

I-3

District Schedule

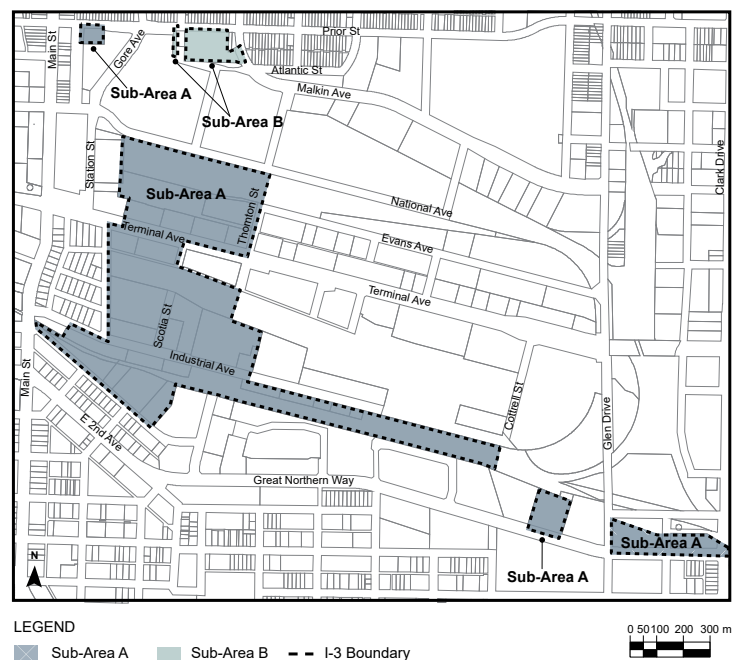
1 INTENT AND OVERVIEW

1.1 Intent

The intent of this schedule is to permit high technology industry, creative products manufacturing, digital entertainment, information and communication technology, and related industry with a significant amount of research and development activity. It is also the intent to permit light industrial uses that are generally compatible with high technology and other industrial uses, and with adjoining residential or commercial districts. Health care offices are encouraged in the area around the St. Paul’s Hospital site.

The I-3 district consists of 2 sub-areas, identified as “sub-area A” and “sub-area B” in [Map 1: I-3 District Sub-Areas](#), for the purpose of establishing permitted uses, floor area, building height, yards and setbacks, and building depth and width.

Map 1: I-3 District Sub-Areas



1.2 Overview

The table below provides an overview of outright and conditional approval uses in the I-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 sub-area A	3.1
	All uses in sub-area B	3.2

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	Outright	2.2.2
Artist Studio - Class B, only in sub-area A	Outright	2.2.2
Artist Studio - Class B	Conditional	2.2.1
Arts and Culture Event	Outright	2.2.2

