

BY-LAW NO. 12887

**A By-law to amend the Zoning and Development By-law No. 3575
to create the I-1C District Schedule**

1. This By-law amends the indicated provisions of the Zoning and Development By-law No. 3575.
2. Council enacts a new I-1C District Schedule, as attached to this by-law as Schedule A.
3. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
4. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 9th day of February, 2021

Signed _____ "Kennedy Stewart"
Mayor

Signed _____ "Rosemary Hagiwara"
Acting City Clerk

Schedule A

I-1C

I-1C District Schedule

1 Intent

The primary intent of this schedule is to encourage employment-intensive light industrial uses on lower levels with compatible office and service uses above. Limited retail uses at grade are permitted to activate the street frontage, subject to the limitations in this schedule. The uses, density, height and form in this schedule provide a transition between adjoining residential, commercial and light industrial districts. Applications must demonstrate that light industrial uses comprise a minimum of one-third of the net floor area, including all other uses combined.

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 these districts 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 situated 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, but not including accessory retail use in conjunction with wholesale uses listed in section 2.2.W, 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 shall not be greater than 33½ % of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use, except for accessory retail use associated with an Artist Studio, 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.
- Arts and Culture Indoor Event.
- Club.

2.2.I [Institutional]

- Church

2.2.M [Manufacturing]

- Bakery Products Manufacturing.
- Batteries 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.
- Ice Manufacturing.
- Information Communication Technology Manufacturing.
- Jewellery Manufacturing.
- Leather Products Manufacturing.
- Miscellaneous Products Manufacturing - Class B.
- Non metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Tobacco Products Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laboratory.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- Repair Shop – Class B.
- School - Vocational or Trade.
- Sign Painting Shop.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- 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, provided that floor area does not exceed 1 000 m².

2.3 Conditions of Use

- 2.3.1 All uses listed in section 2.2 of this schedule shall 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 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; rags or cotton waste; and compressed gas, petroleum, coal or tar products or derivatives.

3 Conditional Approval Uses

- 3.1 Subject to all other provisions of this By-law, including the additional regulations in section 10.20 of this By-law, and compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 of this Schedule, with or without conditions, provided that the Director of Planning or the Development Permit Board 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 Buildings to any of the uses listed in this schedule, except as provided for in section 2.2.A of this schedule.
 - Accessory Uses customarily ancillary to any of the uses listed in this section, subject to the same provisions as section 2.2.A of this schedule.
 - Accessory Uses customarily ancillary to any of the uses listed in this schedule, other than as provided for in section 2.2.A of this schedule, except that accessory retail use may be approved only in conjunction with manufacturing uses.

3.2.AG [Agricultural]

- Urban Farm - Class B.

3.2.C [Cultural and Recreational]

- Artist Studio - Class B.
- Fitness Centre.
- Park or Playground.
- Theatre.

3.2.DW [Dwelling]

- Dwelling Unit for a caretaker, watchman or other person or persons similarly employed, if such dwelling unit is considered to be essential to the operation of the business or establishment.

3.2.I [Institutional]

- Ambulance Station.
- Child Day Care Facility.
- Public Authority Use.
- Social Service Centre.

3.2.M [Manufacturing]

- Brewing or Distilling.
- Chemicals or Chemical Products Manufacturing - Class A.
- Food or Beverage Products Manufacturing - Class A.
- Linoleum or Coated Fabrics 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 A.
 - Rubber Manufacturing.
 - Textiles or Knit Goods Manufacturing.
 - Transportation Equipment Manufacturing.
 - Vegetable Oil Manufacturing.
- 3.2.O [Office]
- Financial Institution.
 - General Office, including Digital Entertainment and Information Communication Technology.
 - Health Care Office.
 - Health Enhancement Centre.
- 3.2.P [Parking]
- Parking Uses.
- 3.2.R [Retail]
- Farmers' Market. *Compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
 - Furniture or Appliance Store.
 - Grocery or Drug Store.
 - Public Bike Share.
 - Retail Store.
 - Secondhand Store
 - Vehicle Dealer
- 3.2.S [Service]
- Auction Hall.
 - Barber Shop or Beauty Salon.
 - Beauty and Wellness Centre
 - Laundromat or Dry Cleaning Establishment.
 - Neighbourhood Public House.
 - Photofinishing or Photography Studio.
 - Print shop.
 - Restaurant – Class 1.
 - Restaurant – Class 2.
 - School – Arts or Self-Improvement.
 - School – Business.
- 3.2.T [Transportation and Storage]
- Aircraft Landing Place.
 - Bulk Data Storage
 - 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 B, other than as provided for in section 2.2.WH of this Schedule.

