

M-2 District Schedule

1 Intent

The intent of this Schedule is to permit industrial and other uses that are generally incompatible or potentially dangerous or environmentally incompatible when situated in or near residential districts but that are beneficial in that they provide industrial employment opportunities or serve a useful or necessary function in the city.

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, 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, but not including: lounges accessory to Brewing or Distilling use; and accessory retail use in conjunction with wholesale uses listed in section 2.2.W, except that, unless permitted as an outright approval use pursuant to section 2.2, the total floor area of all accessory uses including accessory retail use shall not be greater than 331/3 % of the gross floor area of the principal and accessory uses combined, and the floor area in accessory retail use shall be separated from all other uses by a wall which prevents public access to all other uses.

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.
- Artist Studio – Class B, provided that the building contains no dwelling use other than a caretaker dwelling, 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]

- Brewing or Distilling.
- 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.
- Machinery or Equipment Manufacturing.
- Metal Products Manufacturing - Class B.
- Miscellaneous Products Manufacturing - Class B.
- Motor Vehicle Parts Manufacturing.
- Non-metallic Mineral Products Manufacturing - Class B.
- Paper Products Manufacturing.
- Plastic Products Manufacturing.
- Printing or Publishing.
- Rubber Products Manufacturing.
- Shoes or Boots Manufacturing.
- Textiles or Knit Goods Manufacturing.
- Tobacco Products Manufacturing.
- Transportation Equipment Manufacturing.
- Wood Products Manufacturing - Class B.

2.2.R [Retail]

- Gasoline Station - Full Serve, subject to the provisions of section 11.10 of this By-law."

2.2.S [Service]

- Animal Clinic.
- Catering Establishment.
- Laundry or Cleaning Plant.
- Motor Vehicle Repair Shop.
- Production or Rehearsal Studio.
- Repair Shop - Class A.
- School - Vocational or Trade.
- Work Shop.

2.2.T [Transportation and Storage]

- Cold Storage Plant.
- Packaging Plant.
- Storage Warehouse.

2.2.U [Utility and Communication]

- Public Utility, on a site not less than 61.0 m from any R district.
- Radiocommunication Station.

2.2.W [Wholesale]

- Wholesaling - Class A.

2.3 Conditions of Use

- 2.3.1 No use listed in section 2.2 of this Schedule shall involve the bulk storage of vegetable oil or fat; fish oil or meal; scrap; junk; lime; fertilizer; explosives; matches; industrial chemicals; paints; varnishes; or, except for a full serve gasoline station, compressed gas, petroleum, coal tar products or derivatives.

2.3.2 No use listed in section 2.2 of this Schedule shall involve the keeping of live animals, live poultry or other fowl except:

- (a) animal clinic.

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 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 Buildings to any of the uses listed in this Schedule, other than as provided for in section 2.2.A of this Schedule.
- 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.
- 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.
- Public Authority Use.
- Social Service Centre.

3.2.M [Manufacturing]

- Animal Products Processing.
- Chemicals or Chemical Products Manufacturing - Class A.
- Food or Beverage Products Manufacturing - Class A.
- Linoleum or Coated Fabrics Manufacturing.
- Metal Products Manufacturing - Class A.
- Miscellaneous Products Manufacturing - Class A.
- Non-metallic Mineral Products Manufacturing - Class A.
- Paper Manufacturing.
- Petroleum Products or Coal Products Manufacturing.
- Pulp Manufacturing.
- Rubber Manufacturing.
- Vegetable Oil Manufacturing.
- Wood Products Manufacturing - Class A.

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 - Split Island, subject to the provisions of section 11.10 of this By-law.
- Public Bike Share.
- Retail Store, but limited to:
 - Retail Store for the renting of merchandise in which the exclusive use of at least 50% of the floor area is for the storage of inventory.
 - 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 the premises include not more than 16 indoor or outdoor seats for customers consuming food purchased on the premises, but where customers may also purchase food for take-out, and where live entertainment is not available.
 - convenience store, in conjunction with a Gasoline Station – Full Serve or Gasoline Station – Split Island.
 - Accessory Retail Use.
- Vehicle Dealer, in conjunction with Motor Vehicle Repair Shop.

