

# THE CITY OF CALGARY

## LAND USE BYLAW 1P2007

### OFFICE CONSOLIDATION

#### BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

|         |                    |         |                    |         |                   |
|---------|--------------------|---------|--------------------|---------|-------------------|
| 11P2008 | June 1, 2008       | 32P2009 | December 14, 2009  | 35P2011 | December 5, 2011  |
| 13P2008 | June 1, 2008       | 46P2009 | December 14, 2009  | 36P2011 | December 5, 2011  |
| 15P2008 | June 1, 2008       | 38P2009 | December 15, 2009  | 4P2012  | January 10, 2012  |
| 47P2008 | June 1, 2008       | 3P2010  | March 1, 2010      | 2P2012  | February 6, 2012  |
| 48P2008 | June 1, 2008       | 11P2010 | April 19, 2010     | 9P2012  | April 23, 2012    |
| 49P2008 | June 1, 2008       | 14P2010 | May 17, 2010       | 12P2012 | May 7, 2012       |
| 50P2008 | June 1, 2008       | 26P2010 | May 17, 2010       | 30P2012 | November 5, 2012  |
| 53P2008 | June 1, 2008       | 12P2010 | June 7, 2010       | 32P2012 | December 3, 2012  |
| 54P2008 | May 12, 2008       | 19P2010 | June 7, 2010       | 4P2013  | March 1, 2013     |
| 57P2008 | June 9, 2008       | 23P2010 | June 7, 2010       | 5P2013  | March 25, 2013    |
| 67P2008 | October 1, 2008    | 32P2010 | July 26, 2010      | 38P2013 | September 2, 2013 |
| 68P2008 | October 6, 2008    | 34P2010 | August 19, 2010    | 44P2013 | December 2, 2013  |
| 71P2008 | December 22, 2008  | 39P2010 | November 22, 2010  |         |                   |
| 51P2008 | January 4, 2009    | 7P2011  | January 10, 2011   |         |                   |
| 75P2008 | January 4, 2009    | 13P2011 | February 7, 2011   |         |                   |
| 1P2009  | January 26, 2009   | 21P2011 | June 20, 2011      |         |                   |
| 10P2009 | April 21, 2009     | 24P2011 | June 27, 2011      |         |                   |
| 17P2009 | June 1, 2009       | 27P2011 | July 1, 2011       |         |                   |
| 28P2009 | July 13, 2009      | 30P2011 | July 25, 2011      |         |                   |
| 31P2009 | September 14, 2009 | 31P2011 | September 12, 2011 |         |                   |
| 41P2009 | October 13, 2009   | 33P2011 | September 19, 2011 |         |                   |

#### NOTE:

Amending Bylaw numbers are located in the text of this document to identify that a change has occurred in a Section, Subsection or Clause. Amending Bylaws should be consulted for detailed information. Where the amendment corrected spelling, punctuation or type face, the amending bylaw number has not been noted in the document.

This document is consolidated for convenience only. The official Bylaw and all amendments thereto are available from the City Clerk and should be consulted in interpreting and applying this Bylaw.

Printed by the City Clerk by authority of City Council.

**Land Use Planning in the Province of Alberta is regulated by the Municipal Government Act, Part 17, which contains the following purpose statement:**

*The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted*

*(a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and*

*(b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,*

*without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.*

## **PUBLISHING INFORMATION**

**TITLE:** THE CALGARY LAND USE BYLAW 1P2007

**AUTHOR:** LAND USE BYLAW SUSTAINMENT TEAM,  
DEVELOPMENT & BUILDING APPROVALS,  
PLANNING IMPLEMENTATION

**STATUS:** APPROVED BY CITY COUNCIL  
2007 JULY 23

**PRINTING DATE:** 2008 AUGUST

**ADDITIONAL COPIES:** THE CITY OF CALGARY  
DEVELOPMENT & BUILDING APPROVALS  
PLANNING IMPLEMENTATION  
DOCUMENT SALES CENTRE #8135  
P.O. BOX 2100, STN M  
CALGARY, ALBERTA T2P 2M5

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- (26) “**building reference points**” means the geodetic elevation of four points:
- (a) located at the intersection of the **front property line** and each **side property line**;
  - (b) located at the intersection of the **rear property line** and each **side property line**; and
  - (c) where each pair of points must be considered as corresponding.
- (27) “**building setback**” means the distance from a **property line** to the point on a **parcel** where a **building** is located measured at a right angle from the **property line** to which it relates.
- (28) “**calliper**” means the diameter of the trunk of a tree measured at 0.3 metres above the ground.
- (29) “**City Manager**” means the Chief Administrative Officer of the City of Calgary.
- (30) “**City**” means The City of Calgary, a municipal corporation in the Province of Alberta, or the area within the corporate limits of The City of Calgary, as the context requires.
- (31) “**commercial district**” means any one or more of the land use districts described in Part 7 and the CC-X and CC-COR districts contained in Part 11. 51P2008
- (32) “**commercial multi-residential uses**” means any one or more of the following **uses**, when referenced in a **multi-residential district**: 39P2010,  
7P2011
- (a) **Convenience Food Store**;
  - (b) **Counselling Service**;
  - (c) **Drinking Establishment – Small**;
  - (d) **Information and Service Provider**;
  - (e) **Office**;
  - (f) **Outdoor Café**;
  - (g) **Print Centre**;
  - (h) **Restaurant: Food Service Only – Small**;
  - (i) **Restaurant: Licensed – Small**;
  - (j) **Retail and Consumer Service**;
  - (k) **Service Organization**;
  - (l) **Specialty Food Store**; and
  - (m) **Take Out Food Service**.

- 44P2013
- (33) “**common amenity space**” means a space designed for active or passive recreational use that is provided for the use of all of the occupants of a **development**.
- (34) “**common amenity space – indoors**” means **common amenity space** that is located in a **building**.
- (35) “**common amenity space – outdoors**” means **common amenity space** that is not located in a **building**.
- (36) “**contextual adjacent buildings**” means the two closest **buildings** to a **parcel**:
- (a) located on the same block face not separated by a **street**;
  - (b) in the case of **low density residential district** where the **building** is on a **parcel** designated as a **residential district**; and
  - (c) where the **building** is not an **Accessory Residential Building**.
- 3P2010
- (37) “**contextual building depth average**” means:
- (a) where there are at least two other **buildings** on the same block face, the average **building depth** of the **contextual adjacent buildings** plus 4.6 metres;
  - (b) where there is only one other **building** on the same block face, the **building depth** of such **building** plus 4.6 metres; and
  - (c) where there is no other **building** on the same block face, 65.0 per cent of **parcel depth**.
- 3P2010
- (38) *deleted*

- (126) “**side setback area**” means an area of a **parcel** defined by any **side property line** and a line parallel to that **side property line** measured at the minimum depth of the **setback area** required by the District and terminating where that line meets the **front setback area** and the **rear setback area**.
- (127) “**sign**” means any device or fixture intended to identify or convey information or to advertise or attract attention to a product, service, place, activity, event, person, institution or business. 30P2011, 35P2011
- (128) “**sign area**” means: 35P2011
- (a) the entire area of a **sign** on which **copy** is intended to be placed; and
  - (b) in the case of a **sign** which has **copy** on more than one side of the **sign**, the average of the total area of all sides of the **sign**.
- (129) “**sign owner**” means any person who is described on a **sign**; whose name, address or telephone number appears on a **sign**; who is in control of a **sign**; or who is the subject of or intended to benefit from a **sign**; and there may be more than one **sign owner** of a **sign**.
- (130) “**skateboard ramp**” means a structure that is used to provide a surface upon which an individual may use or operate a skateboard, bicycle, roller skates or other similar devices.
- (131) “**soft surfaced landscaped area**” means an area with a surface consisting of materials that:
- (a) are living, or derived from living organisms;
  - (b) are not formed into a structure; and
  - (c) may include, but are not limited to, mulch, native grasses, plants, shrubs, sod and trees.
- (131.1) “**solar collector**” means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy. 68P2008
- (132) “**special purpose district**” means any one or more of the land use districts described in Part 9.
- (133) “**storey**” means the space between the top of any floor and the top of the next floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it but does not include a **basement**.
- (134) “**street**” means:
- (a) any public road, including the boulevards, sidewalks and improvements, but excluding a **lane**, bridge or walkway; or
  - (b) a **private condominium roadway**.

7P2011, 9P2012,  
5P2013

- (135) “**street-oriented multi-residential building**” means a **Multi-Residential Development** where all of the **buildings** in the **development** include the following characteristics:
- (a) the facade of the **main residential building** on the floor closest to **grade** facing a **street** is comprised of **units** or **commercial multi-residential uses**, and may only include the following additional elements:
    - (i) emergency exits and **public entrances**; and
    - (ii) one (1) vehicle access point, only where located on a **laneless parcel**;
  - (b) **units** and **commercial multi-residential uses** located at **grade** with an exterior wall facing a **street** that provide the following:
    - (i) an individual exterior access within 4.5 metres of a **property line** shared with a **street**; and
    - (ii) sidewalks that provide direct exterior access to the **unit** or **commercial multi-residential use**;
  - (c) a public sidewalk located along the entire length of each **property line** shared with a **street**; and
  - (d) the facade of **commercial multi-residential uses** located on the floor closest to **grade**, and facing a **street**, provides windows with unobscured glass that:
    - (i) allows views of the indoor space or product display areas; and
    - (ii) occupies a minimum of 65.0 per cent of the facade between a height of 0.6 metres and 2.4 metres.