Use	Approval	Use-Specific Regulations
Community Centre or Neighbourhood House	Conditional	2.2.1
Fitness Centre	Conditional	2.2.1
Hall	Conditional	2.2.1
Marina	Conditional	2.2.1
Park or Playground	Conditional	2.2.1
Dwelling Uses		
Dwelling Unit, only in sub-area B	Conditional	2.2.1, 2.2.3
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio - Class B and only in sub-area B	Conditional	2.2.1, 2.2.4
Institutional Uses		
Ambulance Station	Conditional	2.2.1
Child Day Care Facility	Conditional	2.2.1
Public Authority Use	Conditional	2.2.1
School - University or College	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
Manufacturing Uses		
Bakery Products Manufacturing	Conditional	2.2.1
Batteries Manufacturing	Conditional	2.2.1
Brewing or Distilling	Conditional	2.2.1
Chemicals or Chemical Products Manufacturing - Class B	Conditional	2.2.1
Clothing Manufacturing	Conditional	2.2.1
Creative Products Manufacturing, only in sub-area A	Conditional	2.2.1
Dairy Products Manufacturing	Conditional	2.2.1
Electrical Products or Appliances Manufacturing	Outright	2.2.2
Food or Beverage Products Manufacturing - Class A, existing as of July 20, 1999	Conditional	2.2.1
Food or Beverage Products Manufacturing - Class B	Conditional	2.2.1
Furniture or Fixtures Manufacturing	Conditional	2.2.1
Ice Manufacturing	Conditional	2.2.1
Information Communication Technology Manufacturing	Outright	2.2.2
Jewellery Manufacturing	Conditional	2.2.1
Leather Products Manufacturing	Conditional	2.2.1
Machinery or Equipment Manufacturing	Conditional	2.2.1
Metal Products Manufacturing - Class B	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
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	Conditional	2.2.1
Textiles or Knit Goods Manufacturing	Conditional	2.2.1
Tobacco Products Manufacturing	Conditional	2.2.1
Transportation Equipment Manufacturing	Conditional	2.2.1
Wood Products Manufacturing - Class B	Conditional	2.2.1
Office Uses		
General Office, limited to digital entertainment and information communication	Outright	2.2.2
General Office, not permitted as an outright approval use	Conditional	2.2.1, 2.2.5, 2.2.6
Health Care Office, only in sub-area A	Conditional	2.2.1, 2.2.6
Parking Uses		
Parking Uses	Conditional	2.2.1
Retail Uses		
Drug Store, only in sub-area A on sites adjacent to Great Northern Way	Conditional	2.2.1
Farmers' Market	Conditional	2.2.1, 2.2.7
Gasoline Station - Full Serve, only in sub-area B	Conditional	2.2.1
Gasoline Station - Split Island, only in sub-area B	Conditional	2.2.1
Neighbourhood Grocery Store, only in sub-area A on sites adjacent to Great Northern Way	Conditional	2.2.1
Public Bike Share	Conditional	2.2.1
Retail Store, only in sub-area A	Conditional	2.2.1, 2.2.8
Shared E-Scooter System	Conditional	2.2.1
Vehicle Dealer, only in sub-area B	Conditional	2.2.1, 2.2.9
Service Uses		
Animal Clinic or Shelter	Conditional	2.2.1

Use	Approval	Use-Specific Regulations
Animal Services	Conditional	2.2.1
Catering Establishment	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
Motor Vehicle Wash	Conditional	2.2.1
Photofinishing or Photography Laboratory	Outright	2.2.2
Photofinishing or Photography Studio	Conditional	2.2.1
Print Shop	Conditional	2.2.1
Production or Rehearsal Studio	Outright	2.2.2
Repair Shop - Class A	Conditional	2.2.1
Repair Shop - Class B	Conditional	2.2.1
Restaurant - Class 1	Conditional	2.2.1, 2.2.10
Restaurant - Class 2, only in sub-area A	Conditional	2.2.1, 2.2.10
School - Arts or Self-Improvement	Conditional	2.2.1
School - Business	Conditional	2.2.1
School - Vocational or Trade	Conditional	2.2.1
Sign Painting Shop	Conditional	2.2.1
Work Shop	Outright	2.2.2
Transportation and Storage Uses		
Aircraft Landing Place	Conditional	2.2.1
Bulk Data Storage, only in sub-area A	Conditional	2.2.1, 2.2.11
Cold Storage Plant	Conditional	2.2.1
Marine Terminal or Berth	Conditional	2.2.1
Mini-Storage Warehouse, only in sub-area B	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

