

FC-2

District Schedule

1 INTENT AND OVERVIEW

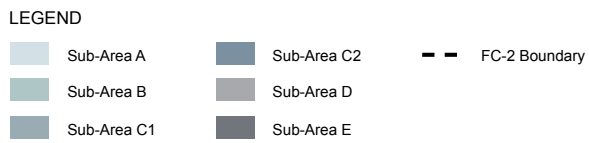
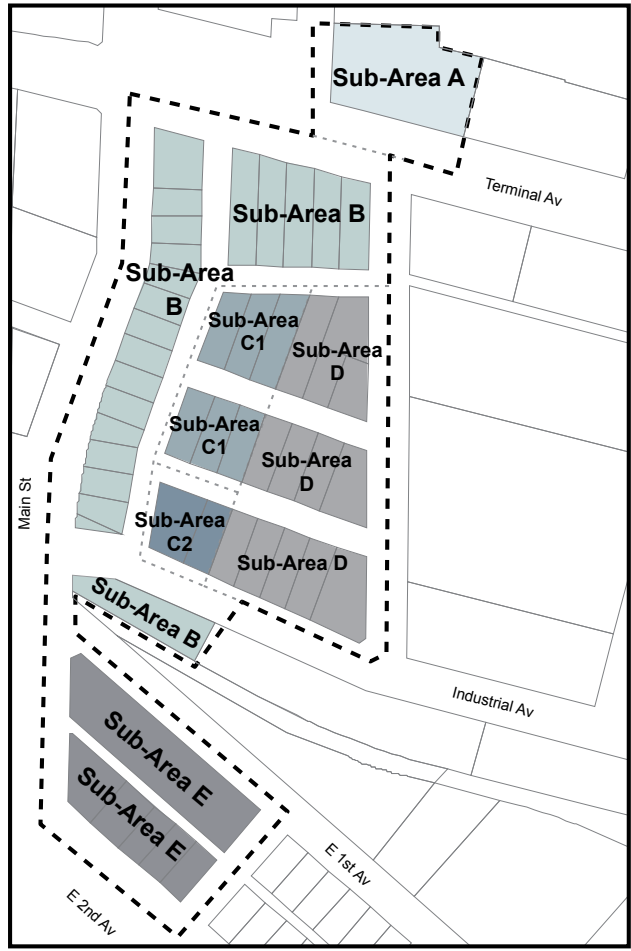
1.1 Intent

The intent of this schedule is to permit and encourage the development of a high-density mixed-use neighbourhood, including some dwelling and compatible industrial uses, and job space to support a wide spectrum of economic uses representing the broader False Creek Flats economy. This includes the creative, cultural and food economy, industrial production, research and development, and employment intensification. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

The FC-2 district consists of 6 sub-areas identified as “sub-area A”, “sub-area B”, “sub-area C1”, sub-area C2”, “sub-area D” and “sub-area E” in [Map 1: Sub-Areas A, B, C1, C2, D and E in the FC-2 District](#) for the purpose of establishing permitted uses, floor area and building height.

Without limitation, applicable Council policies and guidelines for consideration include the [False Creek Flats Urban Design and Development Policies and Guidelines for FC-2 – The Innovation Hub](#).

Map 1: Sub-Areas A, B, C1, C2, D and E in the FC-2 District



1.2 Overview

The table below provides an overview of outright and conditional approval uses in the FC-2 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	All uses in sub-areas A and B	3.1
	All uses in sub-area C1	3.2
	All uses in sub-areas C2 and D	3.3
	All uses in sub-area E	3.4

2 USE REGULATIONS

2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including [Section 2](#), [Section 10](#) and [Section 11](#), and compliance with the regulations of this schedule including section [2.2](#).

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board considers:

- (a) the intent of this schedule and all applicable Council policies and guidelines; and
- (b) the submission of any advisory group, property owner or tenant.

