

M-1

District Schedule

1 INTENT AND OVERVIEW

1.1 Intent

The intent of this schedule is to permit industrial and other uses that are generally incompatible with residential land use but are beneficial in that they provide industrial employment opportunities or serve a useful or necessary function in the city. It is not the intent, however, to permit uses that are potentially dangerous or environmentally incompatible when situated near residential districts.

1.2 Overview

The table below provides an overview of outright and conditional approval uses in the M-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 B | Conditional | 2.2.1 |
| Cultural and Recreational Uses | | |
| Artist Studio - Class A | Outright | 2.2.2 |
| Artist Studio - Class B | Conditional | 2.2.1 |
| Arts and Culture Indoor Event | Outright | 2.2.2 |
| Billiard Hall | Conditional | 2.2.1 |
| Bowling Alley | Conditional | 2.2.1 |
| Club | Conditional | 2.2.1 |
| Community Centre or Neighbourhood House | Conditional | 2.2.1 |
| Fitness Centre | Conditional | 2.2.1 |
| Hall | Conditional | 2.2.1 |
| Park or Playground | Conditional | 2.2.1 |
| Rink | Conditional | 2.2.1 |
| Swimming Pool | Conditional | 2.2.1 |
| Theatre | Conditional | 2.2.1 |
| Dwelling Uses | | |
| Dwelling Unit | 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 | Conditional | 2.2.1, 2.2.4 |
| Institutional Uses | | |
| Ambulance Station | Conditional | 2.2.1 |
| Child Day Care Facility | Conditional | 2.2.1 |
| Church | Conditional | 2.2.1 |
| Public Authority Use | Conditional | 2.2.1 |
| School - Elementary or Secondary | Conditional | 2.2.1 |
| School - University or College | Conditional | 2.2.1 |
| Social Service Centre | Conditional | 2.2.1 |

| Use | Approval | Use-Specific Regulations |
|--|-------------|--------------------------|
| Manufacturing Uses | | |
| Bakery Products Manufacturing | Outright | 2.2.2 |
| Batteries Manufacturing | Outright | 2.2.2 |
| Brewing or Distilling | Conditional | 2.2.1 |
| Chemicals or Chemical Products Manufacturing - Class A | Conditional | 2.2.1 |
| Chemicals or Chemical Products Manufacturing - Class B | Outright | 2.2.2 |
| Clothing Manufacturing | Outright | 2.2.2 |
| Dairy Products Manufacturing | Outright | 2.2.2 |
| Electrical Products or Appliances Manufacturing | Outright | 2.2.2 |
| Food or Beverage Products Manufacturing - Class A | Conditional | 2.2.1 |
| Food or Beverage Products Manufacturing - Class B | Outright | 2.2.2 |
| Furniture or Fixtures Manufacturing | Conditional | 2.2.1 |
| Ice Manufacturing | Outright | 2.2.2 |
| Information Communication Technology Manufacturing | Outright | 2.2.2 |
| Jewellery Manufacturing | Outright | 2.2.2 |
| Leather Products Manufacturing | Outright | 2.2.2 |
| Machinery or Equipment Manufacturing | Conditional | 2.2.1 |
| Metal Products Manufacturing - Class B | Outright | 2.2.2 |
| Miscellaneous Products Manufacturing - Class B | Outright | 2.2.2 |
| Motor Vehicle Parts Manufacturing | Conditional | 2.2.1 |
| Non-Metallic Mineral Products Manufacturing - Class A | Conditional | 2.2.1 |
| Non-Metallic Mineral Products Manufacturing - Class B | Conditional | 2.2.1 |
| Paper Manufacturing | Conditional | 2.2.1 |
| Paper Products Manufacturing | Outright | 2.2.2 |
| Plastic Products Manufacturing | Conditional | 2.2.1 |
| Printing or Publishing | Outright | 2.2.2 |
| Rubber Products Manufacturing | Outright | 2.2.2 |
| Shoes or Boots Manufacturing | Outright | 2.2.2 |
| Textiles or Knit Goods Manufacturing | Outright | 2.2.2 |
| Tobacco Products Manufacturing | Outright | 2.2.2 |
| Transportation Equipment Manufacturing | Outright | 2.2.2 |
| Wood Products Manufacturing - Class B | Conditional | 2.2.1 |
| Office Uses | | |
| General Office | Conditional | 2.2.1, 2.2.5 |