## Division 3: Development Permits

### Requirement for a Development Permit

- 23** A **development permit** is required for every **development** unless it is otherwise exempted in this division. 1P2009

### Conditions for Development Permit Exemptions

- 24** A **development** listed in section 25 will only be exempt from the requirement to obtain a **development permit** if it: 13P2008, 51P2008, 75P2008, 32P2012
- (a) complies with the rules of this Bylaw;
  - (b) is not subject to the Calgary International Airport Vicinity Protection Area Regulation;
  - (c) is not located in the **floodway**;
  - (d) is not subject to any restrictions imposed by the Subdivision and Development Regulation; and
  - (e) has adequate sewage collection, treatment and disposal, water supply, treatment and distribution, storm water collection and storage and road infrastructure capacity necessary to serve the **development**. 1P2009 44P2013

### Exempt Developments

- 25** (1) The following **developments** do not require a **development permit** if the conditions of section 24 are met: 13P2008, 57P2008, 67P2008, 68P2008, 71P2008, 75P2008, 1P2009, 10P2009, 17P2009, 46P2009, 14P2010, 21P2011, 27P2011 4P2012, 9P2012, 32P2012
- (a) a **Home Occupation – Class 1**;
  - (b) a **Home Based Child Care – Class 1**.
  - (c) the erection of any **fence** or gate;
  - (d) a driveway;
  - (e) the construction of a **deck, landing or patio**;
  - (f) the construction of an **Accessory Residential Building** with a **gross floor area** equal to or less than 75.0 square metres when listed as a **permitted use** in a land use district;
  - (g) a satellite dish antenna less than 1.0 metre in diameter;
  - (h) external maintenance, internal alterations, and mechanical and electrical work on a **building** provided the intensity of **use** of the **building** does not increase;
  - (i) a **Special Function – Class 1**;
  - (j) a **Special Function – Class 2**:
    - (i) where located on a **parcel** for 3 consecutive days or less, excluding the time used to erect and dismantle the temporary structures;

- (ii) where the cumulative area of covered temporary structures is less than or equal to:
  - (A) 125.0 square metres when located on a **parcel** within 45.0 metres of either a **residential district** or a Direct Control District where the **use** of the **parcel** is residential; and
  - (B) 300.0 square metres when located on a **parcel** designated as an East Village District contained in Part 12; and
- (iii) where located on the same **parcel** as:
  - (A) **Conference and Event Facility**;
  - (B) **Drinking Establishment – Large**;
  - (C) **Drinking Establishment – Medium**;
  - (D) **Drinking Establishment – Small**;
  - (E) **Restaurant: Licensed – Large**;
  - (F) **Restaurant: Licensed – Medium**;
  - (G) **Restaurant: Licensed – Small**; and
  - (H) **Night Club**;
- (k) a temporary **building**, the sole purpose of which is incidental to the erection or alteration of a **building** for which a permit has been granted under the Building Permit Bylaw;
- (l) the use of all or part of a **building** or **parcel** as a **Motion Picture Filming Location** for a period not exceeding one year;
- (m) stockpiling on the same **parcel** undergoing excavation, grading or stripping;
- (n) **Solar collectors**, if the **building** they are on is not listed on the **City** inventory of potential heritage sites, and:
  - (i) the total power generation capacity of all **solar collectors** on the **parcel** is 10 kilowatts or less; or
  - (ii) the **solar collectors** are used for thermal energy;
- (o) a **sign** that is exempt from the requirement to obtain a **development permit** as specified in Part 3, Division 5;
- (p) the following projects carried on by, or on behalf of, the **City**:
  - (i) roads, traffic management projects, interchanges;

- (ii) **Sewage Treatment Plant, Utilities, Water Treatment Plant, and Waste Disposal and Treatment Facility;** 5P2013
- (iii) motor vehicle and pedestrian bridges, unless they are part of the +15 and +30 walkway systems;
- (iv) water, sewage and storm water lines and facilities; and
- (v) landscaping projects, parks, public tennis courts and street furniture;
- (q) the use of all or part of a **building** as a temporary polling station, returning offices' headquarters, Federal, Provincial or Municipal candidates' campaign offices and any other official temporary **use** in connection with a Federal, Provincial or Municipal election, referendum or census; and
- (r) a **Temporary Residential Sales Centre** located: 5P2013
- (i) in the **Developing Area**; or
- (ii) on a **parcel** identified in subsection 25(2)(n).
- (2) The following **developments** do not require a **development permit** if they are not located in the **flood fringe** or **overland flow** areas and the conditions of section 24 are met:
- (a) an exterior alteration or addition to a **Duplex Dwelling, Semi-detached Dwelling** and **Single Detached Dwelling** where:
- (i) listed as a **discretionary use**;
- (ii) the addition and alteration complies with the rules of section 365; and
- (iii) the existing **building** is not listed on the **City** inventory of potential heritage sites;
- (b) an addition to a **Contextual Semi-detached Dwelling** or a **Contextual Single Detached Dwelling**;
- (i) if the addition has a **gross floor area** less than or equal to 40.0 square metres and the addition has a height that is less than or equal to 6.0 metres when measured from **grade** at any point adjacent to the addition; or
- (ii) if the addition has a **gross floor area** less than or equal to 10.0 square metres and is located above the first **storey**;
- (c) the construction of and addition to a **Single Detached Dwelling, Semi-detached Dwelling** and **Duplex Dwelling** when listed as a **permitted use** in a land use district;
- (d) an outdoor in-ground or above ground private swimming pool or hot tub so long as it:

- (i) is not located within the **actual front setback area**;
  - (ii) has a total area less than 15.0 per cent of the **parcel** area; and
  - (iii) does not have any above **grade** components including a **deck**, walkway, supporting member, heater or mechanical equipment within 1.2 metres of any **property line**;
- (e) **retaining walls** that are less than 1.0 metre in height, measured from the lowest **grade** at any point **adjacent** to the **retaining wall**;
- (f) facilities required for environmental remediation or monitoring;
- (g) excavation, grading or stripping provided:
- (i) the area of land to be excavated, stripped or graded is less than 1000.0 square metres;
  - (ii) it is part of a **development** for which a **development permit** has been released; or
  - (iii) the person carrying out the excavation, stripping or grading has signed a Development Agreement with the **City** for the area to be excavated, stripped or graded and that Development Agreement contemplates excavating, stripping or grading;
- (h) **Utilities** installed or constructed within a **street** or a utility right-of-way;
- (i) *deleted*
- (j) a **Power Generation Facility – Small** required for the purpose of providing electrical power for emergency or back-up purposes with a generation capacity of less than 20 kilowatts;
- (k) a **Power Generation Facility – Small** required in order to comply with the emergency power requirements of the Alberta Building Code;
- (l) A **Power Generation Facility – Small** with a total power generation capacity of 10 kilowatts or less where the **Power Generation Facility – Small**:
- (i) does not use an internal combustion engine; and
  - (ii) is located entirely within an existing approved **building**;
- (m) the **City's** use of land which it either owns or has an equitable interest in for a purpose approved by **Council** in connection with any **Utility**; and
- (n) the construction of a **Contextual Single Detached Dwelling** when on a **parcel** that is identified as:
- (i) Block 4 Plan 9711796;

5P2013

- (ii) Block 6 Plan 9711978;
- (iii) Lot 1 Plan 8711504;
- (iv) Block 3 Plan 7203JK;
- (v) Lots 1 through 3 Block 4 Plan 8810907;
- (vi) Block 5 Plan 7627JK;
- (vii) Lot 1 Block 6 Plan 8811565;
- (viii) Lots 2 through 5 Block 8 Plan 8910156;
- (ix) Lot 1 Block 1 Plan 8810212;
- (x) Block 1 Plan 6368JK;
- (xi) Lot 2 Block 1 Plan 8810882;
- (xii) Meridian 5 Range 2 Township 25 Section 8 Quarter South West containing 64.7 hectares (160 Acres) more or less excepting thereout:

(A) The Westerly 150 feet in perpendicular width throughout of said quarter section containing 3.67 hectares (9.06 Acres) more or less.

(B)

| Plan        | Number  | Hectares | (Acres)<br>More or Less |
|-------------|---------|----------|-------------------------|
| Subdivision | 0212109 | 5.208    | 12.87                   |
| Subdivision | 0212996 | 0.329    | 0.81                    |
| Subdivision | 0310384 | 5.392    | 13.32                   |
| Subdivision | 0310801 | 0.281    | 0.69                    |
| Road        | 0410951 | 0.740    | 1.83                    |
| Subdivision | 0411095 | 5.586    | 13.80                   |
| Subdivision | 0413246 | 3.570    | 8.82                    |
| Subdivision | 0413479 | 2.041    | 5.04                    |
| Subdivision | 0513290 | 4.763    | 11.77                   |
| Subdivision | 0610329 | 10.166   | 25.1                    |
| Subdivision | 0614724 | 6.395    | 15.8                    |

(xiii) Meridian 5 Range 2 Township 25 Section 8 Quarter South East containing 64.7 hectares (160 Acres) more or less excepting thereout:

| Plan        | Number  | Hectares | (Acres)<br>More or Less |
|-------------|---------|----------|-------------------------|
| Subdivision | 8110054 | 20.84    | 51.5                    |
| Subdivision | 0010707 | 2.885    | 7.13                    |
| Subdivision | 0012144 | 0.453    | 1.12                    |
| Subdivision | 0111064 | 0.858    | 2.12                    |
| Subdivision | 0111261 | 3.974    | 9.82                    |
| Subdivision | 0112249 | 0.972    | 2.40                    |
| Subdivision | 0211588 | 4.76     | 11.76                   |
| Subdivision | 0211922 | 0.081    | 0.20                    |
| Subdivision | 0212109 | 4.555    | 11.26                   |
| Subdivision | 0212265 | 3.905    | 9.65                    |
| Subdivision | 0212996 | 4.803    | 11.87                   |
| Subdivision | 0310801 | 7.802    | 19.28                   |
| Subdivision | 0311537 | 4.63     | 11.44                   |
| Subdivision | 0312428 | 0.898    | 2.22                    |
| Subdivision | 0313145 | 1.415    | 3.50                    |
| Road        | 0410951 | 0.890    | 2.20                    |
| Subdivision | 0614724 | 0.191    | 0.47                    |

