

HA-3 District Schedule (Yaletown Historic Area)

1 Intent

Yaletown is a compact warehouse district developed in the early 1900s. Its special character is created by the collection of buildings, constructed of heavy timber, brick and concrete, and the narrow streets. The massing of buildings, built property line to property line, together with the similarities of style and exterior finishes give Yaletown its unique, homogeneous character.

The intent of this Schedule is to encourage the conversion and renovation of existing warehouse buildings and the construction of compatible new buildings, to produce a more contemporary mix of commercial, industrial and residential uses, and to introduce more activity-oriented uses into this area. Emphasis is placed on requiring the external design of buildings to follow the proportions, rhythm and details of the predominant circa 1900 architectural features, whether renovating or constructing a new building.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with 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 Uses customarily ancillary to any of the uses listed in this Schedule, but not including the sale of liquor accessory to a hotel, provided that unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 percent of the gross floor area of the principal use, and all accessory uses are located within the principal building.

2.2.C [Cultural and Recreational]

- Artist Studio - Class A, subject to the provision of section 11.18 of this By-law.
- Arts and Culture Indoor Event.
- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Hall.
- Library.
- Museum or Archives.
- Rink.
- Swimming Pool.
- Theatre.

2.2.DW [Dwelling]

- Dwelling Uses, provided that no portion of the first storey of a building shall be used for residential purposes except for entrances to the residential portion and accessory uses to the residential portion including storage, locker and laundry areas, and communal recreation facilities.
- Residential Unit associated with and forming an integral part of an Artist Studio - Class A, subject to the provisions of section 11.19 of this By-law, provided that no portion of the first storey of a building shall be used for residential purposes except for entrances to the residential portion or accessory uses to the residential portion including storage, locker and laundry areas, and communal recreation facilities.

2.2.I [Institutional]

- Church.
- School - University or College.
- Social Service Centre.

2.2.M [Manufacturing]

- Bakery Products 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.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Tobacco Products Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.O [Office]

- Office Uses.

2.2.P [Parking]

- Parking Uses.

2.2.R [Retail]

- Furniture or Appliance Store.
- Grocery or Drug Store.
- Retail Store.
- Vehicle Dealer.

- 2.2.S [Service]
- Barber Shop or Beauty Salon.
 - Beauty and Wellness Centre.
 - Catering Establishment.
 - Hotel.
 - Laboratory.
 - Laundromat or Dry Cleaning Establishment.
 - 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.

- 2.2.T [Transportation and Storage]
- 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.

2.3 Conditions of Use

- 2.3.1 All uses listed in section 2.2 of this Schedule and accessory uses thereto shall be carried on wholly within a completely enclosed building except for the following:
- (a) parking and loading facilities;
 - (b) restaurant;
 - (c) grocery or drug store or retail store.
- 2.3.2 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; scrap; junk; lime; fertilizer; compressed gas; explosives; matches; industrial chemicals; paints; varnishes; rags; cotton waste; petroleum, bitumen or tar products or derivatives.
- 2.3.3 No portion of a parking garage at the level of a street, sidewalk or loading dock shall be used for parking, except for vehicular access points or driveways, for a depth of at least 9.1 m from any building face. This setback area may only be developed with commercial or industrial uses.

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:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the appropriateness of the use with respect to the items which are shown in italics following the use.

3.2 Uses

3.2.A • Accessory Uses comprising the sale of liquor accessory to a hotel.

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]

- Arcade. *compatibility with surrounding uses*
- Artist Studio - Class B, subject to the provisions of section 11.18 of this By-law.
- Park or Playground. *safety, impact on character of area*
- Zoo or Botanical Garden. *impact on character of area*

3.2.DW • 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.
• Seniors Supportive or Assisted Housing, subject to section 11.17 of this By-law.

3.2.I [Institutional]

- Ambulance Station. *vehicular circulation and accessibility*
- Child Day Care Facility. *location and safety*
- Detoxification Centre. *location and safety*
- Hospital. *parking, vehicular circulation and accessibility*
- Public Authority Use. *category of facility*
- School - Elementary or Secondary. *safety for children*
- 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.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.*
- Liquor Store. *compatibility with surrounding uses*
- Medical Marijuana-related Use, subject to the provisions of section 11.28 of this By-law.
- Pawnshop. *compatibility with surrounding uses, pedestrian amenity, number existing, social and policing impacts, hours of operation, vehicular ingress and egress*
- Public Bike Share.
- Secondhand Store. *compatibility with surrounding uses, pedestrian amenity, number of existing, social and policing impacts, hours of operation, vehicular ingress and egress*
- Small-scale Pharmacy, subject to the provisions of section 11.22 of this By-law.

3.2.S [Service]

- Auction Hall.
- Bed and Breakfast Accommodation, subject to the provisions of section 11.4 of this By-law.