| Use | Approval | Use-Specific Regulations |
|--|-------------|--------------------------|
| Parking Uses | | |
| Parking Uses | Conditional | 2.2.1 |
| Retail Uses | | |
| Farmers' Market | Conditional | 2.2.1, 2.2.6 |
| Furniture or Appliance Store | Conditional | 2.2.1 |
| Gasoline Station - Full Serve | Outright | 2.2.2 |
| Gasoline Station - Split Island | Conditional | 2.2.1 |
| Grocery Store with Liquor Store | Conditional | 2.2.1 |
| Liquor Store | Conditional | 2.2.1 |
| Public Bike Share | Conditional | 2.2.1 |
| Retail Store | Conditional | 2.2.1 |
| Small-Scale Pharmacy | Conditional | 2.2.1 |
| Vehicle Dealer | Conditional | 2.2.1 |
| Service Uses | | |
| Animal Clinic | Outright | 2.2.2 |
| Auction Hall | Conditional | 2.2.1 |
| Barber Shop or Beauty Salon | Conditional | 2.2.1 |
| Beauty and Wellness Centre | Conditional | 2.2.1 |
| Catering Establishment | Outright | 2.2.2 |
| Drive-Through Service | Conditional | 2.2.1 |
| Funeral Home | Conditional | 2.2.1 |
| Laboratory | Conditional | 2.2.1 |
| Laundromat or Dry Cleaning Establishment | Conditional | 2.2.1 |
| Laundry or Cleaning Plant | Outright | 2.2.2 |
| Motor Vehicle Repair Shop | Outright | 2.2.2 |
| Motor Vehicle Wash | Outright | 2.2.2 |
| Neighbourhood Public House | 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 | Outright | 2.2.2 |
| Repair Shop - Class B | Conditional | 2.2.1 |
| Restaurant - Class 1 | Conditional | 2.2.1 |

| Use | Approval | Use-Specific Regulations |
|--|-------------|--------------------------|
| Restaurant - Drive-In | Conditional | 2.2.1 |
| School - Arts or Self-Improvement | Conditional | 2.2.1 |
| School - Business | Outright | 2.2.2 |
| School - Vocational or Trade | Outright | 2.2.2 |
| Sign Painting Shop | Conditional | 2.2.1 |
| Work Shop | Outright | 2.2.2 |
| Transportation and Storage Uses | | |
| Aircraft Landing Place | Conditional | 2.2.1 |
| Cold Storage Plant | Outright | 2.2.2 |
| Mini-Storage Warehouse | Conditional | 2.2.1 |
| Packaging Plant | Outright | 2.2.2 |
| Railway Station or Rail Yard | Conditional | 2.2.1 |
| Storage Warehouse | Outright | 2.2.2 |
| Storage Yard | Conditional | 2.2.1, 2.2.7 |
| Taxicab or Limousine Station | Conditional | 2.2.1 |
| Truck Terminal or Courier Depot | Conditional | 2.2.1 |
| Weighing or Inspection Station | Conditional | 2.2.1 |
| Works Yard | Conditional | 2.2.1 |
| Utility and Communication Uses | | |
| Public Utility | Outright | 2.2.2, 2.2.8 |
| Public Utility, not permitted as an outright approval use | Conditional | 2.2.1 |
| Radiocommunication Station | Outright | 2.2.2 |
| Recycling Depot | Conditional | 2.2.1 |
| Wholesale Uses | | |
| Cardlock Fuel Station | Conditional | 2.2.1 |
| Lumber and Building Materials Establishment | Conditional | 2.2.1 |
| Wholesaling - Class A | Outright | 2.2.2 |
| 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, 2.2.9 |
| Accessory Buildings, customarily ancillary to any use listed in this section 2.1 and not permitted as an outright approval use | Conditional | 2.2.1 |

