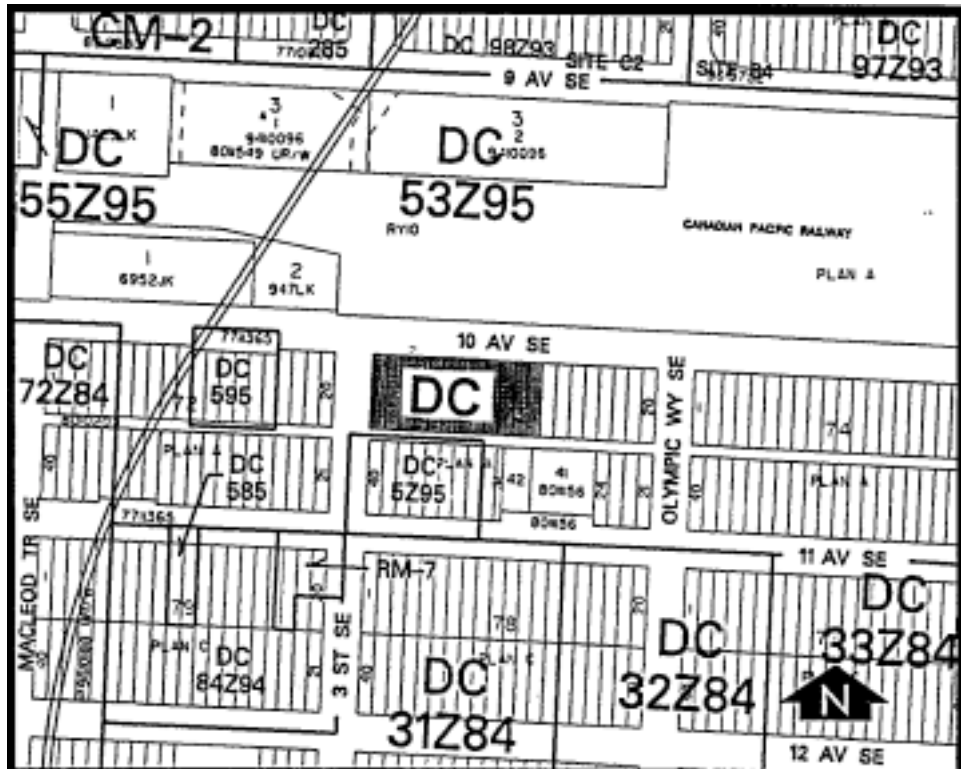


**Amendment No. 98/064**  
**Bylaw No. 94Z98**  
**Council Approval: 05 October 1998**

**SCHEDULE B**



**1. PURPOSE**

The purpose of this district is to provide for a mix of commercial, light industrial and residential uses which are compatible with each other in certain Downtown areas.

**2. PERMITTED USES**

**(a)** The following shall be Permitted Uses:

- Ancillary commercial uses
- Essential public services
- Parks and playgrounds
- Utilities

**(b)** The following shall be Permitted Uses only within existing buildings:

- Grocery stores
- Home occupations - Class I

Offices  
Personal service businesses  
Retail stores

- (c) Notwithstanding any other requirement of this Bylaw, proposed or existing uses of a site shall be permitted uses on that site if they
- (i) are included in the list of permitted or discretionary uses in Section 2 or Section 4 of this Bylaw; and
  - (ii) have been the subject of
    - (A) a building permit, a use permit, or a use certificate issued or approved on or before the date of this Bylaw, or
    - (B) a development permit which has been approved and has not expired on or before the date of this Bylaw.

### 3. PERMITTED USE RULES

- (a) Notwithstanding any other requirement of this Bylaw, a proposed or existing structure may be developed, redeveloped, or continue to exist provided that
- (i) there is no variation, whatsoever, except as may be allowed pursuant to Section 11(1)(a)(iii) of Bylaw 2P80, to comply with other applicable legislation; and
  - (ii) it has been approved on or before the date of passage of this Bylaw by a development permit that has not expired.
- (b) In addition to the General Rules for Downtown Districts contained in Section 42.1 of the City of Calgary Land Use Bylaw 2P80, the following rules shall apply:
- (i) **Performance Standards**

No use or operation shall cause or create any conditions which may be objectionable or dangerous beyond the boundary line of the site which contains it, including but not limited to the following:

    - (A) noise,
    - (B) odour,
    - (C) earthborne vibrations,
    - (D) heat, or
    - (E) high brightness light sources.
  - (ii) **Ancillary Commercial Uses**

Ancillary commercial uses may occupy up to 38 square metres or 10 per cent of the net floor area of the principal use, whichever is greater, to a maximum of 280 square metres.

**(iii) Building Height**

A maximum of 12 metres.

**(iv) Front Yard**

- (A) Any front yard provided shall be appropriately treated with hard and soft landscaping to enhance the streetscape and to ensure adequate pedestrian space.
- (B) No parking shall be allowed in a front yard.
- (C) For the purpose of this Section, all street frontages shall be considered as front yards.