Use	Approval	Use-Specific Regulations
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 , 2.2.12
Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1	Outright	2.2.2 , 2.2.13
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 , 2.2.14
Any outright approval use listed in this section 2.1 that does not comply with section 2.2.2 of this schedule	Conditional	2.2.1
Deposition or extraction of material, which alters the configuration of the land	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 animal clinic or shelter, animal services, gasoline station, parking uses, transportation and storage uses, public bike share, shared e-scooter system, vehicle dealer, and outdoor eating area in combination with a neighbourhood grocery store, restaurant, or retail store, 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 and, in the case of outdoor eating area, subject to any conditions that the Director of Planning considers necessary, having regard to the area and location of the eating area with respect to adjoining sites, the hours of operation and the intent of this schedule;
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: coal tar products or derivatives; compressed gas or petroleum, except for gasoline station - full serve and gasoline station - split island; explosives, fireworks, ammunition, matches or flares; or radioactive material;
- (c) must not involve the keeping of live animals, except for animal clinic or shelter or animal services;
- (d) 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; fertilizer; flammable liquids or solids; fungicides, herbicides or pesticides; grain, hops or sugar; lime; paint, varnish, oil shellac or turpentine; 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) except for arts and culture event, production or rehearsal studio, 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 which the Director of Planning considers similar to the foregoing;
- (b) must not involve the bulk storage, pending ultimate distribution off-site, of: coal tar products or derivatives; compressed gas or petroleum; 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: fertilizer; fish, fish oil or meal, animal oil or fat, or vegetable oil; 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 In sub-area B, dwelling unit may be permitted in combination with any use listed in section 2.1 of this schedule if:

- (a) it is for a caretaker or other person similarly employed; and
- (b) such dwelling unit is considered to be essential to the operation of the business or establishment.

2.2.4 In sub-area B, residential unit associated with and forming an integral part of an artist studio, limited to artist studio - class B, may be permitted if:

- (a) the change of use applies to floor area existing as of February 26, 2013; and
- (b) additions are limited to a maximum of 10% of the existing floor area.

2.2.5 General office that is not permitted as an outright approval use may not include the offices of accountants, lawyers and notary publics, or real estate, advertising, insurance, travel and ticket agencies.

2.2.6 General office that is not permitted as an outright approval use and health care office are not permitted at the ground floor, except for entrances.

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 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:
- (a) the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises;
 - (b) customers may also purchase food for take-out; and
 - (c) live entertainment is not available.
- 2.2.9 Vehicle dealer is limited to the rental of motor vehicles.
- 2.2.10 Restaurant class - 1 or restaurant class - 2 may be permitted if the total floor area does not exceed 300 m².
- 2.2.11 Bulk data storage is not permitted at the ground floor, except for entrances.
- 2.2.12 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.
- 2.2.13 Accessory uses customarily ancillary to any outright approval use 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 in all other uses by a wall, and the other uses are not accessible to the public.

- 2.2.14 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 in Sub-Area A

All uses in sub-area A of 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, manufacturing uses, office uses permitted as outright approval uses, parking uses, service uses permitted as outright approval uses, transportation and storage uses, utility and communication uses, and wholesale uses; and
- (b) 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,
 - (ii) office uses permitted as conditional approval uses must not exceed 33% of the total gross floor area of all principal and accessory uses combined, and
 - (iii) 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 Despite section 3.1.1.1 above, if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may increase the permitted floor area by 1 m² per amenity share or per affordable housing share provided to the City at no cost to the City to a maximum additional floor space ratio of 2.00, for the following uses:

- (a) artist studio, manufacturing uses, service uses permitted as outright approval uses, utility and communication uses, and wholesale uses; and
- (b) office uses, except that the total floor area may include up to a maximum floor space ratio of 4.00 for office uses, and must include a minimum floor space ratio of 1.00 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) chemicals or chemical products manufacturing - class B,

- (D) clothing manufacturing,
- (E) dairy products manufacturing,
- (F) food or beverage products manufacturing - class B,
- (G) furniture or fixtures manufacturing,
- (H) jewellery manufacturing,
- (I) leather products manufacturing,
- (J) metal products manufacturing - class A
- (K) metal products manufacturing - class B,
- (L) miscellaneous products manufacturing - class A,
- (M) miscellaneous products manufacturing - class B,
- (N) non-metallic mineral products manufacturing - class B,
- (O) paper products manufacturing,
- (P) printing or publishing,
- (Q) plastic products manufacturing,
- (R) rubber products manufacturing,
- (S) shoes or boots manufacturing,
- (T) textiles or knit goods manufacturing, and
- (U) wood products manufacturing - class B,
- (iii) retail uses, limited to farmers' market,
- (iv) service uses, limited to animal clinic or shelter, catering establishment, motor vehicle repair shop, print shop, repair shop - class A, repair shop - class B, and sign painting shop, or
- (v) accessory uses customarily ancillary to any use listed in this section [3.1.1.2](#).

