

# M-1B

## District Schedule

### 1 INTENT AND OVERVIEW

#### 1.1 Intent

The intent of this schedule is to permit industrial and other related uses under conditions designed to minimize conflicts with adjacent or nearby dwelling uses, and to discourage uses that are not related to the industrial sector. While certain commercial and office uses are permitted, the type and scale of non-industrial uses is restricted.

#### 1.2 Overview

The table below provides an overview of outright and conditional approval uses in the M-1B 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	2.2.1
Artist Studio – Class B	Conditional	2.2.1
Arts and Culture Indoor Event	Outright	2.2.1
<b>Dwelling Uses</b>		
Dwelling Unit	Conditional	2.2.1, 2.2.2
Residential Unit associated with and forming an integral part of an Artist Studio, limited to Artist Studio – Class B	Conditional	2.2.1, 2.2.3
<b>Institutional Uses</b>		
Ambulance Station	Conditional	2.2.1
Public Authority Use	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
<b>Manufacturing Uses</b>		
Bakery Products Manufacturing	Outright	2.2.1
Batteries Manufacturing	Outright	2.2.1
Chemicals or Chemical Products Manufacturing – Class B	Outright	2.2.1
Clothing Manufacturing	Outright	2.2.1
Dairy Products Manufacturing	Outright	2.2.1
Electrical Products or Appliances Manufacturing	Outright	2.2.1
Food or Beverage Products Manufacturing – Class B	Outright	2.2.1
Furniture or Fixtures Manufacturing	Outright	2.2.1
Ice Manufacturing	Outright	2.2.1
Information Communication Technology Manufacturing	Outright	2.2.1
Jewellery Manufacturing	Outright	2.2.1
Leather Products Manufacturing	Outright	2.2.1
Machinery or Equipment Manufacturing	Outright	2.2.1, 2.2.4

<b>Use</b>	<b>Approval</b>	<b>Use-Specific Regulations</b>
Machinery or Equipment Manufacturing, not permitted as an outright approval use	Conditional	2.2.1
Metal Products Manufacturing – Class B	Outright	2.2.1, 2.2.4
Metal Products Manufacturing – Class B, not permitted as an outright approval use	Conditional	2.2.1
Miscellaneous Products Manufacturing – Class B	Outright	2.2.1
Motor Vehicle Parts Manufacturing	Outright	2.2.1, 2.2.4
Paper Products Manufacturing	Outright	2.2.1
Plastic Products Manufacturing	Conditional	2.2.1
Printing or Publishing	Outright	2.2.1
Rubber Products Manufacturing, limited to tire retreading	Outright	2.2.1
Rubber Products Manufacturing, not permitted as an outright approval use	Conditional	2.2.1
Shoes or Boots Manufacturing	Outright	2.2.1
Textiles or Knit Goods Manufacturing	Outright	2.2.1, 2.2.4
Textiles or Knit Goods Manufacturing, not permitted as an outright approval use	Conditional	2.2.1
Tobacco Products Manufacturing	Outright	2.2.1
Transportation Equipment Manufacturing	Outright	2.2.1, 2.2.4
Transportation Equipment Manufacturing, not permitted as an outright approval use	Conditional	2.2.1
Wood Products Manufacturing – Class B	Outright	2.2.1
<b>Office Uses</b>		
General Office	Conditional	2.2.1, 2.2.5
<b>Parking Uses</b>		
Parking Uses	Conditional	2.2.1
<b>Retail Uses</b>		
Farmers' Market	Conditional	2.2.1, 2.2.6
Gasoline Station – Full Serve	Outright	2.2.1
Gasoline Station – Split Island	Conditional	2.2.1
Public Bike Share	Conditional	2.2.1
<b>Service Uses</b>		
Catering Establishment	Outright	2.2.1
Laboratory	Conditional	2.2.1
Laundry or Cleaning Plant	Outright	2.2.1
Motor Vehicle Repair Shop	Outright	2.2.1

<b>Use</b>	<b>Approval</b>	<b>Use-Specific Regulations</b>
Motor Vehicle Wash	Conditional	<a href="#">2.2.1</a>
Photofinishing or Photography Laboratory	Outright	<a href="#">2.2.1</a>
Print Shop	Conditional	<a href="#">2.2.1</a>
Production or Rehearsal Studio	Outright	<a href="#">2.2.1</a>
Repair Shop – Class A	Outright	<a href="#">2.2.1</a>
Restaurant – Class 1	Conditional	<a href="#">2.2.1</a> , <a href="#">2.2.7</a>
School – Business	Conditional	<a href="#">2.2.1</a>
School – Vocational or Trade	Conditional	<a href="#">2.2.1</a>
Sign Painting Shop	Outright	<a href="#">2.2.1</a>
Work Shop	Outright	<a href="#">2.2.1</a>
<b>Transportation and Storage Uses</b>		
Aircraft Landing Place	Conditional	<a href="#">2.2.1</a>
Cold Storage Plant	Outright	<a href="#">2.2.1</a>
Mini-Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Packaging Plant	Outright	<a href="#">2.2.1</a>
Storage Warehouse	Conditional	<a href="#">2.2.1</a>
Storage Yard	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	Conditional	<a href="#">2.2.1</a>
Radiocommunication Station	Conditional	<a href="#">2.2.1</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="#">2.2.1</a>
<b>uncategorized</b>		
Accessory Buildings, customarily ancillary to any use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.8</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>
Accessory Uses, customarily ancillary to any outright approval use listed in this section <a href="#">2.1</a>	Outright	<a href="#">2.2.1</a> , <a href="#">2.2.9</a>

