FM-1

District Schedule

1 INTENT AND OVERVIEW

1.1 Intent

The intent of this schedule is to enhance the small-scale residential character of the Fairview Slopes neighbourhood by encouraging retention of the existing houses and permitting new low-profile residential development, which may include some compatible commercial, light industrial, and ancillary uses, designed to optimize the amenities inherent in the topography and location of this central neighbourhood.

1.2 Overview

The table below provides an overview of the outright and conditional approval uses in the FM-1 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 section 2.1 of this schedule	3.1

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 A	Conditional	
Cultural and Recreational Uses		
Club	Conditional	2.2.1
Community Centre or Neighbourhood House	Conditional	
Library, in combination with Community Centre	Conditional	
Park or Playground	Conditional	
Dwelling Uses		
Duplex	Outright	
Infill Duplex	Conditional	
Infill Multiple Dwelling	Conditional	2.2.2
Infill Single Detached Dwelling	Conditional	
Mixed-Use Residential Building	Conditional	2.2.2, 2.2.3
Multiple Conversion Dwelling, containing 2 dwelling units	Outright	2.2.4
Multiple Conversion Dwelling, not permitted as an outright approval use and resulting from the conversion of a building existing on the site as of June 18, 1956	Conditional	2.2.2, 2.2.5
Multiple Dwelling	Conditional	2.2.2
Rooming House	Outright	
Seniors Supportive or Independent Living Housing	Conditional	
Single Detached House	Outright	
Single Detached House with Secondary Suite	Conditional	
Institutional Uses		
Ambulance Station	Conditional	
Child Day Care Facility	Conditional	
Church	Conditional	
Community Care or Assisted Living Facility - Class A	Outright	2.2.6
Community Care or Assisted Living Facility - Class B	Conditional	

Use	Approval	Use-Specific Regulations
Group Residence	Conditional	
Hospital	Conditional	
Public Authority Use, essential in this district	Conditional	
School - Elementary or Secondary	Conditional	
Social Service Centre	Conditional	
Manufacturing Uses		
Jewellery Manufacturing	Conditional	
Office Uses		
General Office	Conditional	2.2.7, 2.2.8
Retail Uses		
Farmers' Market	Conditional	2.2.7, 2.2.8, 2.2.9
Grocery or Drug Store	Conditional	2.2.7, 2.2.8
Grocery Store with Liquor Store	Conditional	2.2.7, 2.2.8
Liquor Store	Conditional	2.2.7, 2.2.8
Pawnshop	Conditional	2.2.7, 2.2.8
Public Bike Share	Conditional	2.2.7, 2.2.8
Retail Store	Conditional	2.2.7, 2.2.8
Secondhand Store	Conditional	2.2.7, 2.2.8
Shared E-Scooter System	Conditional	2.2.7, 2.2.8
Small-Scale Pharmacy	Conditional	2.2.7, 2.2.8
Service Uses		
Barber Shop or Beauty Salon	Conditional	2.2.7, 2.2.8
Beauty and Wellness Centre	Conditional	2.2.7, 2.2.8
Bed and Breakfast Accommodation	Conditional	2.2.7, 2.2.8
Laundromat or Dry Cleaning Establishment	Conditional	2.2.7, 2.2.8
Repair Shop - Class B	Conditional	2.2.7, 2.2.8
Restaurant - Class 1	Conditional	2.2.7, 2.2.8
Short Term Rental Accommodation	Conditional	2.2.7, 2.2.8
Utility and Communication Uses		
Public Utility	Conditional	
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section 2.1	Outright	2.2.10

Use	Approval	Use-Specific Regulations
Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1	Outright	
Accessory Uses, customarily ancillary to any conditional approval use listed in this section 2.1	Conditional	
Deposition or extraction of material which alters the configuration of the land	Conditional	

2.2 Use-Specific Regulations

2.2.1 Club may be permitted if no commercial activities are carried on and the use does not adversely impact dwelling uses.

2.2.2 Development on any site consisting of 3 or more dwelling units that:

(a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or

(b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,

is subject to the **Rental Housing Stock Official Development Plan**.

2.2.3 Any of the non-dwelling uses listed in section 2.1 of this schedule may be permitted in a mixed-use residential building.

2.2.4 Multiple conversion dwelling containing 2 dwelling units is permitted as an outright approval use if:

(a) there are no additions to the building;

(b) no housekeeping or sleeping units are created; and

(c) no development permit is issued until the requisite permits required by other by-laws that relate to design, construction and safety of buildings are issuable.

2.2.5 Multiple conversion dwelling that is not permitted as an approval outright use, resulting from the conversion of a building existing as of June 18, 1956, may be permitted as a conditional approval use, if:

(a) the Director of Planning considers the quality and liveability of the resulting units, the suitability of the building for conversion in terms of age and size, and the impact of the conversion on adjacent properties and the character of the area; and

(b) building additions resulting in a total floor space ratio greater than 0.6 are in keeping with the character of the building.