3.1.1.3 Despite section [3.1.1.2](#) above, the maximum floor space ratio achievable as a result of the provision of amenity shares or affordable housing shares must otherwise comply in all respects with this schedule and this by-law, and consideration will be given to:

- (a) the height, bulk, massing, location and overall design of the building and its impact on the site, surrounding buildings and streets;
- (b) the provision of public open space, landscape, and the impact of the overall design on the general amenity of the area;
- (c) the provision of roads and bike and pedestrian connections as outlined in Council plans and policies;

- (d) the impact of the development on traffic in the area; and
- (e) the provision for pedestrian needs.

3.1.2 Building Form and Placement

Regulations	Sub-Area A
3.1.2.1 Maximum building height	18.3 m
3.1.2.2 Minimum front yard depth	0.6 m
3.1.2.3 Minimum front setback for portions of buildings with a height:	
(a) exceeding 18.3 m but not exceeding 30.5 m	3.7 m
(b) exceeding 30.5 m	6.1 m
3.1.2.4 Minimum side yard width	7.6 m
3.1.2.5 Minimum side setback for portions of buildings with a height:	
(a) exceeding 18.3 m but not exceeding 30.5 m	10.7 m
(b) exceeding 30.5 m	12.2 m
3.1.2.6 Minimum rear yard depth	3.1 m
3.1.2.7 Maximum building depth	61.0 m
3.1.2.8 Maximum building width	61.0 m

Building Height and Floor-to-Floor Height

- 3.1.2.9 Except for buildings existing as of October 31, 2017:
- (a) the floor-to-floor height of the first floor of a building must measure at least 6.0 m; and
 - (b) the floor-to-floor height of any floor above the first floor of a building must measure at least 4.0 m.
- 3.1.2.10 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 30.5 m if the Director of Planning or Development Permit Board considers:
- (a) the relationship of the development with nearby residential districts;
 - (b) the impact of the height, bulk and siting of the building on daylight access and visual privacy of developments in nearby residential districts; and

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

3.1.2.11 Despite section 3.1.2.10 above, the Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 45.7 m if the Director of Planning or Development Permit Board considers:

- (a) the height, bulk, massing, location and overall design of the building and its impact on the site, surrounding buildings and streets;
- (b) the provision of public open space, landscape, and the impact of the overall design on the general amenity of the area;
- (c) the impact of the development on traffic in the area; and
- (d) the provision for pedestrian needs.

Front Yard and Front Setback

3.1.2.12 Despite the minimum front setback in section 3.1.2.3 above, the minimum front setback of any parking area is 1.2 m, measured from the front property line.

3.1.2.13 Despite the minimum front setback in section 3.1.2.3 above, open roof decks may intrude into the setback.

3.1.2.14 The Director of Planning may reduce the front yard or front setback requirement for portions of the building if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines and the Director of Planning is satisfied that it provides:

- (a) massing that is stepped and varied in response to the context; and
- (b) a more visually interesting form of architectural expression.

