

IC-3

District Schedule

1 INTENT AND OVERVIEW

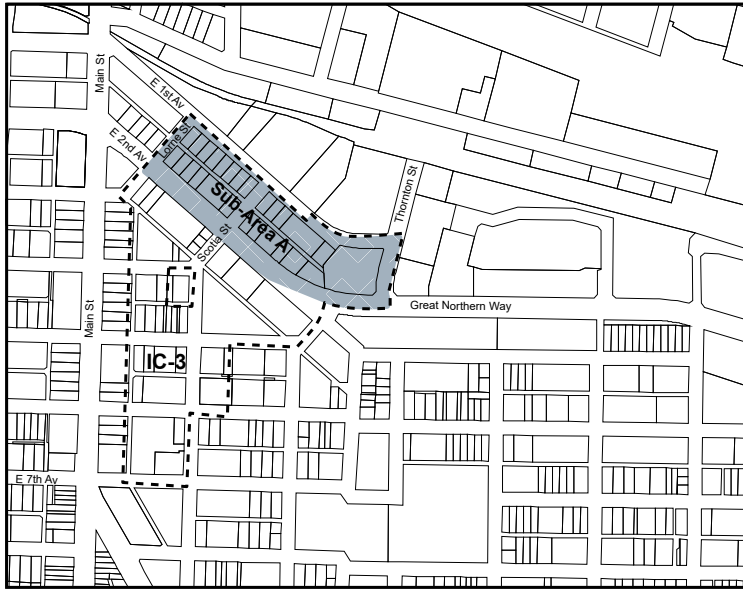
1.1 Intent

The primary intent of this schedule is to permit a mix of light industrial, cultural, dwelling 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. Acoustic regulations in [Section 10](#) of this by-law apply to dwelling units close to arterial streets.

Within the False Creek Flats, an area north of Great Northern Way and 2nd Avenue is identified as “sub-area A” in [Map 1: IC-3 District Sub-Area A](#), for the purpose of establishing permitted uses, floor area, building height, and setbacks. In sub-area A, additional discretionary building height and density may also 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.

Without limitation, applicable Council policies and guidelines for consideration include the [Brewery Creek IC-3, C-3A, C-2C and RM-4/4N Guidelines](#), [False Creek Flats Urban Design Policies and Guidelines for IC-3](#) and [Downtown District and IC-3 District Policies and Procedures for Low Cost Rental Artist Studios](#).

Map 1: IC-3 District Sub-Area A



LEGEND
 Sub-Area A - - IC-3 Boundary

1.2 Overview

The table below provides an overview of outright and conditional approval uses in the IC-3 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 section 2.1 of this schedule	3.1

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 – Class A, provided that the use must not be combined with a Residential Unit	Outright	2.2.2
Artist Studio – Class A, not permitted as an outright approval use	Conditional	2.2.1
Artist Studio – Class B	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.2
Bingo Hall	Conditional	2.2.1
Casino – Class 1	Conditional	2.2.1
Club	Outright	2.2.2
Community Centre or Neighbourhood House	Conditional	2.2.1
Fitness Centre	Outright	2.2.2
Hall	Outright	2.2.2
Theatre	Outright	2.2.2
Dwelling Uses		
Dwelling Unit	Conditional	2.2.1, 2.2.3
Micro Dwelling, only in sub-area A	Conditional	2.2.1
Mixed-Use Residential Building	Conditional	2.2.1, 2.2.4, 2.2.5
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	2.2.1
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