- 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 Director of Planning considers comparable in nature to the uses listed in this schedule, having regard to the intent of this district schedule.
- Any use which is listed in section 2.2 of this schedule but which does not comply with the provisions of section 2.3.1.

3.3 Conditions of Use

- 3.3.1 All uses listed in section 3.2 of this schedule, except Park or Playground and Aircraft Landing Place, shall be carried 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; rags or cotton waste; and compressed gas, petroleum, coal or tar products or derivatives.
- 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 toxic or corrosive chemicals or acids; scrap; 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 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.
- 3.3.5 A Neighbourhood Public House use shall not be located within 300 m of an existing Neighbourhood Public House use.
- 3.3.6 A Restaurant - Class 2 use shall not be located within 200 m of an existing Restaurant - Class 2 use.
- 3.3.7 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 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 not exceed 46.5 m except that:
 - (a) for a depth of 6.1 m measured from a property line adjacent to all north-south streets, the height of a building must not exceed 21.0 m, as illustrated in Figure 1;
 - (b) for a depth of 4.5 m measured from a property line adjacent to 2nd Avenue, 3rd Avenue, and 4th Avenue the height of a building must not exceed 21.0 m, as illustrated in

- Figure 2;
- (c) the floor to floor height of the first floor of a building must measure a minimum of 6.1 m; and
 - (d) the floor to floor height of the second floor of a building must measure a minimum of 5.35 m.

Figure 1 Height Limit along north-south streets

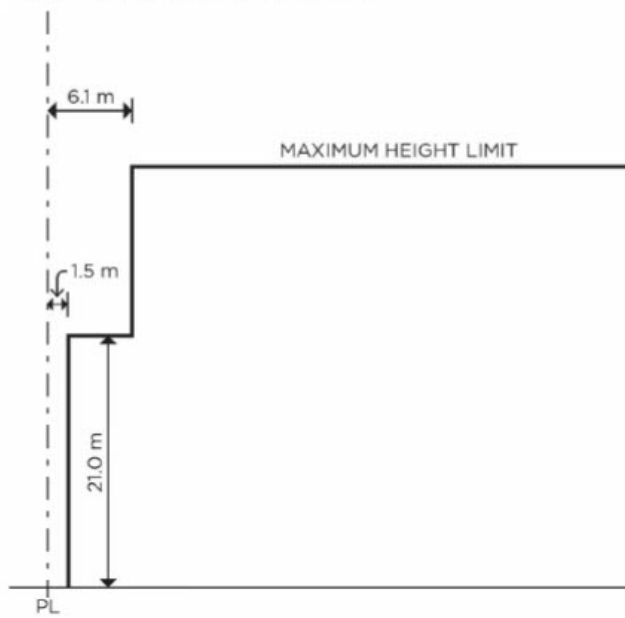
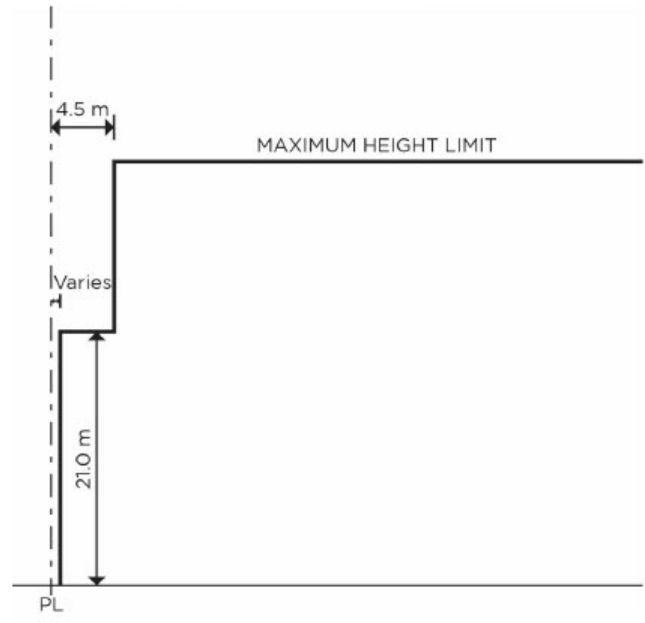


