

# I-3 District Schedule

## 1 Intent

The intent of this Schedule is to permit high technology industry, 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.

## 2 Outright Approval Uses

**2.1** Subject to all other provisions of this By-law, including the additional regulations in section 11.3 of this By-law, and to compliance with section 2.3 and the regulations of this Schedule, the uses noted 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, except that:

- (a) an accessory building must not exceed 4.6 m in height, and must not exceed 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 ridge of a gable, hip, or gambrel roof;
- (b) an accessory building must be situate in the rear yard no less than 3.1 m from the ultimate centre line of any rear or flanking lane; and
- (c) an accessory building’s total floor area, measured to the extreme outer limits of the building, must not exceed 10% of the total area of the site.

- Accessory Uses customarily ancillary to any of the uses listed in this section, provided that, unless permitted as an outright approval use pursuant to Section 2.2 of this schedule, the total floor area of all accessory uses is not greater than 33 1/3 percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.

### 2.2.C [Cultural and Recreational]

- Artist Studio – Class A, provided that the use must not be combined with a Residential Unit, the change of use must only apply to floor area existing as of February 26, 2013, and any additions are limited to no more than 10 percent of existing floor area.
- Arts and Culture Indoor Event.

### 2.2.M [Manufacturing]

- Electrical Products or Appliances Manufacturing.
- Information Communication Technology Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Printing or Publishing.

### 2.2.O [Office]

- General Office, but limited to Digital Entertainment and Information Communication Technology.

- 2.2.S [Service]
- Laboratory.
  - Photofinishing or Photography Laboratory.
  - Production or Rehearsal Studio.
  - Work Shop.

- 2.2.U [Utility and Communication]
- Radiocommunication Station.

### 2.3 Conditions of Use

- 2.3.1 No use listed in section 2.2 of this Schedule, except a production or rehearsal studio, shall be carried on other than wholly within a completely enclosed building, except for off-street parking and loading, heating and mechanical equipment, or other facilities or equipment which in the opinion of the Director of Planning are similar to the foregoing.
- 2.3.2 No use listed in section 2.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; coal tar products or derivatives; or compressed gas or petroleum.
- 2.3.3 No use listed in section 2.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; scrap or junk; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.
- 2.3.4 No use listed in section 2.2 of this Schedule, except for a laboratory, shall involve the keeping of live animals.

## 3 Conditional Approval Uses

- 3.1 Subject to all other provisions of this By-law, including section 3.3.3 and the additional regulations in section 11.3 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 use in 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; and
  - (b) 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, other than as provided for in section 2.2.A of this Schedule.
- 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]
- Artist Studio - Class B, subject to the provisions of section 11.18 of this By-law, and provided that the change of use applies to floor area existing as of February 26, 2013 and additions are limited to a maximum of 10 percent of the existing floor area.
  - Community Centre or Neighbourhood House.

- Fitness Centre.
  - Hall.
  - Marina.
  - Park or Playground.
- 3.2.D • Deposition or extraction of material so as to alter the configuration of the land.
- 3.2.DW [Dwelling]
- Dwelling Unit for a caretaker or watchman or other person similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.
  - 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.
- 3.2.I [Institutional]
- Ambulance Station.
  - Child Day Care Facility.
  - Public Authority Use.
  - School - University or College.
  - Social Service Centre.
- 3.2.M [Manufacturing]
- Bakery Products Manufacturing.
  - Batteries Manufacturing.
  - Brewing or Distilling.
  - Chemicals or Chemical Products Manufacturing - Class B.
  - Clothing Manufacturing.
  - Dairy Products Manufacturing.
  - Food or Beverage Products Manufacturing - Class A existing as of July 20, 1999.
  - Food or Beverage Products Manufacturing - Class B.
  - Furniture or Fixtures Manufacturing.
  - Ice Manufacturing.
  - Jewellery Manufacturing.
  - Leather Products Manufacturing.
  - Machinery or Equipment Manufacturing.
  - Metal Products Manufacturing - Class B.
  - Miscellaneous Products Manufacturing - Class A.
  - Motor Vehicle Parts Manufacturing.
  - Non-metallic Mineral Products Manufacturing - Class B.
  - Paper Products Manufacturing.
  - Plastic Products Manufacturing.
  - Rubber Products Manufacturing.
  - Shoes or Boots Manufacturing.
  - Textiles or Knit Goods Manufacturing.
  - Tobacco Products Manufacturing.
  - Transportation Equipment Manufacturing.
  - Wood Products Manufacturing - Class B.
- 3.2.O [Office]
- General Office, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate, advertising, insurance, travel and ticket agencies.
- 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.
  - Public Bike Share.
  - Vehicle Dealer, but limited to the rental of motor vehicles.
- 3.2.S [Service]
- Animal Clinic.
  - Catering Establishment.
  - Laundry or Cleaning Plant.
  - Motor Vehicle Repair Shop.
  - Motor Vehicle Wash.
  - Photofinishing or Photography Studio.
  - Print Shop.
  - Repair Shop - Class A.
  - Repair Shop - Class B.
  - Restaurant - Class 1, provided that the total floor area does not exceed 300 m<sup>2</sup>.
  - School - Arts or Self-Improvement.
  - School - Business.
  - School - Vocational or Trade.
  - Sign Painting Shop.
- 3.2.T [Transportation and Storage]
- Aircraft Landing Place.
  - Cold Storage Plant.
  - Marine Terminal or Berth.
  - Mini-storage Warehouse.
  - Packaging Plant.
  - Railway Station or Rail Yard.
  - Storage Warehouse.
  - Taxicab or Limousine Station.
  - Truck Terminal or Courier Depot.
- 3.2.U [Utility and Communication]
- Public Utility.
  - Recycling Depot.
- 3.2.W [Wholesale]
- 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.
  - A use which is listed in section 2 of this Schedule but does not comply with the conditions of use in section 2.3.

