW AN AGGREGATE \$81,100,000 FOR THE FOLLOWING PURPOSES?

A. Community Facilities

To provide for major maintenance, upgrading or replacement of existing community facilities, such as libraries, cultural facilities, affordable housing, social facilities and childcare centres, that are beyond economical repair or no longer meet operational requirements, and provision of new community facilities to serve Vancouver's growing population. \$ 59,750,000

B. Civic Facilities and Infrastructure

To provide for major maintenance, upgrading or replacement of existing civic facilities and infrastructure, such as information technology systems, civic offices and maintenance yards, that are beyond economical repair or no longer meet operational requirements. \$ 21,350,000

Total \$ 81,100,000

If this question receives the assent of the electors, Council has the power, without further assent of the electors, to pass by-laws, as and when Council considers appropriate, to borrow money for the projects described up to \$81,100,000.

**THIS IS SCHEDULE "D" REFERRED TO IN
BY-LAW NO. 11941 OF THE CITY OF VANCOUVER**

CANADA

PROVINCE OF BRITISH COLUMBIA

CITY OF VANCOUVER

2.85% SINKING FUND DEBENTURE

NO. □

Issued under the provisions of the Vancouver Charter, as amended, and By-law No. 11941 (the "Borrowing By-law").

The City of Vancouver (the "City") is indebted to and for value received promises to pay to

or registered assigns on the 3rd day of November, 2027 the principal sum of

in lawful money of Canada at any branch of the Bank of Montreal in Canada at the registered holder's option upon presentation and surrender of this debenture and to pay interest thereon in like money from the 3rd day of November, 2017, or from the last interest payment date to which interest shall have been paid or made available for payment, whichever is later, at the rate of two point eight five per centum (2.85%) per annum, payable half yearly not in advance on the 3rd day of May and the 3rd day of November in each of the years 2018 to 2027. Interest shall be payable in the manner provided in the conditions endorsed hereon.

The City is hereby and firmly bound and its faith and credit and taxing power are hereby pledged for the prompt payment of the principal and interest of this debenture.

This debenture is issued by the City under and by authority of and in full compliance with the laws of the Province of British Columbia, including the Vancouver Charter, as amended, and the Borrowing By-law duly and legally passed by the Council of the City.

This debenture ranks pari passu with all other general obligations of the City, except as to sinking funds.

All acts, conditions and things necessary to be done and to exist precedent to and in the issuance of this debenture have been properly done, fulfilled and performed and exist in regular and in due form as required by the laws of the Province of British Columbia. The total indebtedness of the City including the debentures of this issue does not exceed any statutory limitations, and provision has been made to levy real property taxes or to levy special levies, charges, rates or taxes sufficient to pay the interest promptly as it matures and to pay the principal of this debenture when due.

This debenture is subject to the conditions endorsed hereon which form a part hereof.

IN WITNESS WHEREOF the City has caused this debenture to be sealed with the facsimile common seal of the City, to bear the facsimile signature of its Mayor, to be signed by its authorized signing officer and to be dated (here insert the appropriate date)

[SEAL]

Mayor

Authorized Signing Officer

CONDITIONS

1. The debentures of this issue are issuable as fully registered debentures in denominations of \$1,000 or any multiple thereof.
2. This debenture is exchangeable or transferable at the office of the City Treasurer, City Hall, Vancouver, British Columbia, or at the offices of [here insert details of any transfer agent appointed] or any successor or replacement transfer agent upon presentation for such purpose accompanied by a written instrument in form approved by the City, executed by the registered holder hereof or by the holder's duly authorized attorney, whereupon this debenture will be cancelled and one or more debentures of this issue of an equal aggregate principal amount and of like maturity will be delivered to the transferee.
3. Exchanges and transfers of debentures as aforesaid will be made at the City Hall or at the offices of the transfer agent referred to above upon compliance by the debenture holders with such reasonable regulations as may be prescribed by the City and without any charge by the City or any transfer agent.
4. Neither the City nor any transfer agent shall be required to make any registrations or transfers of debentures within 15 business days prior to an interest payment date.
5. Neither the City nor any transfer agent shall be bound to see to the execution of any trust affecting the ownership of any debenture or be affected by notice of any equity that may be subsisting in respect thereof.
6. The interest on this debenture will be paid by cheque drawn on the Bank of Montreal. Cheques for interest will be sent through the post to the registered address of the registered holder or in the case of joint holders to the registered address of that one of the registered joint holders who is first named on the register or to such person and to such address as the registered holder or registered joint holders may in writing direct. Every such cheque will be payable to the person to whom it is sent. The registered holder hereof or the legal personal representatives of the holder will be regarded as exclusively entitled to the principal moneys hereby secured and, in the case of joint registered holders of this debenture, the said principal moneys shall be deemed to be owing to them on joint account.

NO. □

CANADA

CITY OF VANCOUVER
BRITISH COLUMBIA

2.85%

SINKING FUND DEBENTURE

BY-LAW NO. 11941

DATED: November 3, 2017
DUE: November 3, 2027

Interest Payable
May 3rd and November 3rd

Principal
payable at any branch of the
Bank of Montreal in Canada