Diagram: Front Setback in Sub-Area A

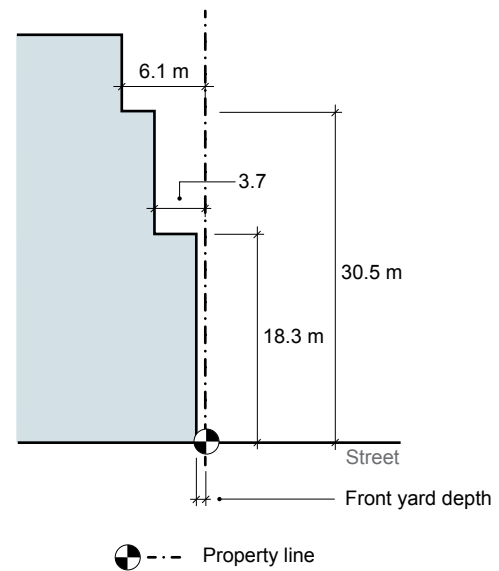
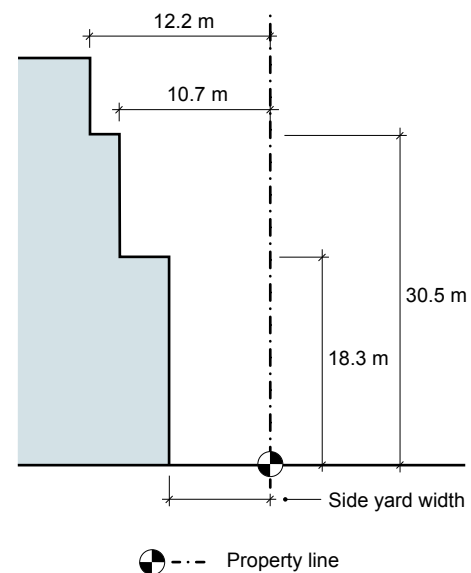


Diagram: Side Yard and Side Setback in Sub-Area A



Side Yard and Side Setback

- 3.1.2.15 Despite the minimum side yard width in section 3.1.2.4 above and the minimum side setback in section 3.1.2.5 above, in the case of a corner site, the exterior side yard and side setback requirements are the same as the front yard and front setback requirements in this section 3.1.
- 3.1.2.16 The Director of Planning may decrease the side yard or side setback requirement if the Director of Planning considers:
- (a) the existing street network;
 - (b) loading and vehicular access; and
 - (c) the provision of open space.

Rear Yard

- 3.1.2.17 Despite the minimum rear yard depth in section 3.1.2.6 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.
- 3.1.2.18 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that:
- (a) the site is located within an area where rear access to the site and adjacent sites is not likely to be required; and
 - (b) the site is sufficiently large to provide adequate open space.

Building Depth and Building Width

- 3.1.2.19 The Director of Planning may increase the maximum building depth or building width where a functional need is demonstrated, if the Director of Planning considers:
- (a) the existing street network, loading and vehicular access;
 - (b) the provision of a visually interesting building massing; and
 - (c) the intent of this schedule and all applicable Council policies and guidelines.

3.2 All Uses in Sub-Area B

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

3.2.1 Density and Floor Area

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

- (a) the maximum floor space ratio is 3.00 for manufacturing uses, parking uses, service uses permitted as outright approval uses, transportation and storage uses, utility and communication uses, and wholesale uses; and
- (b) 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,
 - (ii) office uses permitted as conditional approval uses must not exceed 33% of the total gross floor area of all principal and accessory uses combined, and
 - (iii) 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.

3.2.1.2 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 3.00 for office uses permitted as outright approval uses, if the Director of Planning or Development Permit Board considers:

- (a) the relationship of the development to any nearby dwelling uses;
- (b) the height bulk, location, and overall design of the building and its impact on the site, surrounding buildings, and streets;
- (c) the provision of roads and bike and pedestrian connections as outlined in Council plans and policies; and
- (d) the intent of this schedule and all applicable Council policies and guidelines.