Uses are listed under their general land use category. Applicable use-specific regulations in section [2.2](#) of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
Agricultural Uses		
Urban Farm – Class B	Conditional	2.2.1
Cultural and Recreational Uses		
Artist Studio	Outright	2.2.2
Arts and Culture Indoor Event	Outright	2.2.2
Club	Conditional	2.2.1
Community Centre or Neighbourhood House	Conditional	2.2.1
Fitness Centre	Conditional	2.2.1
Hall	Conditional	2.2.1
Park or Playground	Conditional	2.2.1
Theatre	Outright	2.2.2
Dwelling Uses		
Micro Dwelling, only in sub-areas B, C1, C2 and E	Conditional	2.2.1
Mixed-Use Residential Building, only in sub-areas B, C1, C2 and E	Conditional	2.2.1 , 2.2.3 , 2.2.4
Residential Unit associated with and forming an integral part of an Artist Studio, only in sub-areas B, C1, C2 and E	Conditional	2.2.1
Temporary Modular Housing, only in sub-areas B, C1, C2 and E	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
Institutional Uses		
Ambulance Station	Conditional	2.2.1
Child Day Care Facility	Conditional	2.2.1
Public Authority Use	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
Manufacturing Uses		
Bakery Products Manufacturing	Outright	2.2.2
Batteries Manufacturing	Conditional	2.2.1
Brewing or Distilling	Conditional	2.2.1
Clothing Manufacturing	Outright	2.2.2
Creative Products Manufacturing	Outright	2.2.2
Dairy Products Manufacturing	Conditional	2.2.1
Electrical Products or Appliances Manufacturing	Conditional	2.2.1
Food or Beverage Products Manufacturing – Class A	Conditional	2.2.1
Food or Beverage Products Manufacturing – Class B	Outright	2.2.2
Furniture or Fixtures Manufacturing	Outright	2.2.2
Information Communication Technology Manufacturing	Outright	2.2.2
Jewellery Manufacturing	Outright	2.2.2
Leather Products Manufacturing	Outright	2.2.2
Machinery or Equipment Manufacturing	Conditional	2.2.1
Metal Products Manufacturing – Class B	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class A	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class B	Outright	2.2.2
Motor Vehicle Parts Manufacturing	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class B	Conditional	2.2.1
Paper Products Manufacturing	Conditional	2.2.1
Plastic Products Manufacturing	Conditional	2.2.1
Printing or Publishing	Outright	2.2.2
Rubber Products Manufacturing	Conditional	2.2.1
Shoes or Boots Manufacturing	Outright	2.2.2
Textiles or Knit Goods Manufacturing	Outright	2.2.2
Transportation Equipment Manufacturing	Conditional	2.2.1
Wood Products Manufacturing – Class B	Outright	2.2.2
Office Uses		

Use	Approval	Use-Specific Regulations
Financial Institution	Conditional	2.2.1 , 2.2.4
General Office	Conditional	2.2.1 , 2.2.4 , 2.2.5
Health Care Office, only in sub-areas A and E	Conditional	2.2.1 , 2.2.4
Parking Uses		
Parking Uses	Conditional	2.2.1
Retail Uses		
Farmers' Market	Conditional	2.2.1 , 2.2.6
Neighbourhood Grocery Store	Conditional	2.2.1
Public Bike Share	Conditional	2.2.1
Retail Store	Conditional	2.2.1 , 2.2.7
Service Uses		
Animal Clinic	Conditional	2.2.1
Auction Hall	Conditional	2.2.1
Catering Establishment	Outright	2.2.2
Hotel	Conditional	2.2.1
Laboratory	Outright	2.2.2
Laundry or Cleaning Plant	Conditional	2.2.1
Motor Vehicle Repair Shop	Conditional	2.2.1
Neighbourhood Public House	Conditional	2.2.1
Photofinishing or Photography Laboratory	Outright	2.2.2
Photofinishing or Photography Studio	Outright	2.2.2
Print Shop	Outright	2.2.2
Production or Rehearsal Studio	Outright	2.2.2
Repair Shop – Class A	Outright	2.2.2
Repair Shop – Class B	Conditional	2.2.1
Restaurant – Class 1	Outright	2.2.2
Restaurant – Class 2	Conditional	2.2.1
School – Vocational or Trade	Outright	2.2.2
Short Term Rental Accommodation	Conditional	2.2.1
Sign Painting Shop	Outright	2.2.2
Work Shop	Outright	2.2.2
Transportation and Storage Uses		
Bulk Data Storage	Conditional	2.2.1 , 2.2.4

