

FC-1 District Schedule

(East False Creek)

1 Intent

The intent of this Schedule is to permit and encourage the development of a high-density mixed commercial use neighbourhood, including some residential and compatible industrial uses. For commercial development, a variety of small-scale retail and service uses are encouraged. Larger, more regional-oriented office and retail commercial uses are limited in size and extent for individual sites.

The retention and upgrading of existing multi-unit residential buildings and the development of new residential units on upper floors of commercial buildings are encouraged. Similarly, the development of new hotels is encouraged, provided that these do not result in the conversion of existing residential units. New residential and hotel development in the short-term will occur mostly to the west of Main Street, oriented to False Creek and the waterfront park system. Special design measures, however, will be necessary to mitigate the air and noise pollution problems, particularly adjacent to some existing industries and major traffic streets.

Because of the extended time required for the transition from an industrial to a mixed-use neighbourhood, certain uses (e.g. residential) may not be feasible on certain sites until a later phase of the area's development. Initially, the most intensive development is likely to be focussed on sites nearby the Main Street ALRT station to take advantage of excellent transit accessibility, good views and park outlook amenities. Higher building forms will be concentrated adjacent to the Main and Terminal location, with a transition to medium-scaled buildings around Thornton Park and adjacent to existing development on the northerly part of Main Street.

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 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, 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) not applicable; [Location]
- (c) the total floor area, measured to the extreme outer limits of the building, of all accessory buildings is not greater than 10 percent of the total area of the site.

- Accessory Uses customarily ancillary to any of the uses listed in this section.

2.2.C [Cultural and Recreational]

- Arts and Culture Indoor Event.
- Bowling Alley.

- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Library.
- Rink.
- Swimming Pool.
- Theatre.

2.2.I [Institutional]

- School - University or College.

2.2.0 [Office]

- Financial Institution.
- General Office.

2.2.R [Retail]

- Furniture or Appliance Store.
- Grocery or Drug Store.
- Medical Marijuana-related Use, subject to the provisions of section 11.28 of this By-law.
- Retail Store.

2.2.S [Service]

- Auction Hall.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Catering Establishment.
- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Studio.
- Print Shop.
- Public Bike Share.
- Repair Shop - Class B.
- Restaurant - Class 1.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.
- Sign Painting Shop.

2.3 Conditions of Use

2.3.1 All uses listed in this section and accessory uses thereto shall be carried on wholly within a completely enclosed building except for the following:

- parking and loading facilities;
- restaurant;
- display of flowers, plants, fruits and vegetables.

3 Conditional Approval Uses

3.1 Subject to all other provisions 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:

- 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.

3.2 Uses

3.2.A • Accessory Uses to any of the uses listed in this Schedule.

3.2.C [Cultural and Recreational]

- Arcade.
- Artist Studio, subject to the provisions of section 11.18 of this By-law.
- Billiard Hall.
- Bingo Hall.
- Casino - Class 1.
- Club.
- Museum or Archives.
- Park or Playground.
- Zoo or Botanical Garden.

3.2.D • Deposition or extraction of material so as to alter the configuration of the land.

3.2.DW [Dwelling]

- Dwelling Units in conjunction with any of the uses listed in this Schedule, provided that the Development Permit Board is of the opinion that the site is suitable for residential use.
- Micro dwelling, subject to the provisions of section 11.27 of this By-law.
- Multiple Dwelling, provided that the Development Permit Board is of the opinion that the site is suitable for residential use.
- 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.
- Rooming House, provided that the Development Permit Board is of the opinion that the site is suitable for residential use.
- Seniors Supportive or Assisted Housing, subject to section 11.17 of this By-law.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Church.
- Detoxification Centre.
- Public Authority Use.
- School - Elementary or Secondary.
- 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.M [Manufacturing]

- Clothing Manufacturing.
- Jewellery Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Printing and Publishing.

3.2.O [Office]

- Health Care Office.
- Health Enhancement Centre.

- 3.2.P [Parking]
- Parking Uses.
- 3.2.R [Retail]
- Farmers' Market, subject to the provisions of Section 11.21 of this By-law. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
 - Gasoline Station - Full Serve, subject to the provisions of section 11.10 of this By-law.
 - 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.S [Service]
- Animal Clinic.
 - Bed and Breakfast Accommodation, subject to the provisions of section 11.4 of this By-law.
 - Cabaret.
 - Drive-through Service.
 - Funeral Home.
 - Hotel.
 - Laboratory.
 - Motor Vehicle Repair Shop.
 - Motor Vehicle Wash.
 - Neighbourhood Public House.
 - Photofinishing or Photography Laboratory.
 - Production or Rehearsal Studio.
 - Repair Shop - Class A.
 - Restaurant - Class 2.
 - Restaurant - Drive-in.
 - Wedding Chapel, subject to section 11.20 of this By-law.
- 3.2.T [Transportation and Storage]
- Mini-storage Warehouse.
 - Railway Station or Rail Yard.
 - Storage Warehouse.
 - Taxicab or Limousine Station.
- 3.2.U [Utility and Communication]
- Public Utility.
 - Radiocommunication Station.
 - Recycling Depot.
- 3.2.W [Wholesale]
- Lumber and Building Materials Establishment.
 - 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 Development Permit Board considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

