

# 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
<b>Agricultural Uses</b>		
Urban Farm – Class B	Conditional	2.2.1
<b>Cultural and Recreational Uses</b>		
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
<b>Dwelling Uses</b>		
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
<b>Institutional Uses</b>		
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
<b>Manufacturing Uses</b>		

<b>Use</b>	<b>Approval</b>	<b>Use-Specific Regulations</b>
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
<b>Office Uses</b>		
General Office	Conditional	2.2.1, 2.2.5
<b>Parking Uses</b>		

Use	Approval	Use-Specific Regulations
Parking Uses	Conditional	<a href="#">2.2.1</a>
<b>Retail Uses</b>		
Farmers' Market	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.6</a>
Furniture or Appliance Store	Conditional	<a href="#">2.2.1</a>
Gasoline Station – Full Serve	Outright	<a href="#">2.2.2</a>
Gasoline Station – Split Island	Conditional	<a href="#">2.2.1</a>
Grocery Store with Liquor Store	Conditional	<a href="#">2.2.1</a>
Liquor Store	Conditional	<a href="#">2.2.1</a>
Public Bike Share	Conditional	<a href="#">2.2.1</a>
Retail Store	Conditional	<a href="#">2.2.1</a>
Small-Scale Pharmacy	Conditional	<a href="#">2.2.1</a>
Vehicle Dealer	Conditional	<a href="#">2.2.1</a>
<b>Service Uses</b>		
Animal Clinic	Outright	<a href="#">2.2.2</a>
Auction Hall	Conditional	<a href="#">2.2.1</a>
Barber Shop or Beauty Salon	Conditional	<a href="#">2.2.1</a>
Beauty and Wellness Centre	Conditional	<a href="#">2.2.1</a>
Catering Establishment	Outright	<a href="#">2.2.2</a>
Drive-Through Service	Conditional	<a href="#">2.2.1</a>
Funeral Home	Conditional	<a href="#">2.2.1</a>
Laboratory	Conditional	<a href="#">2.2.1</a>
Laundromat or Dry Cleaning Establishment	Conditional	<a href="#">2.2.1</a>
Laundry or Cleaning Plant	Outright	<a href="#">2.2.2</a>
Motor Vehicle Repair Shop	Outright	<a href="#">2.2.2</a>
Motor Vehicle Wash	Outright	<a href="#">2.2.2</a>
Neighbourhood Public House	Conditional	<a href="#">2.2.1</a>
Photofinishing or Photography Laboratory	Outright	<a href="#">2.2.2</a>
Photofinishing or Photography Studio	Conditional	<a href="#">2.2.1</a>
Print Shop	Conditional	<a href="#">2.2.1</a>
Production or Rehearsal Studio	Outright	<a href="#">2.2.2</a>
Repair Shop – Class A	Outright	<a href="#">2.2.2</a>
Repair Shop – Class B	Conditional	<a href="#">2.2.1</a>
Restaurant – Class 1	Conditional	<a href="#">2.2.1</a>
Restaurant – Drive-In	Conditional	<a href="#">2.2.1</a>

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

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 m<sup>2</sup>,
  - (ii) general office must not exceed the greater of 235 m<sup>2</sup> 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 only 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 m<sup>2</sup> for any portion of the lounge use located within the principal building, and
    - (B) 80 m<sup>2</sup> 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 and Vertical Angle of Daylight

- 3.1.2.4 The Director of Planning or the Development Permit Board may permit an increase in the maximum building height.
- 3.1.2.5 In the case of office buildings over 12.2 m in building height, no portion of the building may project above lines extending over the site at right angles from:
- 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;
  - 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;
  - 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; and
  - in the case of a corner site, all points along the ultimate centre line of the flanking street or lane and inclined at an average angle of 60 degrees to the horizontal.
- 3.1.2.6 For the purpose of section [3.1.2.5](#) above:
- height will be measured from the finished grade at all points around and adjacent to the building; and
  - only the principal building will be considered as an obstruction.
- 3.1.2.7 Any part of a building will be exempt from the vertical angle of daylight regulations in section [3.1.2.5](#) above if that part of the building:
- has a width of 18.0 m or less, measured horizontally and parallel to the street, lane or boundary from which the angle is to be calculated; and
  - is located at least 24.0 m from any part of the same building that would be similarly exempt, measured in the same direction as specified in section [3.1.2.7\(a\)](#) above.

## Side Yard

- 3.1.2.8 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.
- 3.1.2.9 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

- 3.1.2.10 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.

3.1.2.11 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 space or 100 m<sup>2</sup>, 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 m<sup>2</sup> for each artist studio – class B.