3.2.S [Service]

- Laboratory.
- Motor Vehicle Wash.
- Photofinishing or Photography Laboratory.
- Photofinishing or Photography Studio.
- Print Shop.
- Repair Shop - Class B.
- Restaurant - Class 1.
- Sign Painting Shop.

- 3.2.T [Transportation and Storage]
 - Aircraft Landing Place.
 - Booming Ground.
 - Grain Elevator.
 - Marine Terminal or Berth.
 - Mini-storage Warehouse.
 - Railway Station or Rail Yard.
 - Stockyard.
 - Storage Yard, provided it is enclosed by a suitable fence which is painted and neatly maintained at all times.
 - Taxicab or Limousine Station.
 - Truck Terminal or Courier Depot.
 - Weighing or Inspection Station.
 - Works Yard.

- 3.2.U [Utility and Communication]
 - Public Utility, other than as provided for in section 2.2.UC of this Schedule.
 - Recycling Depot.
 - Waste Disposal Facility.

- 3.2.W [Wholesale]
 - Bulk Fuel Depot.
 - Cardlock Fuel Station.
 - Junk Yard or Junk Shop.
 - Lumber and Building Materials Establishment.
 - 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 2.2 of this Schedule but does not comply with the conditions of use in sections 2.3.1 or 2.3.2.

3.3 Conditions of Use

3.3.1 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 30.5 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 with respect to any development.

4.4 Front Yard and Setback

4.4.1 No front yard shall be required.

4.5 Side Yards and Setbacks

4.5.1 No side yard shall be required, except where the site adjoins, without the intervention of a lane, a site located in an R district, in which case the following side yard requirements shall apply:

- (a) where the adjoining site is an RM district, a side yard with a minimum width of 1.5 m shall be provided adjoining the RM district;
- (b) in all other cases, a side yard with a minimum width of .9 m shall be provided, except in the case of a corner site in which case an exterior side yard need not be provided.

4.5.2 Where a side yard is provided, although not required, the minimum provisions of section 4.5.1 shall apply.

4.6 Rear Yard and Setback

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 the site is sufficiently large to provide adequate open space.

4.7 Floor Space Ratio

4.7.1 The floor space ratio shall not exceed 5.00, subject to the following:

- (a) the maximum floor space ratio shall be 1.0 for all uses other than manufacturing uses, transportation and storage uses, and Wholesaling - Class A;
- (b) the floor area in retail uses, including accessory retail, shall not exceed 1 000 m²;
- (c) the floor area in general office use shall not exceed 235 m² or 25 percent of the total gross floor area of all principal and accessory uses combined, whichever is greater;
- (d) the floor area in convenience store in conjunction with a Gasoline Station – Full Serve or Gasoline Station – Split Island use must not exceed 200 m² per site;
- (e) the floor area in Restaurant – Class 1 use must not exceed 300 m²; and
- (f) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m².

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) 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 m²; 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; and
- (e) 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 m² for each artist studio - class B.

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

4.11.1 In the case of office buildings over 12.2 m in height, no part thereof shall project above lines extending over the site at right angles from:

- (a) all points along the ultimate centre line of any street in front of the site and inclined at an average angle of 60 degrees to the horizontal;
- (b) all points along the rear boundary line of the site or the ultimate centre line of the lane where one has been dedicated, and inclined at an average angle of 60 degrees to the horizontal;
- (c) all points along any interior side boundary of the site at ground level; and inclined at an average angle of 70 degrees to the horizontal;
- (d) in the case of a corner site all points along the ultimate centre line of a flanking street or lane and inclined at an average angle of 60 degrees to the horizontal.

4.11.2 For the purpose of this section:

- (a) height shall be measured from the finished grade at all points around and adjacent to the building;
- (b) only the principal building shall be considered as an obstruction.

4.11.3 Any part of a building shall be exempt from the vertical angle regulations of this section if that part:

- (a) has a width, measured horizontally and parallel to the street, lane or boundary from which the angle is to be calculated, of 18.0 m or less;
- (b) is located at least 24.0 m from any part of the same building which would be similarly exempt, measured in the same direction as specified in Clause (a) of this section.

5 Relaxation of Regulations

- 5.1** The Director of Planning may relax the maximum height, floor area and site area regulations of section 2.2.A for accessory buildings and accessory uses.