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;
- (b) full serve and split island gasoline station, except that section 11.10.2 of this By-law continues to apply;
- (c) vehicle dealer;
- (d) drive-in restaurant;
- (e) drive-through service;
- (f) lumber store;
- (g) taxicab or limousine station;
- (h) neighbourhood public house;
- (i) farmers' market;
- (j) public bike share; and
- (k) Urban Farm - Class B.

3.3.2 The conversion or upgrading of existing residential to hotels or other uses shall be subject to all applicable policies and guidelines adopted by Council regarding the protection of existing tenants.

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

4.2.1 For all uses permitted in section 2.2, and located on the ground level, the maximum frontage shall be 15.3 m.

4.3 Height

4.3.1 The maximum height of a building shall be 22.9 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 83.9 m with respect to any development, provided the following are first taken into account:

- (a) overshadowing;
- (b) view obstruction; and
- (c) other environmental criteria set out in all applicable policies and guidelines adopted by Council.

4.4 Front Yard

4.4.1 No front yard shall be required, except as follows:

- (a) on the west side of Main Street, from National Avenue south by the provision of a minimum 3.0 m setback from the property line to the building face;

- (b) on the east side of Main Street, from Terminal Avenue to Industrial Avenue, by the provision of a minimum 3.0 m setback from the property line to the building face;
- (c) on the north side of Terminal Avenue, from Main Street to Quebec Street, by the provision of a minimum 3.0 m setback from the property line to the building face; and
- (d) on the south side of Terminal Avenue, from Station Street to Quebec Street, by the provision of a minimum 6.0 m setback from the property line to the building face.

4.5 Side Yards

- 4.5.1 No side yard shall be required.

4.6 Rear Yard

- 4.6.1 No rear yard shall be required.

4.7 Floor Space Ratio

- 4.7.1 The floor space ratio shall not exceed 5.0, 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 office uses or detoxification centre shall be 1.5;
- (c) the maximum floor space ratio for hotel use shall be 4.0;
- (d) the maximum floor space ratio for all other non-residential uses permitted by sections 2.2 and 3.2 but not listed in (a), (b) or (c) of this section 4.7.1 shall be 3.0, except that where a hotel use having a floor space ratio of at least 1.0 is included in the development, the maximum floor space ratio under this clause (d) shall be 4.0; and
- (e) the maximum floor space ratio for residential use shall be 3.0.

- 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 residential 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 eight percent of the residential floor area being provided;
- (b) patios and roof gardens, provided that any sunroofs or walls forming part thereof are approved by the Director of Planning;
- (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) elevator shafts, laundry rooms and entrance lobbies providing the areas are ancillary to residential use;
- (e) social and recreational amenities and facilities as listed below, provided that the area of such excluded facilities does not exceed 20% of the allowable floor space or 1 000 m² whichever is the lesser. The following facilities shall be excluded from the floor space ratio provided that the areas are open to and primarily for the use of residents, tenants, and employees.

- (i) saunas;
 - (ii) tennis courts;
 - (iii) swimming pools;
 - (iv) squash courts;
 - (v) gymnasiums and work out rooms;
 - (vi) games room and hobby rooms; and
 - (vii) other similar related indoor uses of a recreational nature which in the opinion of the Development Permit Board are of a type which contribute to social amenity; and
- (f) 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;
- (b) interior public space, including atria and other similar spaces, provided that:
 - (i) the excluded area shall not exceed the lesser of 10 percent 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 of Vancouver which set out public access and use; and
 - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

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.

5 Relaxation of Regulations

5.1 The Development Permit Board or the Director of Planning, as the case may be, may relax the maximum frontage regulation in section 4.2 in any case where a pedestrian amenity area such as a courtyard or resting area is provided, or where pedestrian interest is otherwise provided, and providing he first considers all applicable policies and guidelines adopted by Council.

5.2 The Development Permit Board or the Director of Planning, as the case may be, may relax the use conditions of section 2.3.1 and 3.3.1 to permit the outdoor display of retail goods, and may include such other conditions as is deemed 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 Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax for any one building, which includes one or more of such facilities, the maximum floor space ratio or density of a building and may 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 or density that may be permitted, the Development Permit Board 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; and
- (e) the opinion of City Council.