Use	Approval	Use-Specific Regulations
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, 2.2.10
Any other use that is not specifically listed in this section 2.1 but which was a legally conforming use prior to August 12, 1980	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 Uses listed in section 2.1 of this schedule:

- (a) must not involve the bulk storage of: acids; ammunition; animal oil or fat; compressed gas, petroleum, coal tar products or derivatives, except for cardlock fuel station, gasoline station – full serve, or gasoline station – split island; explosives; fertilizer; fireworks; fish; fish oil or meal; flares; fungicides; grain; hops; industrial chemicals; lime; paint; pesticides; radioactive material; scrap or waste materials; sugar; varnish; vegetable oil or fat; or wax;
- (b) may involve the storage of goods or materials or the placement of machinery, refuse or garbage receptacles, only if they are within a wholly enclosed building, unless adequately screened from view from any adjacent arterial street or R district, or any R district across an adjacent street or lane, by a wall, fence or by landscaping that is acceptable to the Director of Planning;
- (c) may involve the storage of goods or materials, only if they are within a wholly 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 and such fencing is neatly maintained at all times; and
- (d) must not use required parking or loading spaces, manoeuvring aisles and the like for the storage of goods or materials or the placement of machinery or of refuse or garbage receptacles.

2.2.2 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.

2.2.3 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.

- 2.2.4 The following uses are permitted as outright approval uses if they are on a site that is at least 61.0 m from any R district:
- (a) machinery or equipment manufacturing;
  - (b) metal products manufacturing – class B;
  - (c) motor vehicle parts manufacturing;
  - (d) textiles or knit goods manufacturing; and
  - (e) transportation equipment manufacturing.
- 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 Restaurant – class 1 may be permitted if it caters primarily to the needs of employees in the area and does not exceed a maximum gross floor area of 100 m<sup>2</sup>.
- 2.2.8 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.
- 2.2.9 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule are permitted if:
- (a) the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal and accessory uses combined; and
  - (b) the floor area in accessory uses that are accessible to the public, other than accessory uses associated with an artist studio, is separated from the floor area of all other uses by a wall.

- 2.2.10 Any other use that is not specifically listed and defined as a use in [Section 2](#) of this by-law may be permitted 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 1.50, subject to the following allocations:

- (a) the floor area for retail uses, including accessory retail use, must not exceed 1,000 m<sup>2</sup>; and
- (b) the floor area for 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 in 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.

3.1.1.2 The Director of Planning may increase the permitted floor space ratio to a maximum of 2.00 if the Director of Planning considers:

- (a) the relationship of the development with nearby residential areas;
- (b) the height, bulk, location and overall design of the building and its impacts on the site, surrounding buildings, streets and views; and
- (c) the intent of this schedule and all applicable Council policies and guidelines.

##### 3.1.2 Building Form and Placement

Regulations	M-1B
3.1.2.1 Minimum site area	6,000 m <sup>2</sup>
3.1.2.2 Building height	12.2 m
3.1.2.3 Minimum side yard width for:	
(a) sites which front onto a major street requiring a landscaped setback and	10% of the site frontage
(b) sites that adjoin a site located in an R district, without the intervention of a lane	10% of the site frontage
(c) other sites	not required
3.1.2.4 Rear yard depth	3.1 m



### Site Area

- 3.1.2.5 The Director of Planning may decrease the minimum site area requirements with respect to any of the uses permitted in this schedule, if:
- (a) the minimum site area is not less than 3,100 m<sup>2</sup> unless comprised of 1 or more smaller parcels on record in the Land Title Office as of August 12, 1980; and
  - (b) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Building Height

- 3.1.2.6 The Director of Planning may increase the maximum building height if the Director of Planning considers:
- (a) the relationship of the development with nearby residential areas;
  - (b) the bulk, location and overall design of the building and its impact on the site, surrounding buildings, streets and views; and
  - (c) the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

### Side Yard

- 3.1.2.7 Despite sections [3.1.2.3\(a\)](#) and [3.1.2.3\(b\)](#) above, a side yard need not be less than 1.5 m and need not be greater than 6.1 m.
- 3.1.2.8 Despite section [3.1.2.3\(c\)](#) above, where a side yard is provided although not required, the minimum side yard width is 10% of the site frontage, except that a side yard need not be less than 1.5 m and need not be greater than 6.1 m.

### Rear Yard

- 3.1.2.9 Despite the minimum rear yard depth in section [3.1.2.4](#) above, where the rear of the site abuts a lane, the minimum rear yard depth will be decreased by the distance between the rear property line and the ultimate centre line of the lane.
- 3.1.2.10 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.