Use	Approval	Use-Specific Regulations
Cold Storage Plant	Conditional	2.2.1
Packaging Plant	Conditional	2.2.1
Railway Station or Rail Yard	Conditional	2.2.1
Storage Warehouse	Conditional	2.2.1
Taxicab or Limousine Station	Conditional	2.2.1
Truck Terminal or Courier Depot	Conditional	2.2.1
Utility and Communication Uses		
Public Utility	Conditional	2.2.1
Radiocommunication Station	Outright	2.2.2
Recycling Depot	Conditional	2.2.1
Wholesale Uses		
Wholesaling – Class A	Conditional	2.2.1
Wholesaling – Class B	Conditional	2.2.1
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section 2.1	Outright	2.2.2 , 2.2.8
Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1	Outright	2.2.2 , 2.2.9
Accessory Uses, customarily ancillary to any use listed in this section 2.1 and not permitted as an outright approval use	Conditional	2.2.1
Any other use that is not specifically listed and defined as a use in Section 2 of this by-law	Conditional	2.2.1 , 2.2.10
Any outright approval use listed in this section 2.1 that does not comply with the applicable use-specific regulations in section 2.2.2 of this schedule	Conditional	2.2.1

2.2 Use-Specific Regulations

2.2.1 Conditional approval uses listed in section [2.1](#) of this schedule:

- (a) that are commercial uses, must be carried on wholly within a completely enclosed building, other than the following:
 - (i) display of flowers, plants, fruits and vegetables,
 - (ii) farmers' market,
 - (iii) neighbourhood grocery store,

- (iv) neighbourhood public house,
- (v) park or playground,
- (vi) parking and loading facilities,
- (vii) parking uses,
- (viii) public bike share,
- (ix) restaurant – class 2,
- (x) retail store,
- (xi) transportation and storage uses, and
- (xii) urban farm – class B,

except that the Director of Planning may vary this regulation if appropriate measures are taken, to the satisfaction of the Director of Planning, to minimize any dangerous, injurious, noxious or otherwise objectionable impacts that could adversely affect the surrounding area and adjoining non-industrial districts;

- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: ammunition, explosives, fireworks, flares or matches; compressed gas, petroleum, coal tar products or derivatives; or radioactive materials;
- (c) must not involve the keeping of live animals, except for animal clinic;
- (d) may involve the storage of the following only if they are wholly within a completely enclosed building: animal oil or fat, fish, fish oil or meal, or vegetable oil; fertilizer; flammable liquids or solids; fungicides, herbicides or pesticides; grain, hops or sugar; lime; paints, oil shellac, turpentine or varnishes; rags or cotton waste; or toxic or corrosive chemicals or acids; and
- (e) may involve the storage of goods or materials only if they are 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.

2.2.2 Outright approval uses listed in section 2.1 of this schedule:

- (a) other than cultural and recreational uses, production or rehearsal studio, and restaurant – class 1, must be carried on wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment that the Director of Planning considers similar to the foregoing;
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives; explosives, fireworks, ammunition, matches or flares; or radioactive material;
- (c) must not involve the keeping of live animals, except for laboratory; and

(d) may involve the storage of the following only if they are wholly within a completely enclosed building: animal oil or fat, fish, fish oil or meal, or vegetable oil; fertilizer; flammable liquids or solids; fungicides, herbicides or pesticides; grain, hops or sugar; lime; paint, varnish, oil shellac or turpentine; rags or cotton waste; scrap or junk; or toxic or corrosive chemicals or acids.

2.2.3 Any of the non-dwelling uses listed in section 2.1 of this schedule are permitted in a mixed-use residential building.

2.2.4 Dwelling uses, office uses and bulk data storage are not permitted at grade, except for entrances.

2.2.5 In sub-areas B, C1, C2 and D, general office may not include the offices of accountants, lawyers, notary publics, or real estate, advertising, insurance, travel and ticket agencies.

2.2.6 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.7 Retail store is limited to:

- (a) the sale of art and hand-crafted products; and
- (b) 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:
 - (i) the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises,
 - (ii) customers may also purchase food for take-out, and
 - (iii) live entertainment is not available.

2.2.8 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

- (a) no accessory building exceeds 3.7 m in height measured to:
 - (i) the highest point of a flat roof,
 - (ii) the deck line of a mansard roof, or
 - (iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,
 provided that no portion of an accessory building exceeds 4.6 m in building height;
- (b) all accessory buildings are located:
 - (i) in the rear yard, and
 - (ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and

- (c) the total floor area of an accessory building, measured to the extreme outer limits of the building, does not exceed 10% of the total site area.