## Division 4: Permitted Use Development Permit

### Permitted Uses That Meet All Requirements

- 28 (1) Where a **development permit** application is for a **permitted use** in a **building** or on a **parcel** and the proposed **development** conforms to all of the applicable requirements and rules of this Bylaw, the **Development Authority** must approve the application and issue the **development permit**.
- (2) The **Development Authority** may, as a condition of issuing a **development permit** for a **permitted use**, require the applicant to construct or pay for the construction of the following that are necessary to serve the **development**:
- (a) public utilities, other than telecommunications systems or works; and
  - (b) vehicular and pedestrian access.
- (3) The **Development Authority** may, as a condition of issuing a **development permit** for a **permitted use**, impose conditions in respect of the following matters: 44P2013
- (a) an environmental site assessment; and
  - (b) phasing of the **development**.
- (4) The **Development Authority** may, as a condition of issuing a **development permit** for a **permitted use**, require the applicant to enter into an agreement with the **City** to do any or all of the following:
- (a) to construct or pay for the construction of a public thoroughfare required to give access to the **development**;
  - (b) to construct or pay for the construction of:
    - (i) a pedestrian walkway system to serve the **development**; or
    - (ii) pedestrian walkways to connect the pedestrian walkway system serving the **development** with a pedestrian walkway system that serves or is proposed to serve an **adjacent development**; or
    - (iii) both (i) and (ii);
  - (c) to install or pay for installation of public utilities, other than telecommunications systems or works, that are necessary to serve the **development**;
  - (d) to construct or pay for the construction of:
    - (i) off-street or other parking facilities; and
    - (ii) loading and unloading facilities.

- (e) to pay an off-site levy or redevelopment levy; and
- (f) to give security to ensure that the terms of the agreement under this section are carried out.

5P2013 (5) Where a **development** is located in the **floodway, flood fringe** or **overland flow** area, the **Development Authority** may, as a condition of issuing the **development permit**, require **building** or site design measures to mitigate the potential impact or obstruction of floodwaters.

5P2013 (6) Where a **development permit** application for a **permitted use** does not show that the **development** conforms to all of the applicable requirements and rules of this Bylaw, the **Development Authority** may, as a condition of issuing the **development permit**, require that the applicant amend specific elements of the plans to conform with the applicable requirements.

5P2013 (7) The **Development Authority** may require the fulfillment of the conditions referred to in this section before releasing the **development permit**.

#### Notification of Decision for Permitted Use Application

- 29 (1) After approving a **development permit** application for a **permitted use**, the **Development Authority** must endorse the **development permit** as of the date of the decision.
- (2) When a **development permit** application for a **permitted use** is refused, the applicant must be given written notification of the decision and the reasons for it.

#### Permitted Uses That Do Not Meet All Requirements

30 Where a **development permit** application is for a **permitted use** in a **building** or on a **parcel** and the proposed **development** does not conform to all of the applicable requirements and rules of this Bylaw, the **Development Authority** may:

- (a) refuse to approve the **development permit** application; or
- (b) approve the **development permit** application and grant a relaxation of the requirement or rule to which the proposed **use** does not conform.

#### Test for a Relaxation

31 The **Development Authority** may approve a **development permit** application for a **permitted use** where the proposed **development** does not comply with all of the applicable requirements and rules of this Bylaw if, in the opinion of the **Development Authority**:

- (a) the proposed **development** would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and

## Division 6: General Provisions Relating to Development Permits

### Applications the Development Authority Must Refuse

- 40** The **Development Authority** must refuse a **development permit** application when the proposed **development**:
- (a) is for a **use** that is not listed as either a **permitted** or **discretionary use** in the governing land use district;
  - (b) is for a **use** containing a restriction in its definition that is not met by the proposed **use**;
  - (c) exceeds any of the following requirements where they are specified on a Land Use District Map:
    - (i) maximum **floor area ratio**; and
    - (ii) maximum **units** per hectare;
  - (c.1) exceeds the maximum **building height** when specified on a Land Use District Map except where portions of the **building** exceed the maximum **building height** due to:
    - (i) **grade** variations within the **parcel**;
    - (ii) design elements of the **building** that extend above the **eaveline** where there is no usable floor area associated with the element;
  - (d) does not meet the minimum area requirement to accommodate **commercial multi-residential uses** in the M-X1 and M-X2 Districts unless the **parcel** is located in the **Developing Area** and was designated M-X1 or M-X2 prior to 2010 November 25;
  - (e) is for either a **Contextual Semi-detached Dwelling**, **Contextual Single Detached Dwelling** or a **Multi-Residential Development – Minor**, and does not comply with all of the requirements and rules of this Bylaw;
  - (f) is for any **sign** containing a **digital display** that would display **copy** shown on the **digital display** using full motion video, or otherwise gives the appearance of animation or movement; or
  - (g) is not adequately serviced by infrastructure referenced in Section 129.1.

### Applications That May Only Be Considered in a Direct Control District

- 41** Where this Bylaw provides that a **use** may only be a listed **use** in a Direct Control District, the **Development Authority** must refuse a **development permit** if it proposes the **use** in a District other than a Direct Control District which lists the **use**.

31P2009

### Administrative Cancellation of an Application

- 41.1 (1) In the case of an inactive or non-responsive application the **General Manager** may, in his or her sole and unfettered discretion, cancel a **development permit** application subsequent to acceptance, where he determines that the information provided is not adequate for the **Development Authority** to properly evaluate the application.
- (2) The **General Manager** must provide written notice of the cancellation of the **development permit** application including reasons for the decision to the applicant.
- (3) The fees associated with a **development permit** application cancelled by the **General Manager** may be refunded.

### Term of a Development Permit

- 42 A **development permit** remains in effect until:
- (a) the date of its expiry if the **development permit** was issued for a limited time;
  - (b) it is suspended or cancelled; or
  - (c) it lapses upon the failure of the applicant to commence **development** as required under this Division.

### Suspension or Cancellation of a Development Permit

71P2008

- 43 (1) The **Development Authority** may suspend or cancel a **development permit** following its approval or issuance if:
- (a) the application contains a misrepresentation;
  - (b) facts have not been disclosed which should have been at the time of consideration of the application for the **development permit**;
  - (c) the **development permit** was issued in error;
  - (d) the requirements or conditions of the **development permit** have not been complied with; or
  - (e) the applicant requests, by way of written notice to the **Development Authority**, the cancellation of the **development permit**, provided that commencement of the **use, development** or construction has not occurred.
- (2) If the **Development Authority** suspends or cancels a **development permit**, the **Development Authority** must provide written notice of the suspension or cancellation to the applicant.
- (3) Upon receipt of the written notice of suspension or cancellation, the applicant must cease all **development** and activities to which the **development permit** relates.

**Pedestrian Sign**

35P2011

- 85** (1) Each business in a **building** that is located on the floor closest to **grade** may have one **Pedestrian Sign** provided it does not exceed:
- (a) 1.0 metres in height; and
  - (b) 1.0 square metres in **sign area**.
- (2) A **Pedestrian Sign**:
- (a) may only be displayed during the hours that the business it relates to is open and operating;
  - (b) must not be placed on a public sidewalk; and
  - (c) must not be illuminated.
- (3) A **Pedestrian Sign** must be located within 3.0 metres of a **public entrance** that serves the business to which the **sign** relates unless it is located on a **parcel** in one of the locations referenced in subsection 89(2).

**Real Estate Sign**

35P2011

- 86** (1) A **Real Estate Sign** may take the form of any other type of **sign** or be incorporated into an existing **Freestanding Sign**.
- (2) When a **Real Estate Sign** is freestanding:
- (a) there must not be more than one **Real Estate Sign** per frontage;
  - (b) the **Real Estate Sign** may have a maximum **sign area** of 1.5 square metres and a maximum height of 2.0 metres above **grade**, if the **frontage** is equal to or less than 30 metres; and
  - (c) the **Real Estate Sign** may have a maximum **sign area** of 3.0 square metres and a maximum height of 3.0 metres above **grade**, if the **frontage** is greater than 30.0 metres.
- (3) When a **Real Estate Sign** takes the form of a **Fascia Sign** it must follow all rules applicable to a **Fascia Sign** as referenced in section 92 and 93.
- (4) When a **Real Estate Sign** takes the form of a **Banner Sign** it:
- (a) must not be located above the third **storey** of a **building**; and
  - (b) must not be erected for more than 90 days in a calendar year.

**Special Event Sign**

35P2011

- 87** (1) A **Special Event Sign** located in a **low density residential district** may only be located on a **parcel** that does not contain a **Dwelling Unit**.

- (2) A **Special Event Sign** must not contain advertising **copy** beyond **copy** that promotes the special event, but may contain **copy** acknowledging the name of an individual, organization or business that sponsors or contributes to the special event.
- (3) A **Special Event Sign** may take the form of any other types of **sign**.
- (4) A **Special Event Sign** may be displayed for up to 15 days prior to the date of the special event to which it relates and for the duration of the special event, but must not be displayed for more than 30 days in total.

35P2011

**Show Home Sign**

- 88 (1) A **Show Home Sign** may have a maximum **sign area** of 3.0 square metres.
- (2) The maximum total **sign area** for all **Show Home Signs** on a **parcel** is 6.0 square metres.