- Neighbourhood Public House. *parking, vehicular circulation and compatibility with surrounding uses*
- Restaurant - Class 2. *parking, vehicular circulation and compatibility with surrounding uses*
- Wedding Chapel, subject to section 11.20 of this By-law.

3.2.T [Transportation and Storage]

- Mini-storage Warehouse.

3.2.U [Utility and Communication]

- Public Utility. *category of facility*

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 uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- parking and loading facilities;
- neighbourhood public house;
- farmers' market; and
- public bike share.

3.3.2 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; scrap; junk; lime; fertilizer; compressed gas; explosives; matches; industrial chemicals; paints; varnishes; rags; cotton waste; petroleum, bitumen or tar products or derivatives, or similar flammable products or materials.

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 21.4 m or the height existing on June 10, 1986 whichever is greater.

4.4 Front Yard

4.4.1 No front yard shall be permitted.

4.5 Side Yards

4.5.1 No side yards shall be permitted.

4.6 Rear Yard

4.6.1 No rear yard shall be permitted.

4.7 Floor Space Ratio

4.7.1 The floor space ratio must not exceed 5.00, except that:

- (a) for a building existing on June 10, 1986, the floor space ratio must not exceed the greater of 5.0 or the floor space ratio existing on June 10, 1986; and
- (b) the floor space ratio for dwelling use, including artist studio, must not exceed 3.0.

4.7.1A In computing floor space ratio, each square metre of parking garage above grade is to count as 0.7 square metres.

4.7.1B In the case of:

- (a) new construction;
- (b) an addition to an existing building that increases the residential floor area; or
- (c) a change of use in an existing building that increases the residential floor area;

the floor space ratio for non-residential use must not be less than 1.5.

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 buildings.

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

- (a) open residential sun decks and other features which the Director of Planning considers similar;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) areas of floors used for accessory 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;
- (d) elevator shafts, lockers, common laundry rooms and entrance lobbies, ancillary storage located below grade and basements or cellars in existing buildings;
- (e) amenity areas, including child day care facilities, recreation facilities and meeting rooms, provided that the areas are open to and primarily for the use of residents and employees, to a maximum total of 20 percent of the total permitted floor area or 1 000 m, whichever is the lesser; 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.

- 4.8 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 2.4 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 Vertical Angle of Daylight -- Not Applicable.**
- 4.12 Dedication of Land for Lane Development -- Not Applicable.**
- 4.13 Area of Transparent Surface -- Not Applicable.**
- 4.14 [Deleted -- see Parking By-law.]**
- 4.15 Acoustics -- Not Applicable.**
- 4.16 Building Depth -- Not Applicable.**
- 4.17 External Design**
- 4.17.1 Building facades shall be characterized by the following:
- (a) exterior finishing materials of masonry, excluding tile or concrete block, except that lintels, window components, and architectural features may be of other materials, as determined by the Director of Planning;
 - (b) one natural earth-tone colour or white as the main colour, with lintels, window components and architectural features which may be of one other colour compatible with the main colour and existing streetscape character or of other colours, as determined by the Director of Planning;
 - (c) the lower four storeys shall be built to the property line while the remaining storeys may terrace back from the property lines.

- 4.17.2 Windows shall be characterized by the following:
- (a) wood frames or alternatives of a compatible frame profile (width and thickness), resulting in a similar visual appearance;
 - (b) consistent window elements repeated on each facade, where each element shall comprise several glass panes in character with the existing pattern, except that the main floor may have a differing pattern of repetition;
 - (c) where balconies are provided, the doors shall maintain the same spacing pattern as the windows on that facade;
 - (d) for renovations or additions to buildings existing on or before June 10, 1986, new windows shall approximately replicate existing windows on that building;
 - (e) for new construction, windows shall approximately replicate windows existing as of June 10, 1986 on any one of the buildings in this District listed in the Vancouver Heritage Register; or
 - (f) any proposals varying from the above, as may be determined by the Director of Planning.
- 4.17.3 Roofs shall be flat except as follows:
- (a) shallow-pitched roofs may be permitted, as may be determined by the Director of Planning.
- 4.17.4 Mechanical equipment shall be enclosed and set back so as not to be visible from street level.
- 4.17.5 Balconies on external walls shall be recessed.
- 4.17.6 Main building entrances shall be accentuated by any one of or combination of the following:
- (a) awnings made of fabric or metal;
 - (b) planters;
 - (c) lighting; or
 - (d) any proposals varying from the above, as may be determined by the Director of Planning.
- 4.17.7 Decorative architectural elements may be required to be retained on renovations or additions and may be required to be provided on new construction including any one or more of the following:
- (a) window and door decoration;
 - (b) parapets;
 - (c) cornices; or
 - (d) any proposals varying from the above, as may be determined by the Director of Planning.
- 5 Relaxation of Regulations
- 5.1 The Director of Planning may relax the horizontal angle of daylight requirement in section 4.10 if:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the building is listed on the Heritage Register or in the opinion of the Director of Planning has sufficient heritage value or heritage character to justify its conservation.