3.2.2 Building Form and Placement

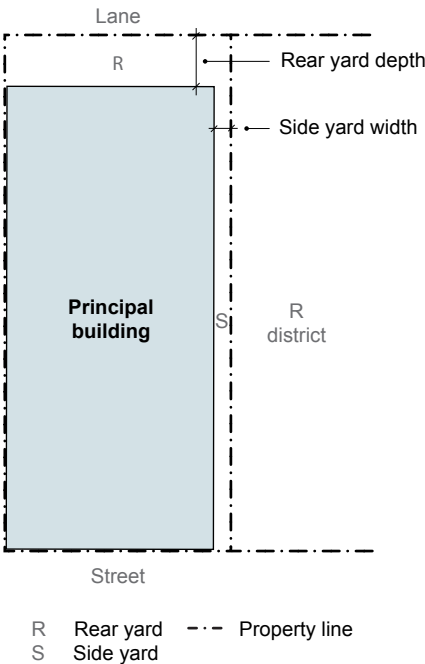
Regulations	Sub-Area B
3.2.2.1 Maximum building height	18.3 m
3.2.2.2 Minimum side yard width for a side yard that:	
(a) adjoins a site located in an R district, without the intervention of a lane	1.5 m

(b) does not adjoin a site located in an R district	not required
3.2.2.3 Minimum rear yard depth	3.1 m

Building Height

- 3.2.2.4 The Director of Planning or Development Permit Board may increase the maximum building height to a height not exceeding 30.5 m if the Director of Planning or Development Permit Board considers:
- (a) the relationship of the development with nearby residential districts;
 - (b) the impact of the height, bulk and siting of the building on daylight access and visual privacy of developments in nearby residential districts; and
 - (c) the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

Diagram: Building placement for principal building



Side Yard

- 3.2.2.5 Despite the minimum side yard width in section 3.2.2.2(b) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

Rear Yard

- 3.2.2.6 Despite the minimum rear yard depth in section 3.2.2.3 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.
- 3.2.2.7 The Director of Planning may waive the requirement to provide a rear yard if the Director of Planning is satisfied that:
- (a) the site is located within an area where rear access to the site and adjacent sites is not likely to be required; and
 - (b) the site is sufficiently large to provide adequate open space.

4 GENERAL REGULATIONS

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

4.1 Amenity Shares and Affordable Housing Shares

- 4.1.1 For the purposes of this schedule, amenity has the same meaning set out in [Schedule F: Affordable Housing Share and Amenity Share Cost Schedule](#) of this by-law.
- 4.1.2 For the purposes of this schedule, the cost of an amenity share or affordable housing share is the amount specified per m² in [Schedule F: Affordable Housing and Amenity Share Cost Schedule](#) of this by-law for the I-3 zoning district.

4.2 Computation of Floor Area

- 4.2.1 Computation of floor area must include all floors of all buildings including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.
- 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:
 - (i) at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or
 - (ii) above base surface and where developed as off-street parking are contained in an accessory building located in the rear yard, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length;
 - (d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, provided that:
 - (i) the total area being excluded does not exceed the lesser of 20% of the permitted floor area or 100 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 building or in the immediate neighbourhood; and

- (e) storage area associated with an artist studio - class B where the area is provided below the base surface, to a maximum exclusion of 20 m² for each artist studio - class B.

4.3 Yards and Setbacks: Measurement

- 4.3.1 For the purposes of calculating the minimum front setback, the height of portions of buildings will be measured from a plane formed by the lines extending horizontally back from the property line at grade.

4.4 Building Depth and Building Width: Measurement

- 4.4.1 Building depth is measured in a straight line parallel to the side property line, from the front exterior wall to the rear exterior wall at street grade.
- 4.4.2 Building width is measured in a straight line parallel to the front property line, from the 2 side exterior walls at grade.

4.5 Daylight Access and Visual Privacy

- 4.5.1 For the purposes of sections [3.1.2.10\(b\)](#) and [3.2.2.4\(b\)](#) of this schedule:
 - (a) daylight access can be adequately maintained if there is no shadow impact at 10 a.m., noon and 2 p.m. on September 21 and March 21; and
 - (b) visual privacy can be achieved by separating building facades by 24.4 m.

4.6 External Design

- 4.6.1 Any fence, wall, or landscaping located along the street property line abutting a street but not a lane must facilitate pedestrian interest to the satisfaction of the Director of Planning.
- 4.6.2 All garbage and recycling containers must be enclosed, located, or screened so as not to be visible from the centre line of an abutting street.