35P2011

**Temporary Sign**

- 89 (1) A **Temporary Sign** must not be located on any **parcel** such that the **copy** on the **sign** is visible from:
  - (a) Airport Trail from 36 Street N.E. east to the **City** Limit;
  - (b) 14 Street from Glenmore Trail to Anderson Road S.W.;
  - (c) Anderson Road;
  - (d) Barlow Trail from Peigan Trail to Deerfoot Trail;
  - (e) Beddington Trail from Country Hills Boulevard to Deerfoot Trail;
  - (f) Country Hills Boulevard from Shaganappi Trail to Beddington Trail;
  - (g) Crowchild Trail;
  - (h) Deerfoot Trail;
  - (i) Glenmore Trail;
  - (j) John Laurie Boulevard from Shaganappi Trail, east to McKnight Boulevard;
  - (k) Macleod Trail from Anderson Road south to the **City** limits;
  - (l) Marquis of Lorne Trail;
  - (m) McKnight Boulevard from Edmonton Trail, east to the **City** limits;
  - (n) McKnight Boulevard from 4 Street N.W. to John Laurie Boulevard;
  - (o) Memorial Drive from Barlow Trail to Edmonton Trail;

- (p) Metis Trail;
  - (q) Peigan Trail;
  - (r) Sarcee Trail N.W. from 34 Avenue N.W. to Glenmore Trail;
  - (s) Shaganappi Trail;
  - (t) The Transportation and Utility Corridor;
  - (u) Spruce Meadows Trail;
  - (v) Trans-Canada Highway from Deerfoot Trail, east to the **City** limits;
  - (w) Trans-Canada Highway from Crowchild Trail to Bowness Road;
  - (x) Trans-Canada Highway from the junction of Home Road, west to the **City** limits;
  - (y) 17 Avenue S.E. from the east **City** limit to Stoney Trail;
  - (z) 114 Avenue S.E. from the east **City** limit to Stoney Trail; and
  - (aa) Symons Valley Road NW from the north **City** limit to 144 Avenue NW.
- (2) A **Temporary Sign** must not be placed on a **parcel** that is located in the following pedestrian corridors:
- (a) 9 Avenue S.E. from 8 Street S.E. to 15 Street S.E.;
  - (b) the south side of 17 Avenue S.E. from 33 Street S.E. to 36 Street S.E.; 9P2012
  - (c) Bowness Road from 47 Street N.W. to 42 Street N.W.;
  - (d) Kensington/Louise Crossing Business Revitalization Zone;
  - (e) Fourth Street Business Revitalization Zone;
  - (f) Marda Loop Business Revitalization Zone;
  - (g) Uptown 17 Business Revitalization Zone;
  - (h) Victoria Park/First Street S.W. Business Revitalization Zone; 4P2013  
and
  - (i) Bowness Road from 62 Street N.W. to 66 Street N.W.
- (2.1) A **Temporary Sign** must not be placed on a **parcel** where an approved **Digital Message Sign** is operating. 4P2013
- (3) A **Temporary Sign** must be stabilized and anchored in a way that ensures it will not be unintentionally moved, blown over or dislocated.
- (4) Sandbags and guy wires may only be used to stabilize or anchor a **Temporary Sign** if the **sign** is located on a hard surface.

- (5) A **Temporary Sign** must not be located within 7.5 metres of a motor vehicle access to a *parcel*.
- (6) In **residential districts**, the maximum **sign area** of a **Temporary Sign** is:
- (a) 1.0 square metre if a **Dwelling Unit** is located on the *parcel* where the **Temporary Sign** is located; and
  - (b) 3.0 square metres if there are no **Dwelling Units** located on the *parcel* where the **Temporary Sign** is located, with the exception of election signs.
- (7) In all other Districts not addressed by subsection (6), the maximum **sign area** of a **Temporary Sign** is:
- (a) 1.5 square metres if the **frontage** of the *parcel* where the **Temporary Sign** is located is 30.0 metres or less; and
  - (b) 5.5 square metres if the **frontage** of the *parcel* where the **Temporary Sign** is located is greater than 30.0 metres.
- (8) The maximum height of a **Temporary Sign** is:
- (a) 1.5 metres if the **sign area** is 2.5 square metres or less;
  - (b) 2.0 metres if the **sign area** is greater than 2.5 square metres, but less than 3.0 square metres; and
  - (c) 3.0 metres if the **sign area** is 3.0 square metres or more.
- (9) A **Temporary Sign** with a **sign area** greater than 1.5 square metres must be located on a **Temporary Sign Marker** that has been approved in accordance with the rules for **Sign – Class E** and must:
- (a) be no further than 1.0 metres away from the **Temporary Sign Marker**; and
  - (b) not be closer to the **street** than the **Temporary Sign Marker**.
- (10) Unless otherwise referenced in subsection (11) a maximum of one **Temporary Sign** may be located on a *parcel*.
- (11) Where a *parcel* has a **frontage**:
- (a) less than or equal to 75.0 metres, a maximum of one **Temporary Sign** may be located on that *parcel*;
  - (b) greater than 75.0 metres, but less than or equal to 200.0 metres, a maximum of two **Temporary Signs** may be located on that *parcel*; and
  - (c) greater than 200.0 metres, a maximum of three **Temporary Signs** be located on that *parcel*.

- (2) The edge of a **Projecting Sign** closest to the wall of the **building** to which it is attached must be within 0.30 metres of that wall.
- (3) Unless otherwise referenced in subsection (4), the maximum height of a **Projecting Sign** is 6.0 metres from **grade** when measured to the top of the **sign**.
- (4) Where a **Projecting Sign** relates to a **Hotel, Retail and Consumer Service** or a **Parking Lot – Structure** with a height of 18.5 metres or greater, the maximum height of the **Projecting Sign** is 21.5 metres above **grade** so long as:
  - (a) the **sign** does not project more than 2.0 metres from the **building**; and
  - (b) the **sign area** is 18.5 square metres or less.
- (5) The minimum clearance between the bottom of a **Projecting Sign** and **grade** is 2.4 metres.

35P2011

### Size Restrictions for Projecting Signs

- 102 (1) In the C-N1, C-N2, C-C1, CC-MH, CC-MHX, M-H1, M-H2, M-H3, M-X1 and M-X2 Districts, the maximum **sign area** for a **Projecting Sign** is 2.3 square metres.
- (2) In the C-COR3 District, the maximum **sign area** for a **Projecting Sign** is 9.3 square metres.
- (3) In all other **commercial** and **industrial districts**, the maximum **sign area** for a **Projecting Sign** is 4.5 square metres.
- (4) In all other Districts not referenced in subsections (1) through (3), the maximum **sign area** for a **Projecting Sign** is 1.0 square metres.

35P2011

### Rules Governing Class E Signs

- 103 Every **Sign – Class E** requires a **development permit**.

### Digital Message Sign

35P2011, 4P2013,  
5P2013

- 104 (1) Unless otherwise referenced in subsection (2), a **Digital Message Sign** may only be approved in a **commercial district, industrial district, S-R** or **CC-ER** District.
- (2) A **Digital Message Sign** advertising events, activities or services offered, may only be approved in the **low-density residential districts, multi-residential districts, CC-MH, CC-MHX, S-SPR, S-CS, S-CI, S-URP, CC-EMU, CC-ET, CC-EPR, CC-EIR** and **CC-ERR** Districts, when they are associated with one of the following **uses**:
- (a) **Community Recreation Facility**;
  - (b) **Indoor Recreation Facility**;
  - (c) **Library**;

- (d) **Museum;**
  - (e) **Outdoor Recreation Area;**
  - (f) **Park;**
  - (g) **Place of Worship – Large;**
  - (h) **Place of Worship – Medium;**
  - (i) **Place of Worship – Small;**
  - (j) **School – Private;**
  - (k) **School Authority – School;**
  - (l) **School Authority Purpose – Major;** and
  - (m) **School Authority Purpose – Minor.**
- (3) A **Digital Message Sign** must be located at least 300.0 metres from any other **Digital Message Sign** or **Digital Third Party Advertising Sign** when measured from the closest point of the *sign* containing the *digital display* to the closest point of another *sign* containing the *digital display* when the *signs* are facing the same oncoming traffic.
- (4) Subsection (3) does not apply to a **Digital Message Sign** with *copy* that only displays the date, time, temperature, motor vehicle fuel price or a **Drive Through** menu board.
- (5) A **Digital Message Sign** must not be located on a *parcel adjacent* to Deerfoot Trail when the *copy* on the *sign* is visible from Deerfoot Trail.
- (6) A **Digital Message Sign**:
- (a) where located in a *commercial district, industrial district, S-R or CC-ER District* has a maximum *sign area*:
    - (i) of 5.0 square metres when attached to a *building*;
    - (ii) not exceeding the lesser of 2.5 square metres or 30.0 per cent of the window area, where used as a **Window Sign**; and
    - (iii) of 50 per cent of the *sign area* of a **Freestanding Sign**; and
  - (b) where located in a *low-density residential district, multi-residential district, CC-MH, CC-MHX, S-SPR, S-CS, S-CI, S-URP, CC-EMU, CC-ET, CC-EPR, CC-EIR and CC-ERR Districts*, has a maximum *sign area* of 1.0 square metres.
- (7) Where the *digital display* of a **Digital Message Sign** is visible from and located within 125.0 metres of a *building* containing a **Dwelling Unit**, the *sign* must not operate, or must only display a black screen when located in:

- (a) a **commercial district, industrial district**, S-R or CC-ER District, between 11 p.m. and 6 a.m.; or
  - (b) one of the districts and associated with one of the **uses** listed in subsection (2), between 10 p.m. and 7 a.m.
- (8) A **Digital Message Sign**, or any digital **copy** on a **Digital Message Sign** must not be located on or attached to a roof of a **building**.
- (9) The **Development Authority** must not approve any **sign** containing a **digital display** with a **sign area** greater than 2.0 square metres if the **sign** is located less than 30.0 metres from an intersection or railway crossing.
- (10) The electrical power supply to a **Digital Message Sign** must be provided underground.
- (11) A **Digital Message Sign** may display **copy** that acknowledges sponsors of activities or programs when the **sign** is associated with one of the following **uses**:
- (a) **Community Recreation Facility**;
  - (b) **Indoor Recreation Facility**;
  - (c) **Library**;
  - (d) **Museum**;
  - (e) **Outdoor Recreation Area**;
  - (f) **Park**;
  - (g) **Place of Worship – Large**;
  - (h) **Place of Worship – Medium**;
  - (i) **Place of Worship – Small**;
  - (j) **School – Private**;
  - (k) **School Authority – School**;
  - (l) **School Authority Purpose – Major**; and
  - (m) **School Authority Purpose – Minor**.
- (12) A **development permit** for a **Digital Message Sign** may only be issued for a period not exceeding three (3) years, except where **copy** only displays the date, time, temperature, motor vehicle fuel price, or **Drive Through** menu board.
- (13) Prior to a **development permit** expiring for a **Digital Message Sign**, and upon receipt of a new **development permit** application for the same **Digital Message Sign**, the **Development Authority**:
- (a) must ensure the location of the **Digital Message Sign** does not interfere with information signs in road rights-of-way;

- (b) must, when a **sign** is located in a district referenced in subsection (1), apply the rules referenced in subsection (7); and
- (c) may approve the **development permit** for a **Digital Message Sign** that was approved prior to March 1, 2013, and is adjacent to Deerfoot Trail.

35P2011

**Inflatable Sign**

- 105**
- (1) An **Inflatable Sign** is not allowed in those locations referenced in subsections 89(1) or 89(2).
  - (2) An **Inflatable Sign** must not be located on the roof of any **building** or structure.
  - (3) An **Inflatable Sign** must be tethered or anchored and must touch the surface to which it is anchored.
  - (4) An **Inflatable Sign** must not extend higher than the maximum height allowed for a **Freestanding Sign** as referenced in section 97.
  - (5) Only one **Inflatable Sign** may be located on a **parcel** at any time.
  - (6) The maximum number of **Inflatable Signs** that may be on the same **parcel** in a calendar year is two.
  - (7) The maximum time period an **Inflatable Sign** may be displayed on a **parcel** is 30 days.

35P2011

**Painted Wall Sign**

- 106**
- (1) A **Painted Wall Sign** may be located anywhere on a **building** wall.
  - (2) If a **Painted Wall Sign** is removed, the wall it was displayed on must be refinished to be consistent with the rest of the **building**.

35P2011

**Roof Sign**

- 107**
- (1) A **Roof Sign** may be approved only in the following Districts:
    - (a) all **commercial districts**;
    - (b) all **industrial districts**; and
    - (c) the S-CI or S-SPR Districts.
  - (2) A **Roof Sign** may only identify, by name or symbol, the **use**, business or occupant of the **building** on which the **sign** is located.
  - (3) Supports and structures used for a **Roof Sign** must not be visible.
  - (4) A **Roof Sign** and the supports for a **Roof Sign**, must not extend beyond the maximum **building height** applicable to the District where the **sign** is located.
  - (5) The **sign area** of all **Roof Signs** on each face of a **building** must not exceed 2.5 per cent of the area formed by multiplying the clearance of the **sign** from **grade** by the width of the **building**.

**Rotating Sign**

- 108 (1) A **Rotating Sign** may only be approved in **commercial** and **industrial districts**. 35P2011
- (2) A **Rotating Sign** must not exceed the maximum height and maximum **sign area** allowed for a **Freestanding Sign** as referenced in section 97.

**Temporary Sign Markers**

- 109 (1) A **Temporary Sign Marker** is not allowed in those locations where a **Temporary Sign** is not allowed as referenced in subsections 89(1) and 89(2). 35P2011
- (2) A **Temporary Sign Marker** must be:
- (a) constructed of concrete, landscape pavers or similar hard surfacing material;
  - (b) constructed of a different surfacing material than the surfacing surrounding it so that the marker clearly stands out in its surroundings;
  - (c) maintained so as to always be visible and clear of obstructions;
  - (d) a minimum of 0.4 square metres; and
  - (e) anchored or set into the ground.
- (3) The number of **Temporary Sign Markers** allowed on a **parcel** must not exceed the number of **Temporary Signs** allowed on the applicable **parcel** as referenced in subsections 89(10) and 89(11).
- (4) A **Temporary Sign Marker** must not be located within 7.5 metres of a motor vehicle access to a **parcel**.
- (5) If a **Temporary Sign** is intended to be illuminated, the **Temporary Sign Marker** must have an underground power supply.
- (6) A **Temporary Sign Marker** must be accessible from the **parcel** on which it is located so that no person has to cross a different **parcel**, or **City** owned boulevard in order to install, do maintenance on, or remove a **Temporary Sign**.

**Rules Governing Class F Signs – Third Party Advertising Signs**

- 110 *deleted* 4P2013

**Prohibited Locations For Third Party Advertising Signs**

- 111 (1) *deleted* 71P2008,  
28P2009
- (2) *deleted* 4P2013

30P2011, 44P2013

**(3) Third Party Advertising Signs** are prohibited on any site where the **sign** is positioned such that the **copy** on the **sign** is visible from:

- (a) 14 Street N.W. from John Laurie Boulevard, north to Country Hills Boulevard;
- (b) 14 Street S.W. from Glenmore Trail S.W., south to Canyon Meadows Drive S.W.;
- (c) 52 Street East, from 17 Avenue S.E., north to McKnight Boulevard;
- (d) 85 Street N.W. from Bowness Road, north to Bearspaw Dam Road;
- (e) 87 Street N.W. from Bearspaw Dam Road, north to Nose Hill Drive;
- (f) 17 Avenue South from the eastern **City** limit, west to the Canadian National Railway crossing of 17 Avenue South near 52 Street S.E.;
- (g) 32 Avenue N.E. from 36 Street N.E., east to the **City** limits;
- (h) 64 Avenue N.E. from 36 Street N.E., east to the **City** limits;
- 4P2013 (i) 96 Avenue N.E. from Harvest Hills Boulevard to Deerfoot Trail;
- (j) 144 Avenue N.W.;
- (k) 162 Avenue S.W. from 37 Street S.W., east to Macleod Trail;
- 4P2013 (k.1) Airport Trail;
- (l) Anderson Road;
- (m) Barlow Trail from the north **City** limits, south to the junction of McKnight Boulevard;
- (n) Bearspaw Dam Road from 87 Street N.W., east to 85 Street N.W.;
- (o) Beddington Trail;
- (p) Bow Bottom Trail;
- (q) Bow Trail from the junction of Sarcee Trail S.W., east to the junction of Crowchild Trail;
- (r) Canyon Meadows Drive;
- (s) Chaparral Boulevard;
- (t) Country Hills Boulevard;
- (u) Crowchild Trail;

- (v) Deerfoot Trail;
- (w) Falconridge Boulevard N.E.;
- (x) Glenmore Trail from Elbow Drive S.W., west to the **City** limits;
- (y) Glenmore Trail from the Bow River, east to Ogden Road S.E.;
- (z) Harvest Hills Boulevard;
- (aa) Heritage Drive from 14 Street S.W., east to Haddon Road S.W.;
- (bb) Heritage Drive from Bonaventure Drive S.E., east to Blackfoot Trail;
- (cc) John Laurie Boulevard from Nose Hill Drive, east to McKnight Boulevard;
- (dd) Macleod Trail from 162 Avenue S.W., south to the **City** limits;
- (ee) McKenzie Lake Boulevard S.E.;
- (ff) McKenzie Towne Boulevard S.E.;
- (gg) McKenzie Towne Drive S.E.;
- (hh) McKnight Boulevard from Deerfoot Trail east to Barlow Trail and from 36 Street N.E., east to the **City** limits;
- (ii) Memorial Drive N.E. from 39 Street S.E., east to the **City** limits;
- (ii.1) Metis Trail;
- (jj) Nose Hill Drive;
- (kk) Peigan Trail;
- (ll) Sarcee Trail N.W. from Crowchild Trail, north to the Transportation and Utility Corridor;
- (mm) Sarcee Trail from the Trans-Canada Highway, south to the junction of Glenmore Trail and from Southland Drive, south to the **City** limits;
- (nn) Shaganappi Trail;
- (oo) Shawnessy Boulevard from west **City** limits, east to Shawnessy Drive S.W.;
- (pp) Southland Drive from west **City** limits, east to Haddon Road S.W.;
- (qq) Southland Drive from Bonaventure Drive S.E., east to Deerfoot Trail;
- (rr) Sun Valley Boulevard from Macleod Trail, east to Chaparral Boulevard;

4P2013

- (ss) the Transportation and Utility Corridor;
- (tt) Trans-Canada Highway from the Bow River, west to the **City** limits; or
- (uu) Trans-Canada Highway from 6 Street N.E., east to the **City** limits.

(4) **Third Party Advertising Signs** are prohibited on sites **adjacent** to Bowness Road from 62 Street N.W. to 65 Street N.W.

(5) **Third Party Advertising Signs** are prohibited on **street** or utility right-of-way.

4P2013

(6) **Third Party Advertising Signs** must be a minimum of 450.0 metres from:

- (a) major parks, as referenced in section 115;
- (b) escarpments and pathways;
- (c) riverbanks; and
- (d) natural areas,

when the **copy** is visible.

4P2013, 44P2013

(7) Notwithstanding subsection 111(3)(tt), existing **Third Party Advertising Signs** positioned such that the **copy** is visible from the Trans Canada Highway between the Bow River and Bowfort Road and approved prior to November 19, 1990 may be renewed from time to time in accordance with subsections 114 (10) and (11).