| Use | Approval | Use-Specific Regulations |
|--|-------------|--------------------------|
| Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1, other than accessory retail use in combination with outright approval wholesale uses listed in this section 2.1 | Outright | 2.2.2, 2.2.10 |
| 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, 2.2.11 |
| Any outright approval use listed in this section 2.1 that does not comply with the applicable use-specific regulations in 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 must not involve:

- (a) the bulk storage of: compressed gas, petroleum, coal tar products or derivatives, except for gasoline station - split island and cardlock fuel station; explosives; fertilizer; fish oil or meal; lime; matches; or vegetable oil or fat; or
- (b) the keeping of live animals, except for laboratory or retail store.

2.2.2 Outright approval uses listed in section 2.1 of this schedule must not involve:

- (a) the bulk storage of: compressed gas, petroleum, coal tar products or derivatives, except for gasoline station - full serve; cotton waste; explosives; fertilizer; fish, fish oil or meal; furniture; industrial chemicals; junk; lime; matches; paints; rags; scrap; varnishes; or vegetable oil or fat; or
- (b) the keeping of live animals, live poultry or other fowl, except for animal clinic.

2.2.3 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 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 may not include the offices of accountants, lawyers, notary publics, or real estate, advertising, insurance, travel and ticket agencies.
- 2.2.6 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.
- 2.2.7 Storage yard must be enclosed by a suitable fence that is painted and neatly maintained at all times.
- 2.2.8 Public utility is permitted as an outright approval use if it is located on a site that is at least 61.0 m from any R district.
- 2.2.9 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; and
 - (b) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 10% of the total site area,
- except that the Director of Planning may vary the height, floor area and site area regulations.
- 2.2.10 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule, other than accessory retail use in combination with outright approval wholesale uses 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 of all other uses by a wall, and the other uses are not accessible to the public,
- except that the Director of Planning may vary the floor area regulations.
- 2.2.11 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

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 5.00, subject to the following allocations:

- (a) the maximum floor space ratio is 5.00 for manufacturing uses, transportation and storage uses, and wholesaling - class A; 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) general office must not exceed the greater of 235 m² or 25% of the total gross floor area of all principal and accessory uses combined, except that floor area for general office exceeding 25% of total gross floor area will be permitted on lots on record in the Land Title Office prior to November 21, 1989, 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.

3.1.2 Building Form and Placement

| Regulations | M-1 |
|---|--------------|
| 3.1.2.1 Maximum building height | 30.5 m |
| 3.1.2.2 Minimum side yard width for a side yard that: | |
| (a) adjoins a site located in any RM district, without the intervention of a lane | 1.5 m |
| (b) adjoins a site located in any RS, RT or RA district, without the intervention of a lane | 0.9 m |
| (c) does not adjoin a site located in an R district | not required |
| 3.1.2.3 Minimum rear yard depth | 3.1 m |

Building Height

- 3.1.2.4 The Director of Planning or the Development Permit Board may permit an increase in the maximum building height.

Side Yard

- 3.1.2.5 Despite the minimum side yard width in section 3.1.2.2(b) above, in the case of a corner site, an exterior side yard is not required.
- 3.1.2.6 Despite section 3.1.2.2(c) above, where a side yard is provided, although not required, the minimum side yard depth is 0.9 m.

Rear Yard

- 3.1.2.7 Despite the minimum rear yard depth in section 3.1.2.3 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.
- 3.1.2.8 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 Computation of Floor Area

4.1.1 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.

4.1.2 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.