2.2.9 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule are permitted if:

(a) accessory retail use:

- (i) is not combined with any wholesale use,
- (ii) has a floor area limited to the lesser of 33.3% of the gross floor area of the principal and accessory uses combined or 500 m², and
- (iii) is separated from the floor area of other uses by a wall, unless the accessory retail use is associated with an artist studio; and

(b) all uses, other than accessory retail use, are not accessible to the public.

2.2.10 Any use that is not specifically listed and defined as a use in Section 2 of this by-law may be permitted as a conditional approval use if the Director of Planning considers the use to be comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.

3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

3.1 All Uses in Sub-Areas A and B

All uses in sub-areas A and B of this district are subject to the following regulations.

3.1.1 Density and Floor Area

3.1.1.1 In sub-area A, the maximum floor space ratio is 7.00, subject to the following allocations:

- (a) the maximum floor space ratio is 6.75 for office uses;
- (b) the maximum floor space ratio is 4.00 for hotel;
- (c) the maximum floor space ratio is 1.00 for retail uses or service uses, other than hotel, except that the floor area for restaurant – class 1 and restaurant – class 2 must not exceed 300 m²;
- (d) the maximum floor space ratio is 3.00 for all other uses combined,

provided that the Director of Planning or Development Permit Board considers: the relationship of the development with nearby residential areas; the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets, and existing views; the amount of open space, including plazas, and the impact of overall design on the general amenity of the area; the impact of the development on traffic in the area; the provision for pedestrian needs; and the intent of this schedule and all applicable Council policies and guidelines.

3.1.1.2 In sub-area B, the maximum floor space ratio is:

- (a) 5.00 for non-dwelling uses, except that the floor area for restaurant – class 1 and restaurant – class 2 must not exceed 300 m²; and
- (b) 3.00 for dwelling uses.

3.1.1.3 Despite section 3.1.1.2 above, the Director of Planning or Development Permit Board may increase the permitted floor space ratio in sub-area B to a maximum of 6.50, provided that:

- (a) the floor space ratio for dwelling uses does not exceed 5.00; and
- (b) the Director of Planning or Development Permit Board considers: the relationship of the development with nearby residential areas; the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets, and existing views; the amount of open space, including plazas, and the impact of overall design on the general amenity of the area; the impact of the development on traffic in the area; the provision for pedestrian needs; the design and liveability of any dwelling uses; and the intent of this schedule and all applicable Council policies and guidelines.

3.1.2 Building Form and Placement

Regulations	Sub-Areas A and B
3.1.2.1 Maximum building height	22.9 m
3.1.2.2 Minimum front yard depth	0.6 m
3.1.2.3 Side yard	not permitted
3.1.2.4 Minimum rear yard depth	0.6 m

Building Height and Floor-to-Floor Height

- 3.1.2.5 The minimum floor-to-floor height of the first floor of a building is 6.0 m, except for buildings existing as of October 31, 2017.
- 3.1.2.6 The Director of Planning may vary the minimum floor-to-floor height in section 3.1.2.5 above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.1.2.7 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 51.8 m if the Director of Planning or Development Permit Board considers:
- the relationship of the development with nearby residential areas;
 - the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets and existing views;
 - the amount of open space, including plazas, and the impact of overall design on the general amenity of the area;
 - the provision for pedestrian needs;
 - the preservation of the character and general amenity desired for the area; and
 - the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, neighbouring property owner or tenant.

Front yard and front setback

- 3.1.2.8 A minimum front setback of 1.2 m is required for any parking area.
- 3.1.2.9 The Director of Planning may vary the minimum front yard depth or front setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Side yard and side setback

- 3.1.2.10 Despite section [3.1.2.3](#) above, in the case of a corner site, the exterior side yard width and side setback requirements are the same as the front yard depth and front setback requirements in sections [3.1.2.2](#) and [3.1.2.8](#) above.
- 3.1.2.11 The Director of Planning may vary the minimum side yard width or side setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Rear yard

- 3.1.2.12 The Director of Planning may vary the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.2 All Uses in Sub-Area C1

All uses in sub-area C1 of this district are subject to the following regulations.