**3.3 Conditions of Use**

- 3.3.1 No use listed in section 3.2 of this Schedule, except a gasoline station, vehicle dealer, parking uses and transportation and storage uses, shall be carried on other than 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.
- 3.3.2 No use listed in section 3.2 of this Schedule shall involve the bulk storage, pending ultimate distribution off site, of explosives, fireworks, ammunition, matches, or flares; radioactive material; coal tar products or derivatives; or, except for a gasoline station, compressed gas or petroleum.
- 3.3.3 No use listed in section 3.2 of this Schedule shall involve the storage, other than wholly within a completely enclosed building, of lime; fertilizer; toxic or corrosive chemicals or acids; flammable liquids or solids; rags or cotton waste; fungicides, herbicides or pesticides; paint, varnish, oil shellac or turpentine; grain, hops, or sugar; fish, fish oil or meal, animal oil or fat, or vegetable oil.
- 3.3.4 No use listed in section 3.2 of this Schedule, except for an animal clinic, shall involve the keeping of live animals.
- 3.3.5 No use listed in section 3.2 of this Schedule shall involve the storage of goods or materials other than 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.
- 3.3.6 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building.

**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 18.3 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 30.5 m with respect to any development provided that he first considers:

- (a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential districts;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the effect of building height, bulk and siting on daylight access and visual privacy of developments in nearby residential districts. 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. Visual privacy can be achieved by separating building facades by 24.4 m.

#### 4.4 Front Yard

4.4.1 No front yard shall be required.

#### 4.5 Side Yards

4.5.1 No side yard shall be required, except that where the site adjoins, without the intervention of a lane, a site located in an R district, in which case a side yard with a minimum width of 1.5 m shall be provided adjoining the R district.

4.5.2 Where a side yard is provided, although not required, a side yard with a minimum depth of 0.9 m shall be provided.

#### 4.6 Rear Yard

4.6.1 A rear yard with a minimum depth of 3.1 m shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

4.6.2 The Director of Planning or the Development Permit Board, as the case may be, may waive the requirement to provide a rear yard where he 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 and that site is sufficiently large to provide adequate open space.

#### 4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 3.0, subject to the following:

- (a) the maximum floor space ratio shall be 3.0 for Manufacturing Uses, Transportation and Storage Uses, Utility and Communication Uses, Wholesale Uses, Service Uses listed in section 2.2.S, and Parking Uses;
- (b) the maximum floor space ratio shall be 1.0 for all other uses combined;
- (c) the floor area in Retail Uses, including accessory retail, shall not exceed 1 000 m<sup>2</sup>;
- (d) the floor area in Office Uses listed in section 3.2.O shall not exceed 33 percent of the total gross floor area of all principal and accessory uses combined; and
- (e) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m<sup>2</sup>.

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) roof decks if the Director of Planning first considers:
  - (i) the design of landscape treatments;
  - (ii) the effect on privacy and overlook; and
  - (iii) all applicable Council policies and guidelines.
- (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) storage space associated with an Artist Studio - Class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m<sup>2</sup> for each Artist Studio - Class B; and
- (e) 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 shall not exceed the lesser of 20 percent of the permitted floor space or 100 m<sup>2</sup>; and
  - (ii) in the case of a child day care centre, the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the building or in the immediate neighbourhood.

4.7.4 The Development Permit Board or the Director of Planning, as the case may be, may relax the provisions of section 4.7.1 up to a floor space ratio of 3.0 for Office Uses listed in section 2.2.0, if the Development Permit Board or the Director of Planning, as the case may be, first considers:

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

**4.8 to 4.16 (Reserved)**

**4.17 External Design**

4.17.1 Any fence, wall, or landscaping located along the street property line (which is, for the purposes of this section 4.17, the property line along an abutting street but not a lane) shall facilitate pedestrian interest to the satisfaction of the Director of Planning.

4.17.2 All garbage containers shall be enclosed, located, or screened so as not to be visible from the centre line of an abutting street.