4P2013, 44P2013

(8) Notwithstanding subsection 111(3)(y) and (uu), existing **Third Party Advertising Signs** positioned such that the **copy** is visible from Glenmore Trail S.E. or from the Trans-Canada Highway between 6 Street N.E. and 36 Street N.E. respectively, may be renewed from time to time in accordance with subsections 114 (10) and (11).

(9) Notwithstanding subsection 111(3), freestanding-flush and wall-mounted **Third Party Advertising Signs** in **commercial** or **industrial districts** may be allowed along those public thoroughfares referred to in subsections 111(3)(f)(q)(u) and (nn) where:

- (a) the **sign** is contained within the line and form of the **building** to which it is attached;
- (b) the **sign** is not positioned such that it can be viewed from a land use district other than a **commercial** or **industrial district**; and
- (c) the **sign area** does not exceed 19.0 square metres.

- (10) Notwithstanding subsection 112(4), where an existing **Third Party Advertising Sign** complies with this Bylaw, except for the provisions of subsection 111(4), it may be renewed from time to time in accordance with subsections 114 (10) and (11). 4P2013
- (11) Notwithstanding subsections 111(3)(hh) and (kk), where an existing **Third Party Advertising Sign** complies with this Bylaw, except for the provisions of subsections 111(3)(hh) and (kk), it may be renewed from time to time in accordance with subsections 114 (10) and (11). 4P2013
- (12) Unless otherwise referenced in subsection (13), and upon receipt of a new **development permit** application for the same **Third Party Advertising Sign**, no **Third Party Advertising Sign** may be approved within the Inglewood Main Street Area after November 9, 1992. 4P2013, 44P2013
- (13) A **development permit** for a **Third Party Advertising Sign** may be approved in the Inglewood Heritage Main Street Area if such sign replaces an existing **Third Party Advertising Sign** of the same or greater area at the same or another location in the Inglewood Heritage Main Street Area provided always that the approval of such a **sign** may only be allowed where it will result in a visual improvement to the character and streetscape of the area and either:
- (a) a reduction in the overall number of **Third Party Advertising Sign** faces in such area; or
  - (b) the design is appropriate for enhancing the specific location.
- (14) A **development permit** for a **Third Party Advertising Sign** may only be approved in the Mainstreet portion of Bowness Road NW when such a sign:
- (a) replaces an existing **Third Party Advertising Sign** of the same or greater area at the same location provided; and
  - (b) results in upgrading of the quality of the proposed sign.

### Siting of Third Party Advertising Signs

- 112 (1) A **Third Party Advertising Sign** must not be located within 30.0 metres of any **Freestanding Sign**, facing the same oncoming traffic, except where the separation is between existing **signs** approved prior to November 19, 1990. 44P2013
- (2) A **Third Party Advertising Sign** must be removed from a **parcel** upon expiry of the **development permit** for such **sign** if a **development permit** application for a **Freestanding Sign** is approved within 30.0 metres of the **Third Party Advertising Sign**. 4P2013, 44P2013
- (3) A **Third Party Advertising Sign** must not be located within 75.0 metres of any other **Third Party Advertising Sign** facing the same on-coming traffic and must not result in more than two (2) freestanding **Third Party Advertising Signs** greater than 4.6 metres in height and 4.5 square metres in area within a 225.0 metre radius of each other facing the same **street**, except:

- (a) where the separation is between an existing **Third Party Advertising Sign**, approved prior to June 19, 2000;
- (b) for a **Third Party Advertising Sign** located on the same structure; or
- (c) for a **Third Party Advertising Sign**, less than 4.6 metres in height and 4.5 square metres in area, where the separation must be 30.0 metres.
- (4) Subject to subsections (1) and (3), a **Third Party Advertising Sign**, less than 4.6 metres in height and 4.5 square metres in area, must not be located closer than 30.0 metres to any other **Third Party Advertising Sign** less than 4.6 metres in height and 4.5 square metres in area.
- (5) A **Third Party Advertising Sign** must be located such that no portion is less than 6.0 metres from any *property line adjacent* to a public thoroughfare except for **Third Party Advertising Signs** less than 4.6 metres in height and 4.5 square metres in area.
- 4P2013 (6) Notwithstanding subsection (5), where an existing **Third Party Advertising Sign** complies with this Bylaw, except for the provisions of subsection (5), it may be renewed from time to time in accordance with subsections 114 (10) and (11).
- (7) Trees required under an approved *development permit* shall not be removed or altered in any way to accommodate the placement or visibility of a **Third Party Advertising Sign**.
- 4P2013 (8) A **Third Party Advertising Sign** must not be located on, or attached to, a roof of a *building*.
- (9) A freestanding **Third Party Advertising Sign** must be separated from:
- (a) a **Directional Sign**, exceeding 3.0 square metres in *sign area*, in a *street* right-of-way;
- (b) a *street* intersection or railway crossing; and
- (c) the curblineline or edge of a *major street, expressway* or freeway; to the satisfaction of the General Manager Transportation or his delegate.

4P2013

### Height and Size of Third Party Advertising Signs

- 113 (1) The maximum height of a wall-mounted or a freestanding-flush **Third Party Advertising Sign** is 10.5 metres and it must not extend above the *eaveline*.

- (2) The maximum height of a freestanding **Third Party Advertising Sign** is 8.3 metres, and if any portion of a freestanding **Third Party Advertising Sign** is located within 6.5 metres of a **building** less than 8.3 metres in **height**, the **sign** must not exceed the height of that **building** or 6.5 metres, whichever is greater.
- (2.1) In the C-COR1, C-COR2, CC-X and CC-COR Districts, where located outside of pedestrian-oriented areas as referenced in subsection 113 (6), the maximum height of a **Third Party Advertising Sign** is 4.6 metres and the maximum **sign area** is 4.5 square metres. 4P2013
- (3) The dimensions of the **sign area** of a **Third Party Advertising Sign** must not exceed a vertical dimension of 5.8 metres by a horizontal dimension of 7.0 metres, with allowance for a 1.5 metre cut-out to the top and face and a 0.70 metre cut-out to the sides and bottom of the **Third Party Advertising Sign**.
- (4) The maximum area of a **Third Party Advertising Sign** must not exceed 25.0 square metres and only one face of a double-faced **sign** may be used to calculate **sign area**.
- (5) Where an existing **Third Party Advertising Sign** complies with this Bylaw, except for the provisions of this section, it may be renewed from time to time in accordance with subsections 114 (10) and (11). 4P2013
- (6) **Third Party Advertising Signs** are prohibited in the following pedestrian-oriented areas: 4P2013
- (a) 9 Avenue S.E. from 8 Street S.E. to 15 Street S.E.;
  - (b) 17 Avenue S.E. from 26 Street S.E. to 61 Street S.E.;
  - (c) Bowness Road from 47 Street N.W. to 42 Street N.W. and from 62 Street N.W. to 66 Street N.W.;
  - (d) Fourth Street Business Revitalization Zone;
  - (e) Kensington/Louise Crossing Business Revitalization Zone;
  - (f) Marda Loop Business Revitalization Zone;
  - (g) Uptown 17 Business Revitalization Zone; and
  - (h) Victoria Park/First Street S.W. Business Revitalization Zone, except for Olympic Way S.E.

### General Rules for Third Party Advertising Signs

4P2013

- 114 (1) The applicant for a **development permit** for a **Third Party Advertising Sign** must show that the **Third Party Advertising Sign** is compatible with the general architectural lines and forms of nearby **buildings** and the character of the streetscape or area within which it is to be located, and does not severely obstruct the horizon line.
- (2) A **Third Party Advertising Sign** must not block natural light or the sky from the surrounding **buildings'** windows and doors.

- (3) The lighting or orientation of a **Third Party Advertising Sign** must not adversely affect any neighbouring residential areas.
- (4) A **Third Party Advertising Sign** must utilize lighting fixtures which are not readily discernible or obtrusive.
- (5) An auxiliary *sign* or other material must not be attached to, on, above or below a **Third Party Advertising Sign**.
- (6) The backs of all **Third Party Advertising Signs** and all cut-outs must be enclosed.
- (7) The space between the faces of double-faced **Third Party Advertising Signs** must be enclosed.
- (8) Electrical power supply to **Third Party Advertising Signs** or base landscaping must be underground unless otherwise allowed by the **Development Authority** such as, but not limited to, situations where reasonable access to an underground power source is not available or the **Third Party Advertising Sign** is located in an area where underground power has not commenced.
- (9) A *development permit* for a **Third Party Advertising Sign** may only be issued for a period not exceeding five (5) years.
- (10) Prior to a *development permit* expiring for a **Third Party Advertising Sign**, and upon receipt of a new *development permit* application for the same **Third Party Advertising Sign** at the same height, size and location, the **Development Authority** may apply the rules referenced in subsection (11).
- (11) When considering a *development permit* application for a **Third Party Advertising Sign** referenced in subsection (10), the **Development Authority**:
  - (a) must consider if the proposed **Third Party Advertising Sign** is compatible with the general architectural lines and forms of nearby *buildings* and the character of the streetscape or area within which it is to be located, and does not severely obstruct the horizon line;
  - (b) must not approve the *development permit* if a **Freestanding Sign** has been approved and constructed within 30.0 metres of the **Third Party Advertising Sign**;
  - (c) may only approve the *development permit* for the **Third Party Advertising sign** when the use is listed in the District;
  - (d) may approve the *development permit* for the **Third Party Advertising Sign** if it is located in pedestrian-oriented areas as referenced in subsection 113 (6) at its current size and height provided the *parcel* has not been approved for redevelopment; and