3.2.1 Density and Floor Area in Sub-Area C1

- 3.2.1.1 The maximum floor space ratio is 1.00 for non-dwelling uses, except that the floor area for restaurant – class 1 and restaurant – class 2 must not exceed 300 m².
- 3.2.1.2 Despite section 3.2.1.1 above, the Director of Planning or Development Permit Board may increase the permitted floor space ratio to a maximum of 2.50, provided that:
 - (a) the floor space ratio for non-dwelling uses does not exceed 1.50; and
 - (b) the floor space ratio for dwelling uses does not exceed 1.00 and all dwelling uses are developed as social housing,

if the Director of Planning or Development Permit Board considers: the relationship of the development with nearby residential areas; the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets, and existing views; the amount of open space, including plazas, and the impact of overall design on the general amenity of the area; the impact of the development on traffic in the area; the provision for pedestrian needs; the design and liveability of any dwelling uses; and the intent of this schedule and all applicable Council policies and guidelines.

3.2.2 Building Form and Placement

Regulations	Sub-Area C1
3.2.2.1 Maximum building height	10.7 m
3.2.2.2 Minimum front yard depth	0.6 m
3.2.2.3 Side yard	not permitted
3.2.2.4 Minimum rear yard depth	0.6 m

Building Height and Floor-to-Floor Height

- 3.2.2.5 The minimum floor-to-floor height of the first floor of a building is 6.0 m, except for buildings existing as of October 31, 2017.
- 3.2.2.6 The Director of Planning may vary the minimum floor-to-floor height in section 3.2.2.5 above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.2.2.7 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 18.3 m if the Director of Planning or Development Permit Board considers:

- (a) the relationship of the development with nearby residential areas;
- (b) the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets and existing views;
- (c) the amount of open space, including plazas, and the impact 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 intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, neighbouring property owner or tenant.

Front yard and front setback

3.2.2.8 A minimum front setback of 1.2 m is required for any parking area.

3.2.2.9 The Director of Planning may vary the minimum front yard depth or front setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Side yard and side setback

3.2.2.10 Despite section [3.2.2.3](#) above, in the case of a corner site, the exterior side yard width and side setback requirements are the same as the front yard depth and front setback requirements in sections [3.2.2.2](#) and [3.2.2.8](#) above.

3.2.2.11 The Director of Planning may vary the minimum side yard width or side setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Rear yard

3.2.2.12 The Director of Planning may vary the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.3 All Uses in Sub-Areas C2 and D

All uses in sub-areas C2 and D of this district are subject to the following regulations.

3.3.1 Density and Floor Area

- 3.3.1.1 In sub-area C2, the maximum floor space ratio is 4.00, subject to the following allocations:
- (a) the maximum floor space ratio is 3.00 for dwelling uses and all dwelling uses must be developed as social housing; and
 - (b) the maximum floor space ratio is 1.00 for non-dwelling uses, except that the floor area for restaurant – class 1 and restaurant – class 2 must not exceed 300 m².
- 3.3.1.2 Despite section 3.3.1.1 above, the Director of Planning or Development Permit Board may increase the permitted floor space ratio in sub-area C2 to a maximum of 6.50, provided that:
- (a) the floor space ratio for dwelling uses does not exceed 5.00 and all dwelling uses are developed as social housing; and
 - (b) the floor space ratio for non-dwelling uses does not exceed 1.50,
- if the Director of Planning or Development Permit Board considers: the relationship of the development with nearby residential areas; the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets, and existing views; the amount of open space, including plazas, and the impact of overall design on the general amenity of the area; the impact of the development on traffic in the area; the provision for pedestrian needs; the design and liveability of any dwelling uses; and the intent of this schedule and all applicable Council policies and guidelines.
- 3.3.1.3 In sub-area D, the maximum floor space ratio is 3.00, except that the maximum permitted floor area for restaurant – class 1 and restaurant – class 2 must not exceed 300 m².
- 3.3.1.4 Despite section 3.3.1.3 above, the Director of Planning or Development Permit Board may increase the permitted floor space ratio in sub-area D to a maximum of 7.50, provided that:
- (a) a minimum floor space ratio of 1.00 is included for any of the following uses combined:
 - (i) cultural and recreational uses, limited to artist studio – class B,
 - (ii) manufacturing uses, limited to:
 - (A) bakery products manufacturing,
 - (B) brewing or distilling,
 - (C) clothing manufacturing,
 - (D) dairy products manufacturing,
 - (E) food or beverage products manufacturing – class B,