Use	Approval	Use-Specific Regulations
Manufacturing Uses		
Bakery Products Manufacturing	Outright	2.2.2
Batteries Manufacturing	Outright	2.2.2
Brewing or Distilling	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class A	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing – Class B	Outright	2.2.2
Clothing Manufacturing	Outright	2.2.2
Dairy Products Manufacturing	Outright	2.2.2
Electrical Products or Appliances Manufacturing	Outright	2.2.2
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
Ice 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
Linoleum or Coated Fabrics Manufacturing	Conditional	2.2.1
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 A	Conditional	2.2.1
Non-Metallic Mineral Products Manufacturing – Class B	Outright	2.2.2
Paper Products Manufacturing	Outright	2.2.2
Plastic Products Manufacturing	Outright	2.2.2
Printing or Publishing	Outright	2.2.2
Rubber Manufacturing	Conditional	2.2.1
Rubber Products Manufacturing	Outright	2.2.2
Shoes or Boots Manufacturing	Outright	2.2.2
Textiles or Knit Goods Manufacturing	Conditional	2.2.1
Tobacco Products Manufacturing	Outright	2.2.2
Transportation Equipment Manufacturing	Conditional	2.2.1
Vegetable Oil Manufacturing	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
Wood Products Manufacturing – Class B	Outright	2.2.2
Office Uses		
General Office	Conditional	2.2.1, 2.2.6
Parking Uses		
Parking Uses	Conditional	2.2.1
Retail Uses		
Farmers' Market	Conditional	2.2.1, 2.2.7
Retail Store	Outright	2.2.2, 2.2.8
Public Bike Share	Conditional	2.2.1
Service Uses		
Auction Hall	Conditional	2.2.1
Cabaret	Conditional	2.2.1
Catering Establishment	Outright	2.2.2
Laboratory	Outright	2.2.2
Laundry or Cleaning Plant	Outright	2.2.2
Motor Vehicle Repair Shop	Outright	2.2.2
Motor Vehicle Wash	Outright	2.2.2
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
Restaurant	Conditional	2.2.1
School – Arts or Self-Improvement	Conditional	2.2.1
School – Vocational or Trade	Outright	2.2.2
Sign Painting Shop	Outright	2.2.2
Work Shop	Outright	2.2.2
Transportation and Storage Uses		
Aircraft Landing Place	Conditional	2.2.1
Cold Storage Plant	Outright	2.2.2
Railway Station or Rail Yard	Conditional	2.2.1
Packaging Plant	Outright	2.2.2
Storage Warehouse	Outright	2.2.2
Storage Yard	Conditional	2.2.1
Taxicab or Limousine Station	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
Truck Terminal or Courier Depot	Conditional	2.2.1
Weighing or Inspection Station	Conditional	2.2.1
Works Yard	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		
Cardlock Fuel Station	Conditional	2.2.1
Lumber and Building Materials Establishment	Outright	2.2.2
Wholesaling – Class A	Outright	2.2.2
Wholesaling – Class B	Outright	2.2.2 , 2.2.9
Wholesaling – Class B, not permitted as an outright approval use	Conditional	2.2.1
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section 2.1	Outright	2.2.2 , 2.2.10
Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1 , other than accessory retail use in combination with outright approval wholesale uses listed in this section 2.1	Outright	2.2.2 , 2.2.11
Accessory Uses, customarily ancillary to any conditional approval use listed in this section 2.1	Conditional	2.2.1 , 2.2.12
Accessory Uses, customarily ancillary to any use listed in this section 2.1 and not permitted as an outright approval use or otherwise permitted as a conditional 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 , 2.2.13
Any other use that is not specifically listed in this section 2.1 but that was a legally conforming use existing as of October 25, 1988	Conditional	2.2.1
Any outright approval use listed in this section 2.1 that does not comply with section 2.2.2(a) 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) except for cardlock fuel station and transportation and storage uses, must be carried on 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;

- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: compressed gas, petroleum, coal tar products or derivatives, except for cardlock fuel station; explosives, fireworks, ammunition, matches, or flares; radioactive material; or rags or cotton waste;
- (c) may involve the storage of the following only if they are wholly within a completely enclosed building: fish, fish oil or meal, animal oil or fat, or vegetable oil; fungicides, herbicides or pesticides; grain, hops or sugar; paint, varnish, oil shellac or turpentine; scrap; or toxic or corrosive chemicals or acids;
- (d) 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; and
- (e) may involve the storage of goods or materials, or the placement of machinery or of refuse or garbage receptacles only if they are 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.

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

- (a) except for retail store and lumber and building materials establishment, 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; and
- (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; radioactive material; or rags or cotton waste.

2.2.3 Dwelling unit may be permitted if:

- (a) it is in combination with any use listed in section 2.1 of this schedule and:
 - (i) it is for a caretaker or other person similarly employed, and
 - (ii) such dwelling unit is considered to be essential to the operation of the business or establishment; or
- (b) it existed as of and was used continuously since October 25, 1988, provided that any additions to the dwelling unit are limited to the lesser of 10% of the existing floor area or 37 m².

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

- 2.2.5 No portion of the first storey of a mixed-use residential building, to a depth of 10.7 m from the front wall of the building and extending across its full width, may be used for residential purposes except for entrances to the residential portion.
- 2.2.6 General office may not include the offices of accountants, lawyers, notary publics, or real estate, advertising, insurance, travel and ticket agencies.
- 2.2.7 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.
- 2.2.8 Retail store is limited to the sale of art and hand-crafted products.
- 2.2.9 Wholesaling – class B is permitted as an outright approval use if the floor area does not exceed 1,000 m².
- 2.2.10 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; and
 - (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.
- 2.2.11 Accessory uses customarily ancillary to any outright use listed in section 2.1 of this schedule, other than accessory retail use in combination with outright approval wholesale uses listed in section 2.1 of this schedule, are permitted if:
- (a) the total floor area of all accessory uses does not exceed 33.3% of the gross floor area of the principal and accessory uses combined, unless the accessory use is permitted as an outright approval use pursuant to section 2.1 of this schedule; and
 - (b) the floor area in accessory retail use, other than accessory retail use associated with an artist studio, is separated from the floor area of other uses by a wall, and the other uses are not accessible to the public.