**(v) Side Yards**

A minimum width of 1.2 metres for each side yard except

- (A) a minimum width of 6 metres where a side yard abuts a residential district or development;
- (B) a minimum width of 6 metres where a side yard is used to provide vehicular access to the rear of the property;
- (C) no side yard is required where the wall of a structure is built of material which normally would not require maintenance.

**(vi) Rear Yard**

A minimum depth of 1.2 metres.

**(vii) Landscaped Area**

The following areas shall be landscaped satisfactorily in accordance with Section 33(9) of Bylaw 2P80:

- (A) all front yards,
- (B) all minimum required side yards between the front and rear of a site where they are not used for vehicle circulation;
- (C) all minimum required rear yards where the site abuts a residential district or development; and
- (D) all adjoining City boulevards.

**(viii) Outside Display Area**

No outside display areas shall be allowed to the front or side of a principal building or in a required yard.

**(ix) Outside Storage**

No outside storage, including the storage of trucks and trailers, shall be allowed to the front, side or rear of buildings or in any required yard.

**(x) Right-of-way Setbacks**

The provisions of Section 17 of Bylaw 2P80 shall apply.

**(xi) Parking and Loading Regulations**

The provisions of Section 18 of Bylaw 2P80 shall apply.

**(xii) Airport Vicinity Special Regulations**

The provisions of Section 19 of Bylaw 2P80 shall apply.

**(xiii) Floodway Floodplain Special Regulations**

The provisions of Section 19.1, as amended from time to time, of Bylaw 2P80 shall apply.

**4. DISCRETIONARY USES**

In addition to the following uses, those uses that are Permitted Uses only within existing buildings as contained in Section 2 shall be Discretionary Uses in proposed buildings:

- Accessory buildings
- Amusement arcades
- Athletic and recreational facilities
- Auction halls
- Auto body and paint shops
- Automotive sales and rental
- Automotive services
- Automotive specialties
- Billiard parlours
- Bottle return depots
- Child care facilities
- Cleaning, servicing, testing or repairing
- Commercial schools
- Community association buildings
- Crematoriums and columbariums
- Custodial quarters
- Drinking establishments
- Dwelling units only within existing buildings
- Entertainment establishments
- Excavation, stripping and grading
- Financial institutions
- Flea markets
- Gaming establishments - bingo
- Greenhouses and nurseries
- Home occupations - Class II (N.P.)
- Hostels
- Hotels
- Laboratories
- Liquor stores

Manufacturing, fabricating, processing, assembly, disassembly, production or packaging of materials, goods or products  
Mechanical reproduction or printing establishments  
Medical clinics  
Movement or storage of materials, goods or products  
Outdoor cafes (N.P.)  
Parking areas (temporary)  
Parking structures  
Private clubs and organizations  
Private schools  
Public and separate schools  
Public or quasi-public buildings  
Public transportation facilities  
Radio or television studios  
Recreational and commercial vehicle repair, service, sales and rentals  
Retail food stores  
Restaurants  
Signs  
Special care facilities (N.P.)  
Universities, colleges and provincial training centres  
Veterinary clinics  
Veterinary hospitals  
Warehouse stores

**Note:** N.P. - Notice Posting is mandatory for these uses in accordance with Section 10(4) of Bylaw 2P80

## **5. DISCRETIONARY USE RULES**

In addition to the General Rules for Downtown Districts contained in Section 42.1 of the City of Calgary Land Use Bylaw 2P80, and the Permitted Use Rules contained in Section 3, the following rules shall apply:

### **(a) Dwelling Units**

- (i) No dwelling unit shall be located below any storey used for commercial or industrial purposes.
- (ii) Dwelling units shall have an entrance separate from the entrance to any commercial or industrial component of the building.

### **(b) Building Height**

A maximum of 12 metres except a maximum of 30 metres for hotels where the boundary of the site does not abut a residential district or development for which the height limit is 10 metres or less.

### **(c) Outside Display Areas**

Outside display areas may be allowed to the front or side of a principal building provided that such displays are limited to examples of equipment or items related to the business or industry located on the site and serve to enhance the appearance and activity of the adjoining streetscape.

### **(d) Outside Storage**

Outside storage, including the storage of trucks and trailers, shall be allowed to the side or rear of buildings provided that

- (i) such storage areas do not include any required yards,
- (ii) the storage is visually screened from public thoroughfares and has no negative impact on adjoining uses, including but not limited to residential districts or developments, and
- (iii) all storage is related to the business or industry on the site.

**(e) Custodial Quarters**

Custodial quarters shall be limited to one only for any industrial site and shall be part of a principal use building.

**(f) Signs**

The provisions of the Sign Appendix of Bylaw 2P80 shall apply, mutatis mutandis, to a sign as if such sign were located in the CM-2 Downtown Business District.

**(g) Special Care Facility**

Initial development permit for a special care facility which provides over night accommodations will be for a period of five years.

**6. CONDITIONS OF DEVELOPMENT**

In addition to the land use rules for Discretionary Uses contained in Section 5, the Approving Authority may impose conditions on a development permit as provided for in Section 11(2)(a)(i) of the City of Calgary Land Use Bylaw 2P80.