2.2.6 Community care or assisted living facility - class A must comply with the regulations that apply to this use in the **R1-1 district**.

2.2.7 Any office, retail or service use listed in section **2.1** above may be permitted as a conditional approval use if:

(a) the Director of Planning or Development Permit Board is satisfied that they are compatible with the residential character, are at a neighbourhood scale, and serve the local residential population; and

(b) they do not exceed the maximum permitted floor area as follows:

(i) up to 50% of the gross floor area in buildings located in sub-area 1 identified in **Map 1: Sub-Areas** and **Map 2: Sub-Areas** at the end of this schedule,

(ii) up to 15% of the gross floor area, or 130 m², whichever is lesser, in buildings located in sub-area 2 identified in **Map 1: Sub-Areas** and **Map 2: Sub-Areas** at the end of this schedule,

(iii) up to 100% of the gross floor area in buildings located in sub-area 3 identified in **Map 1: Sub-Areas** and **Map 2: Sub-Areas** at the end of this schedule,

(iv) up to 100% of the gross floor area in buildings protected by a heritage designation by-law, subject to the building being renovated to the satisfaction of the Development Permit Board, and

(v) up to 50% of the gross floor area or 700 m², whichever is lesser, in residential buildings existing prior to December 1, 1973, subject to the building being renovated to the satisfaction of the Director of Planning or Development Permit Board.

2.2.8 Subject to the approval of Council, the Development Permit Board may increase the maximum permitted floor area for office, retail or service uses as established in section **2.2.7** above, for development on consolidated sites that comprise land in 2 or more sub-areas as illustrated in **Map 1: Sub-Areas** and **Map 2: Sub-Areas** at the end of this schedule, provided that:

(a) any increase must be limited to the transfer of the permitted office, retail or service use floor area of 1 sub-area to other sub-areas;

(b) the Board considers the overall quality of the development, the surrounding developments and potential for redevelopment both within the FM-1 district and other zoning districts that are adjacent to the consolidated site, surrounding traffic patterns, and the intent of this schedule and all applicable Council policies and guidelines; and

(c) there is no transfer of permitted floor area across future lanes, irrespective of existing property consolidation.

2.2.9 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.

2.2.10 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 1.5 m from a flanking street;

(c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 35% of the minimum rear yard required in this schedule, or 48 m², whichever is greater; and

(d) the combined building width for all accessory buildings does not exceed 80% of the width of the site at the rear property line,

except that the Director of Planning may vary the maximum height, floor area and location regulations, provided that the varied height does not exceed 10.7 m and the varied floor area does not exceed 33.3% of the gross floor area of the principal use.

3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

3.1 All Uses

All uses in 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 0.60, except that:

(a) for a building existing prior to December 1, 1973 and approved for dwelling use only, the floor area may be increased by 20% of the existing floor area, provided that in no case may the maximum floor space ratio exceed 1.00 and the increase in floor area is for dwelling use only; and

(b) the Director of Planning or Development Permit Board may increase the permitted floor space ratio to a maximum of 1.50, if the Director of Planning or Development Permit Board considers the intent of this schedule, all applicable Council policies and guidelines, the nature and size of the site, adequacy of open space, overall design and the provision of amenities which would result in community benefits.

3.1.2 Building Form and Placement

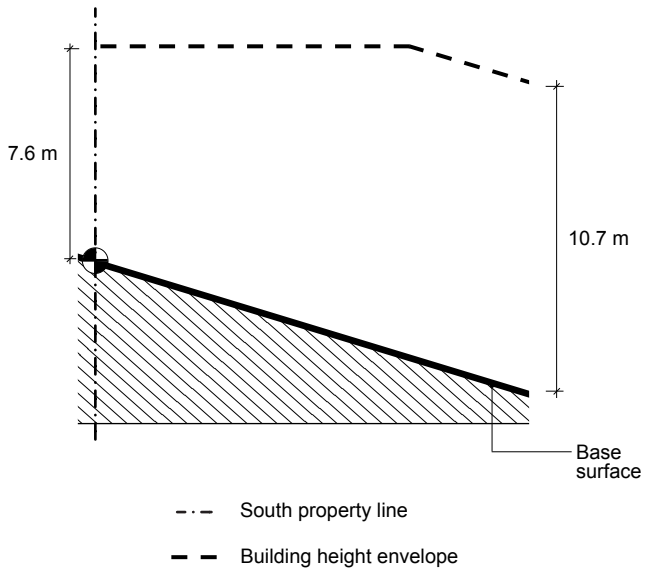
	Regulations	FM-1
3.1.2.1	Maximum building height	10.7 m

Building Height

3.1.2.2 Building height will be calculated from the building grades as established by the City Engineer and measured at the ultimate property line at the lane.