- (F) furniture or fixtures manufacturing,
 - (G) jewellery manufacturing,
 - (H) leather products manufacturing,
 - (I) metal products manufacturing – class B,
 - (J) miscellaneous products manufacturing – class A,
 - (K) miscellaneous products manufacturing – class B,
 - (L) non-metallic mineral products manufacturing – class B,
 - (M) paper products manufacturing,
 - (N) plastic products manufacturing,
 - (O) printing or publishing,
 - (P) rubber products manufacturing,
 - (Q) shoes or boots manufacturing,
 - (R) textiles or knit goods manufacturing, and
 - (S) wood products manufacturing – class B,
- (iii) service uses, 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 [3.3.1.4\(a\)](#); and
- (b) the Director of Planning or Development Permit Board considers the relationship of the development with nearby residential areas; the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets, and existing views; the amount of open space, including plazas, and the impact of overall design on the general amenity of the area; the impact of the development on traffic in the area; the provision for pedestrian needs; the design and liveability of any dwelling uses; and the intent of this schedule and all applicable Council policies and guidelines.

3.3.2 Building Form and Placement

Regulations	Sub-Area C2 and D
3.3.2.1 Maximum building height	10.7 m
3.3.2.2 Minimum front yard depth	0.6 m
3.3.2.3 Side yard	not permitted
3.3.2.4 Minimum rear yard depth	0.6 m

Building Height and Floor-to-Floor Height

- 3.3.2.5 The minimum floor-to-floor height of the first floor of a building is 6.0 m, except for buildings existing as of October 31, 2017.
- 3.3.2.6 The Director of Planning may vary the minimum floor-to-floor height in section 3.3.2.5 above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.3.2.7 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 51.8 m if the Director of Planning or Development Permit Board considers:
- (a) the relationship of the development with nearby residential areas;
 - (b) the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets and existing views;
 - (c) the amount of open space, including plazas, and the impact 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 intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, neighbouring property owner or tenant.

Front yard and front setback

- 3.3.2.8 A minimum front setback of 1.2 m is required for any parking area.
- 3.3.2.9 The Director of Planning may vary the minimum front yard depth or front setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Side yard and side setback

- 3.3.2.10 Despite section 3.3.2.3 above, in the case of a corner site, the exterior side yard width and side setback requirements are the same as the front yard depth and front setback requirements in sections 3.3.2.2 and 3.3.2.8 above.
- 3.3.2.11 The Director of Planning may vary the minimum side yard width or side setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Rear yard

- 3.3.2.12 The Director of Planning may vary the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.4 All Uses in Sub-Area E

All uses in sub-area E of this district are subject to the following regulations.

3.4.1 Density and Floor Area in Sub-Area E

3.4.1.1 The maximum floor space ratio is 3.00, subject to the following allocations:

- (a) the maximum floor space ratio is 3.00 for artist studio, manufacturing uses, outright approval service uses, parking uses, transportation and storage uses, utility and communication uses, and wholesale uses; and
- (b) the maximum floor space ratio is 1.00 for creative products manufacturing; and
- (c) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
 - (i) general office or health care office combined must not exceed 33% of the total gross floor area of all principal and accessory uses combined, except that the Director of Planning may increase the permitted floor space ratio to a maximum of 2.00 for general office or health care office if a minimum floor space ratio of 0.50 is provided for any of the following uses combined:
 - (A) cultural and recreational uses, limited to artist studio – class B,
 - (B) manufacturing uses, 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, and wood products manufacturing – class B,
 - (C) service uses, limited to catering establishment, motor vehicle repair shop, print shop, and repair shop – class B, or
 - (D) accessory uses customarily ancillary to any use permitted by this section [3.4.1.1\(c\)\(i\)](#), and
 - (ii) retail uses must not exceed 1,000 m²,
 - (iii) restaurant – class 1 and restaurant – class 2 must not exceed 300 m², and
 - (iv) a lounge use accessory to brewing or distilling must not exceed:
 - (A) 80 m² for any portion of the lounge use located within the principal building, and
 - (B) 80 m² for any portion of the lounge use located outside the principal building.

3.4.1.2 Despite section [3.4.1.1](#) above, if the Director of Planning considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant, the Director of Planning may increase:

- (a) the permitted floor area for dwelling uses, provided that at least 50% of the residential floor area is developed as social housing;
- (b) the permitted floor area for dwelling uses developed as secured market rental housing by 1 m² per amenity share provided to the City at no cost to the City; or
- (c) the permitted floor area for dwelling uses developed as secured market rental housing, 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 H: Stipulated Rents at Initial Occupancy for Secured Market Rental Housing](#) 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,

to a maximum additional floor space ratio of 3.50, in addition to the maximum permitted floor space ratio of 3.00 for non-dwelling uses, including the provision of a minimum floor space ratio of 0.50 combined for any uses listed in sections [3.4.1.1\(c\)\(i\)\(A\)](#), [3.4.1.1\(c\)\(i\)\(B\)](#), [3.4.1.1\(c\)\(i\)\(C\)](#) and [3.4.1.1\(c\)\(i\)\(D\)](#) above.