- 2.2.12 Accessory uses customarily ancillary to any conditional approval use listed in section 2.1 of this schedule must comply with the provisions in section 2.2.11 above.
- 2.2.13 Any other 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 section 2.1 of 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

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

3.1.1 Density and Floor Area

3.1.1.1 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 (provided that the use is not combined with a residential unit), manufacturing uses, retail store, school, theatre, transportation and storage uses, and wholesaling – class A;
- (b) the maximum floor space ratio is 2.50 for artist studio in combination with a residential unit associated with and forming an integral part of an artist studio; and
- (c) the maximum floor space ratio is 1.00 for all other uses combined, except that the floor area for:
 - (i) retail uses, including accessory retail use, must not exceed 1,000 m², and
 - (ii) 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.

3.1.1.2 For any development where a residential unit associated with and forming an integral part of an artist studio is being provided and is occupied by persons receiving income equal to or less than the income as set out in the current “Housing Income Limits” published by the British Columbia Housing Management Commission, the Director of Planning or Development Permit Board may increase the permitted floor space ratio, subject to prior approval by City Council and the securing of a housing agreement.

In determining the amount of the increase in floor space ratio that may be permitted by this section **3.1.1.2**, the Director of Planning or Development Permit Board, with advice from the General Manager of Real Estate and Facilities Management, must 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 on liveability and environmental quality of the neighbourhood; and
- (e) the intent of this schedule and all applicable Council policies and guidelines.

- 3.1.1.3 In sub-area A, the Director of Planning may increase the permitted floor space ratio for a mixed-use residential building to a maximum of 4.00, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines and:
- (a) the floor space ratio for dwelling uses does not exceed 3.50, and for the purposes of this section [3.1.1.3\(a\)](#), where there is a residential unit associated with and forming an integral part of an artist studio, the artist studio is also considered a dwelling use; 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 all dwelling units are secured market rental housing.

3.1.2 Building Form and Placement

Regulations	IC-3
3.1.2.1 Maximum building height	18.3 m
3.1.2.2 Minimum side yard width for a side yard that:	
(a) adjoins a site located in an R district, without the intervention of a lane	1.5 m
(b) does not adjoin a site located in an R district	not required
3.1.2.3 Minimum rear yard depth	3.1 m

Building Height

- 3.1.2.4 In sub-area A, the Director of Planning may increase the maximum building height for a mixed-use residential building to a height not exceeding 30.5 m, if the Director of Planning considers the intent of the schedule and all applicable Council policies and guidelines, and:
- (a) a minimum of 20% of the residential floor area included in the calculation of floor space ratio is used for social housing; or
 - (b) all dwelling units are secured market rental housing.

Side Yard

- 3.1.2.5 Despite the minimum side yard width in section [3.1.2.2\(b\)](#) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

Rear Yard

- 3.1.2.6 Despite the minimum rear yard depth in section [3.1.2.3](#) above, where the rear of a site abuts a lane, the required minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.

- 3.1.2.7 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning 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 GENERAL REGULATIONS

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

4.1 Computation of Floor Area

4.1.1 Computation of floor area must include:

- (a) all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building; and
- (b) in dwelling units and artist 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 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 that 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, and
 - (ii) venting skylights, opening clerestory windows or other similar features that, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation.

4.1.2 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 base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a dwelling use, to a maximum floor area of 10% of the total permitted floor area; and
- (e) storage area associated with an artist studio where the area is provided below the base surface, to a maximum exclusion of 20 m² for each artist studio.

4.2 External Design

4.2.1 For the purposes of this section [4.2](#), the street property line is the property line along an abutting street and not a lane.

4.2.2 Building continuity must be achieved at the street property line as follows:

- (a) no yard is permitted along a street property line, except for a required setback, side yard or rear yard, and yard established by building line;
- (b) the first storey must include the main pedestrian entrance and facilities serving the public, such as reception area or lobby and showroom or display area, which must 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 must be located so as to orient the building to the widest abutting street;
- (d) transparent window area must comprise:
 - (i) at least 80% of the exterior wall surface of the first storey along an abutting street, and
 - (ii) at least 40% of the exterior wall surface on every upper storey along an abutting street; and
- (e) no portion of the floor of the first storey along an abutting street may be more than 1.0 m above or below grade at the street property line.

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

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

5 RELAXATIONS

5.1 Where a need for a cultural facility has been demonstrated to the satisfaction of the Development Permit Board, the Development Permit Board may relax the maximum floor space ratio for any 1 building, which includes 1 or more of such facilities. The Development Permit Board 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 amount of the increase in floor area that may be permitted, the Development Permit Board must 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) the intent of this schedule and all applicable Council policies and guidelines.

- 5.2 If the Director of Planning is satisfied that enforcement of section 4.2.1 will result in unnecessary hardship, and that the form of development will otherwise achieve building continuity, the Director of Planning may relax all or some of the requirements of section 4.2.1.