3.1.2.3 Despite the maximum building height in section 3.1.2.1 above, in the case of a site fronting on a street running east and west, no portion of the building may extend above an envelope formed by a vertical line measuring 7.6 m in height at the south property line and a line extended horizontally from the vertical line to intersect a line representing the maximum height.

Diagram: Maximum building height for all the uses



3.1.2.4 Subject to approval of Council, the Development Permit Board may increase the maximum permitted building height in section **3.1.2.1** above, if the Development Permit Board considers:

(a) the height, bulk, location and overall design of the building and its impacts on the site, surrounding buildings and streets, and views;

(b) the amount of open space and the impact of the overall design on the general amenity of the area;

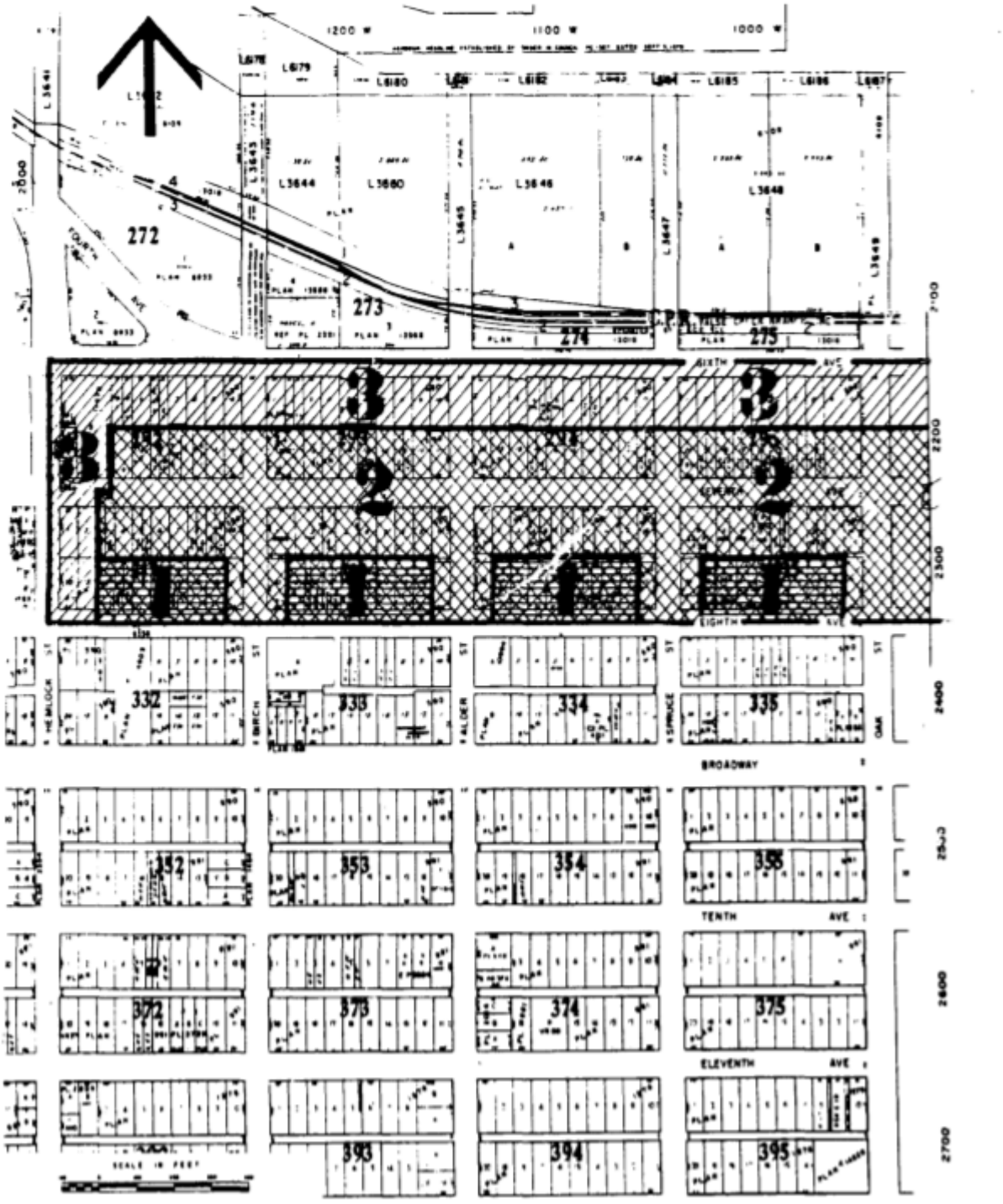
(c) the peculiarities of the site with respect to traffic, surrounding developments, topography, the potential for development both within the FM-1 district and other zoning districts that are adjacent to the site, and other factors not characteristic of the FM-1 district; and

(d) the intent of this schedule, all applicable Council policies and guidelines, and the compatibility of the development with adjacent buildings.

4 GENERAL REGULATIONS

[Reserved]

Map 1: Sub-Areas



Map 2: Sub-Areas