3.4.1.3 Despite section [3.4.1.2](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this schedule and this by-law.

3.4.2 Building Form and Placement

Regulations	Sub-Area E
3.4.2.1 Maximum building height	18.3 m
3.4.2.2 Minimum front yard depth	0.6 m
3.4.2.3 Side yard	not permitted
3.4.2.4 Minimum rear yard depth	0.6 m

Building Height and Floor-to-Floor Height

- 3.4.2.5 The minimum floor-to-floor height of the first floor of a building is 6.0 m, except for buildings existing as of October 31, 2017.
- 3.4.2.6 The Director of Planning may vary the minimum floor-to-floor height in section [3.4.2.5](#) above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.
- 3.4.2.7 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 42.7 m if the Director of Planning or Development Permit Board considers:
 - (a) the relationship of the development with nearby residential areas;

- (b) the height, bulk, location and overall design of the building and its impact on the site, surrounding buildings and streets and existing views;
- (c) the amount of open space, including plazas, and the impact 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 intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, neighbouring property owner or tenant.

Front yard and front setback

- 3.4.2.8 A minimum front setback of 1.2 m is required for any parking area.
- 3.4.2.9 The Director of Planning may vary the minimum front yard depth or front setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Side yard and side setback

- 3.4.2.10 Despite section [3.4.2.3](#) above, in the case of a corner site the exterior side yard width and side setback requirements are the same as the front yard depth and front setback requirements in sections [3.4.2.2](#) and [3.4.2.8](#) above.
- 3.4.2.11 The Director of Planning may vary the minimum side yard width or side setback for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Rear yard

- 3.4.2.12 The Director of Planning may vary the minimum rear yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

4.1 Amenity Shares

- 4.1.1 For the purposes of this schedule, amenity means community centre or neighbourhood house.
- 4.1.2 For the purposes of this schedule, the cost of an amenity share is the amount specified per m² in [Schedule F: Affordable Housing and Amenity Share Cost Schedule](#) of this by-law for the FC-2 zoning district.

4.2 Computation of Floor Area

- 4.2.1 Computation of floor area must include all floors of all buildings, both above and below ground level, measured to the extreme outer limits of the building, including accessory buildings.
- 4.2.2 Computation of floor area must exclude:
- (a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 12% of the permitted floor area;
 - (b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;
 - (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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
 - (d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit; and
 - (e) storage area associated with an artist studio – class B where the storage area is provided below base surface, to a maximum exclusion of 20 m² for each artist studio – class B.
- 4.2.3 The Director of Planning may permit the following to be excluded from the computation of floor area:
- (a) interior public space, including atria and other similar spaces, provided that:
 - (i) the excluded area must not exceed the lesser of 10% of the permitted floor area or 600 m²,
 - (ii) the excluded area must be secured by covenant and right-of-way in favour of the City that sets out public access and use, and
 - (iii) the Director of Planning considers all applicable Council policies and guidelines; and
 - (b) amenity areas, including child day care facilities and non-profit recreation facilities, provided that:

- (i) the excluded area must not exceed the lesser of 20% of the permitted floor area or 1,000 m², and
- (ii) in the case of a child day care facility, the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood.

4.3 Horizontal Angle of Daylight

- 4.3.1 Each habitable room must have at least 1 window on an exterior wall of a building.
- 4.3.2 For the purposes of section 4.3.1 above, habitable room means any room except a bathroom or kitchen.
- 4.3.3 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 2 angles with a sum of 70 degrees, will encounter no obstruction over a distance of 24.0 m.
- 4.3.4 The plane or planes referred to in section 4.3.3 above must be measured horizontally from the centre of the bottom of each window.
- 4.3.5 An obstruction referred to in section 4.3.3 above means:
 - (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted on any adjoining site.
- 4.3.6 The Director of Planning may vary the horizontal angle of daylight requirement if:
 - (a) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines; and
 - (b) the minimum distance of unobstructed view is at least 3.7 m.