## Rules Governing Class G Signs – Digital Third Party Advertising Signs

115.1 *deleted*

30P2012,  
4P2013

## Prohibited Locations for Digital Third Party Advertising Signs

115.2 (1) *deleted*

30P2012,  
4P2013

(2) **Digital Third Party Advertising Signs** are prohibited on any site where the **sign** is positioned such that the **copy** on the **sign** is visible from:

- (a) 14 Street N.W. from John Laurie Boulevard, north to Country Hills Boulevard;
- (b) 14 Street S.W. from Glenmore Trail S.W., south to Canyon Meadows Drive S.W.;
- (c) 52 Street East, from 17 Avenue S.E., north to McKnight Boulevard;
- (d) 85 Street N.W. from Bowness Road, north to Bearspaw Dam Road;
- (e) 87 Street N.W. from Bearspaw Dam Road, north to Nose Hill Drive;
- (f) 17 Avenue South from the eastern **City** limit, west to the Canadian National Railway crossing of 17 Avenue South near 52 Street S.E.;
- (g) 32 Avenue N.E. from 36 Street N.E., east to the **City** limits;
- (h) 64 Avenue N.E. from 36 Street N.E., east to the **City** limits;
- (i) 96 Avenue N.E. from Harvest Hills Boulevard to Deerfoot Trail; 4P2013
- (j) 144 Avenue N.W.;
- (k) 162 Avenue S.W. from 37 Street S.W., east to Macleod Trail;
- (k.1) Airport Trail; 4P2013
- (l) Anderson Road;
- (m) Barlow Trail from the north **City** limits, south to the junction of McKnight Boulevard;
- (n) Bearspaw Dam Road from 87 Street N.W., east to 85 Street N.W.;
- (o) Beddington Trail;
- (p) Bow Bottom Trail;
- (q) Bow Trail from the junction of Sarcee Trail S.W., east to the junction of Crowchild Trail;
- (r) Canyon Meadows Drive;
- (s) Chaparral Boulevard;

- (t) Country Hills Boulevard;
- (u) Crowchild Trail;
- (v) Deerfoot Trail;
- (w) Falconridge Boulevard N.E.;
- (x) Glenmore Trail from Elbow Drive S.W., west to the **City** limits;
- (y) Glenmore Trail from the Bow River, east to Ogden Road S.E.;
- (z) Harvest Hills Boulevard;
- (aa) Heritage Drive from 14 Street S.W., east to Haddon Road S.W.;
- (bb) Heritage Drive from Bonaventure Drive S.E., east to Blackfoot Trail;
- (cc) John Laurie Boulevard from Nose Hill Drive, east to McKnight Boulevard;
- (dd) Macleod Trail from 162 Avenue S.W., south to the **City** limits;
- (ee) McKenzie Lake Boulevard S.E.;
- (ff) McKenzie Towne Boulevard S.E.;
- (gg) McKenzie Towne Drive S.E.;
- (hh) McKnight Boulevard from Deerfoot Trail east to Barlow Trail and from 36 Street N.E., east to the **City** limits;
- (ii) Memorial Drive N.E. from 39 Street S.E., east to the **City** limits;
- (ii.1) Metis Trail;
- (jj) Nose Hill Drive;
- (kk) Peigan Trail;
- (ll) Sarcee Trail N.W. from Crowchild Trail, north to the Transportation and Utility Corridor;
- (mm) Sarcee Trail from the Trans-Canada Highway, south to the junction of Glenmore Trail and from Southland Drive, south to the **City** limits;
- (nn) Shaganappi Trail;
- (oo) Shawnessy Boulevard from west **City** limits, east to Shawnessy Drive S.W.;

4P2013

- (pp) Southland Drive from west **City** limits, east to Haddon Road S.W.;
  - (qq) Southland Drive from Bonaventure Drive S.E., east to Deerfoot Trail;
  - (rr) Sun Valley Boulevard from Macleod Trail, east to Chaparral Boulevard;
  - (ss) the Transportation and Utility Corridor;
  - (tt) Trans-Canada Highway from the Bow River, west to the **City** limits; or
  - (uu) Trans-Canada Highway from 6 Street N.E., east to the **City** limits.
- (3) **Digital Third Party Advertising Signs** are prohibited on sites **adjacent** to Bowness Road from 62 Street N.W. to 65 Street N.W.
- (4) **Digital Third Party Advertising Signs** are prohibited on **street** or utility rights-of-way.
- (5) **Digital Third Party Advertising Signs** must be a minimum of 450.0 metres from: 4P2013
- (a) major parks, as referenced in section 115;
  - (b) escarpments and pathways;
  - (c) riverbanks; and
  - (d) natural areas,
- when the **copy** is visible.
- (6) A **Digital Third Party Advertising Sign** is prohibited if: 4P2013
- (a) the **digital display** is visible from a **building** containing a **Dwelling Unit**; and
  - (b) it is located less than 125.0 metres, measured from the face of the **digital display** to a **building** containing a **Dwelling Unit**.

### Siting of Digital Third Party Advertising Signs

- 115.3 (1) A **Digital Third Party Advertising Sign** must not be located within 30.0 metres of any **Freestanding Sign**, facing the same oncoming traffic; 30P2011  
44P2013
- (2) A **Digital Third Party Advertising Sign** must be removed from a **parcel** upon expiry of the **development permit** for such a **sign** if a **development permit** application for a **Freestanding Sign** is approved within 30.0 metres of the **Digital Third Party Advertising Sign**; 44P2013

**(3) A Digital Third Party Advertising Sign:**

- 4P2013 (a) must be located at least 300.0 metres from any other **Digital Message Sign** or **Digital Third Party Advertising Sign** when measured from the closest point of the **sign** containing the **digital display** to the closest point of another **sign** containing the **digital display** when the **signs** are facing the same oncoming traffic;
- 4P2013 (b) must not be located within 75.0 metres of any **Third Party Advertising Sign** facing the same on-coming traffic and must not result in more than two (2) **signs** displaying third party advertising greater than 4.6 metres in height and 4.5 square metres in area within a 225.0 metre radius of each other facing the same **street**;
- 4P2013 (c) except where specified in subsection (d), must be located at least the following distances from any **property line** shared with a **street**:
- (i) 17.0 metres where the posted speed limit of the public thoroughfare is 100 kilometres per hour or greater;
  - (ii) 16.0 metres where the posted speed limit of the public thoroughfare is 90 kilometres per hour;
  - (iii) 14.0 metres where the posted speed limit of the public thoroughfare is 80 kilometres per hour;
  - (iv) 10.0 metres where the posted speed limit of the public thoroughfare is 70 kilometres per hour; and
  - (v) 6.0 metres where the posted speed of the public thoroughfare is 60 kilometres per hour or less.
- 4P2013 (d) may be located closer to a **property line** shared with a **street** identified in subsection (c) provided that:
- (i) the **sign** replaces an existing approved **Sign – Class F** on a **parcel**;
  - (ii) the **development permit** approving the **Sign – Class F** remains in effect; and
  - (iii) the distance from the **sign** to any **property line** is not less than that of the existing approved **Sign – Class F**.
- (4)** Trees required under an approved **development permit** must not be removed or altered in any way to accommodate the placement or visibility of a **Digital Third Party Advertising Sign**.
- (5)** A **Digital Third Party Advertising Sign** must not be located on, or attached to, a roof of a **building**.
- (6)** A freestanding **Digital Third Party Advertising Sign** must be separated from:

- (a) a **Directional Sign**, exceeding 3.0 square metres in **sign area**, in a **street** right-of-way;
- (b) a **street** intersection or railway crossing by at least 30.0 metres; and
- (c) the curblineline or edge of a **major street, expressway** or freeway, to the satisfaction of the General Manager Transportation or his delegate.

### Height and Size of Digital Third Party Advertising Signs

35P2011

- 115.4 (1)** The maximum height of a wall-mounted or a freestanding-flush **Digital Third Party Advertising Sign** is 10.5 metres and it must not extend above the **eaveline**.
- (2)** The maximum height of a freestanding **Digital Third Party Advertising Sign** is 8.3 metres, and if any portion of a freestanding **Digital Third Party Advertising Sign** is located within 6.5 metres of a **building** less than 8.3 metres in height, the **sign** must not exceed the height of that **building** or 6.5 metres, whichever is greater.
- (3)** The dimensions of the **sign area** of a **Digital Third Party Advertising Sign** must not exceed a vertical dimension of 5.8 metres by a horizontal dimension of 7.0 metres, with allowance for a 1.5 metre cut-out to the top and face and a 0.70 metre cut-out to the sides and bottom of the **Digital Third Party Advertising Sign**.
- (4)** The maximum area of a **Digital Third Party Advertising Sign** must not exceed 25.0 square metres and only one face of a double-faced **sign** may be used to calculate **sign area**.

### General Rules for Digital Third Party Advertising Signs

35P2011,  
4P2013

- 115.5 (1)** The applicant for a **development permit** for a **Digital Third Party Advertising Sign** must show that the **Digital Third Party Advertising Sign** is compatible with the general architectural lines and forms of nearby **buildings** and the character of the streetscape or area within which it is to be located, and does not severely obstruct the horizon line.
- (2)** A **Digital Third Party Advertising Sign** must not block natural light or the sky from surrounding **buildings'** windows and doors.
- (3)** The lighting or orientation of a **Digital Third Party Advertising Sign** must not adversely affect any neighbouring residential areas.
- (4)** An auxiliary **sign** or other material must not be attached to, on, above or below a **Digital Third Party Advertising Sign**.
- (5)** The backs of all **Digital Third Party Advertising Signs** and all cut-outs must be enclosed.