Figure 2 Height Limit along 2nd, 3rd and 4th Avenue



- 4.3.2 The Director of Planning may vary the height requirements of section 4.3.1 as follows:
- (a) any floor above 21.0 m may be permitted to extend into the required upper floor setback as follows:
 - (i) on north-south streets, the width of the building may extend up to 3.0 m into the required 6.1 m upper floor setback for up to one-third of the width of a building fronting on 2nd Avenue, and
 - (ii) on 2nd Avenue, 3rd Avenue and 4th Avenue, the 4.5 m upper floor setback may be reduced for up to one-third of the width of a building fronting the avenue, except that:
 - (iii) the building must not encroach into the ground floor setbacks as specified in section 4.4
 - (b) for the provision of rooftop access and amenity spaces, height increases of up to one additional storey, to a maximum overall building height of not more than 50.3m, may be considered

4.4 Setbacks

The setback of a building must be at least:

- (a) 1.5 m from the property line adjacent to all north-south streets;
- (b) 0.65 from the property line adjacent to 3rd and 4th Avenue;
- (c) 0.6 m from any property line adjacent to a lane.

4.5 Floor Area and Density

4.5.1 Maximum floor space ratio shall not exceed 6.0, except that:

- (a) the maximum floor space ratio shall be 6.0 for Manufacturing Uses, Transportation and Storage Uses, Utility and Communication Uses, Wholesale Uses, and Service Uses limited to: Catering Establishment; Laboratory; Laundry or Cleaning Plant; Motor Vehicle Repair Shop; Photofinishing or Photography Laboratory; Production or Rehearsal Studio; Repair Shop - Class A; Repair Shop - Class B; Sign Painting Shop; and Work Shop;
- (b) the maximum floor space ratio shall be 4.0 for Office Uses;
- (c) the maximum floor space ratio shall be 1.0 for all Service Uses listed in sections 2.2.S and 3.2.S of this schedule, except those listed in 4.5.1(a);
- (d) the maximum floor space ratio for all other uses combined must not exceed 1.0, except that the maximum permitted floor area:
 - (i) for Retail use, including accessory Retail use, must not exceed 1,000 m²,
 - (ii) for Neighbourhood Public House use must not exceed 500 m², of which at least 25 % must be Manufacturing Uses, limited to Brewing or Distilling,
 - (iii) for Restaurant - Class 1 use must not exceed 150 m²,
 - (iv) for Restaurant - Class 2 use must not exceed 300 m², and
 - (v) for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m²; and
- (e) the total floor area of all uses listed in 4.5.1(a) shall not be less than one-third of the net floor area.

4.6 Computation of Floor Area

4.6.1 Computation of floor area must include all floors of all buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.6.2 Computation of floor area must exclude:

- (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of these exclusions does not exceed 12 % of the floor area being provided;
- (b) patios and roof decks provided that the Director of Planning first considers the effect 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 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; and
- (d) storage area associated with an artist studio - class B where the storage area is provided below the base surface and subject to a maximum exclusion of 20 m² for each artist studio - class B;

4.6.3 The Director of Planning may vary the computation of floor area exclusions of section 4.6.2 for accessory amenity areas, including child day care facilities, and recreation facilities to a maximum of 10 % of the total permitted floor area.