- (6) The space between the faces of a double-faced **Digital Third Party Advertising Sign** must be enclosed.
- (7) Electrical power supply to the **Digital Third Party Advertising Sign** or base landscaping must be underground unless otherwise allowed by the **Development Authority** such as, but not limited to, situations where reasonable access to an underground power source is not available or the **Digital Third Party Advertising Sign** is located in an area where underground power has not commenced.
- (8) A **development permit** for a **Digital Third Party Advertising Sign** may only be issued for a period not exceeding three (3) years.
- (9) Prior to a **development permit** expiring for a **Digital Third Party Advertising Sign**, and upon receipt of a new **development permit** application for the same **Digital Third Party Advertising Sign** at the same height, size and location, the **Development Authority** may apply the rules referenced in subsection (10).
- (10) When considering a **development permit** application for a **Digital Third Party Advertising Sign** referenced in subsection (9), the **Development Authority**:
  - (a) must consider if the proposed **Digital Third Party Advertising Sign** is compatible with the general architectural lines and forms of nearby **buildings** and the character of the streetscape or area within which it is to be located, and does not severely obstruct the horizon line;
  - (b) must not approve the **development permit** if a **Freestanding Sign** has been approved and constructed within 30.0 metres of the **Digital Third Party Advertising Sign**;
  - (c) may only approve the **development permit** for the **Digital Third Party Advertising Sign** when the **use** is listed in the District; and
  - (d) must not approve the **development permit** for the **Digital Third Party Advertising Sign** when the **sign** is located within and the **digital display** is visible from 125.0 metres of a **building** containing a **Dwelling Unit**.

## Division 7: Requirments for Infrastructure Servicing

44P2013

### Infrastructure Requirements

- 129.1** The *Development Authority* must confirm there is adequate sewage collection, treatment and disposal, water supply, treatment and distribution, storm water collection and storage and road infrastructure capacity necessary to serve the *development*.



## Division 2: Defined Uses

### Defined Terms

**135** In this Bylaw, the following terms have the following meanings.

**136 “Accessory Food Service”**

- (a) means a portion of a premises used for the sale and consumption of food for the patrons of, and located within, another approved **use**;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may have a maximum floor area of 15.0 square metres to accommodate food preparation and seating area;
- (d) must operate only in conjunction with another approved **use**;
- (e) must not have an independent customer access from the **building** in which the **use** is located;
- (f) does not require **motor vehicle parking stalls**; and
- (g) does not require **bicycle parking stalls – class 1 or class 2**.

**137 “Accessory Liquor Service”**

- (a) means a portion of a premises used for the sale and consumption of alcoholic beverages for the patrons of another approved **use**;
- (b) is a **use** within the Subordinate Use Group in Schedule A to the Bylaw;
- (c) must serve only the patrons attending events or performances at the **use** in which it is located;
- (d) must not provide any seating area for the patrons;
- (e) does not require **motor vehicle parking stalls**; and
- (f) does not require **bicycle parking stalls – class 1 or class 2**.

**138 “Accessory Residential Building”**

12P2010, 5P2013

(a) means a **building**:

(i) that accommodates a **use** that is subordinate to the main residential **use** on a **parcel**; and

44P2013

(ii) that is not attached to the **main residential building** except where the attachment is entirely below **grade** or directly below a **patio**.

(b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;

(c) does not require **motor vehicle parking stalls**; and

(d) does not require **bicycle parking stalls – class 1** or **class 2**.

**139 “Addiction Treatment”**

(a) means a **use**:

(i) where one or more persons with alcohol, drug or similar addiction issues live under the care or supervision of professional health or counselling care providers; and

(ii) that has at least one staff person at the facility at all times;

(b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;

(c) may have a maximum of 10 residents when located in a **low density residential district**;

(d) requires a minimum of 1.0 **motor vehicle parking stalls** per three (3) residents; and

(e) does not require **bicycle parking stalls – class 1** or **class 2**.

- (c) must show on a plan submitted as part of a **development permit** application the location where vehicles and equipment are to be auctioned and stored;
- (d) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**, and each required **motor vehicle parking stall**:
  - (i) is for the exclusive use of the customers and employees of the **use**;
  - (ii) must be signed as being for the exclusive use of the customers and employees of the **use**; and
  - (iii) must be shown on the plan for a **development permit**;
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

#### 149 “Auto Body and Paint Shop”

- (a) means a **use** where motor vehicle bodies are repaired or painted;
- (b) is a **use** within the Automotive Group in Schedule A to this Bylaw;
- (c) must not be located within 20.0 metres of a **residential district**, when measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) must orient any **building** on the **parcel** to minimize any potential adverse affects on **adjacent uses**;
- (e) must have service bay doors oriented away from an **adjacent residential district**;
- (f) must keep service bay doors closed, except when being used by vehicles to exit or enter the service bay;
- (g) may have activities associated with the **use**, auto parts, equipment, scrap, and other materials located outside of a **building**, provided they are within a **screened** enclosure that must be:
  - (i) shown on plans required at the time the application for the **use** is made;
  - (ii) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and

- (iii) constructed of materials and to the standards required by the **Development Authority**;
- (h) must not keep vehicles outside of a **building** or **screened** enclosure for more than 72 consecutive hours;
- 13P2009 (i) *deleted*
- 13P2009 (j) *deleted*
- (k) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (l) does not require **bicycle parking stalls – class 1**; and
- (m) requires a minimum of 2.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

### 150 “Auto Service – Major”

- (a) means a **use**:
- 67P2008, 71P2008, 44P2013 (i) where motor vehicles are serviced and repaired in a **building** provided they are not **large vehicles** or **recreational vehicles**; and
- 67P2008 (ii) that is capable of servicing or repairing four or more motor vehicles at a time;
- 67P2008 (iii) *deleted*
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- 67P2008 (c) *deleted*
- (d) must not manufacture or re-manufacture auto parts for retail or wholesale distribution;
- (e) must orient any **building** on the **parcel** to minimize any potential adverse affects on **adjacent uses**;
- (f) must have service bay doors oriented away from an **adjacent residential district**;
- (g) must keep service bay doors closed, except when being used by vehicles to exit or enter the service bay;
- 47P2008 (h) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;
- (i) may have activities associated with the **use**, equipment, scrap, auto parts and other materials located outside of a **building**, provided they are within a **screened** enclosure that must be:

- (i) shown on plans required at the time the application for the **use** is made;
- (ii) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
- (iii) constructed of materials and to the standards required by the **Development Authority**;
- (j) must not keep vehicles outside of a **building** or **screened** enclosure for more than 72 consecutive hours;
- (k) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (l) does not require **bicycle parking stalls – class 1**; and
- (m) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

#### 151 “Auto Service – Minor”

- (a) means a **use**:
  - (i) where motor vehicles are serviced and repaired in a **building** provided they are not **large vehicles** or **recreational vehicles**; and 67P2008, 71P2008,  
44P2013
  - (ii) where no more than three motor vehicles are capable of being serviced or repaired at a time; 67P2008
  - (iii) *deleted* 67P2008
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (b.1) must not have more than 200 square metres of floor area designated for the servicing of motor vehicles, excluding areas used for administration and storage, which must be shown on the plan submitted for a **development permit**; 67P2008
- (c) *deleted* 67P2008
- (d) must not manufacture or re-manufacture auto parts for retail or wholesale distribution;
- (e) must orient any **building** on the **parcel** to minimize any potential adverse affects on **adjacent uses**;
- (f) must have service bay doors oriented away from an **adjacent residential district**;
- (g) must keep service bay doors closed, except when being used by vehicles to exit or enter the service bay;

- 47P2008
- (h) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;
  - (i) may have activities associated with the **use**, auto parts, equipment, scrap, and other materials located outside of a **building**, provided they are within a **screened** enclosure that must be:
    - (i) shown on plans required at the time the application for the **use** is made;
    - (ii) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
    - (iii) constructed of materials and to the standards required by the **Development Authority**;
  - (j) must not keep vehicles outside of a **building** or **screened** enclosure for more than 72 consecutive hours;
  - (k) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
  - (l) does not require **bicycle parking stalls – class 1**; and
  - (m) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

32P2009            **152**    *deleted*

39P2010            **153**    *deleted*

- (ii) that may include the incidental sales and rental of products and equipment related to the materials and supplies being sold;
- (iii) that may include the sale and rental of tools and construction equipment;
- (iv) that may include the outdoor storage of the materials and supplies being sold or rented; and
- (v) that does not include the sale of home furnishings, household appliances, furniture or electronics;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) that has maximum **gross floor area** of 3500.0 square metres;
- (d) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

#### 159 “Bulk Fuel Sales Depot”

- (a) means a **use**:
  - (i) where fuel for motor vehicles and trucks is sold either with or without an attendant; and
  - (ii) where the motor vehicles receiving fuel are **large vehicles**;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

44P2013

#### 160 “Campground”

- (a) means a **use**:
  - (i) where spaces are provided for temporary accommodation in **recreational vehicles** or tents;
  - (ii) that may include a **building** for the administration of the **use**;

- (iii) that may include laundry facilities for the occupants of the **use**; and
  - (iv) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Campground** as a **use**;
- (b) is a **use** within the Direct Control Uses Group in Schedule A to this Bylaw;
  - (c) requires a minimum number of **motor vehicle parking stalls** based on a parking study required at the time of land use redesignation application; and
  - (d) does not require **bicycle parking stalls – class 1** or **class 2**.

### 161 “Car Wash – Multi Vehicle”

- (a) means a **use**:
  - (i) where motor vehicles are washed, provided they are not **large vehicles** or **recreational vehicles**; and
  - (ii) where more than one vehicle may be washed at one time;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) must provide at least five (5) vehicle stacking spaces for each wash bay entrance door;
- (e) must provide a drying area in the form of one (1) **motor vehicle parking stall** for each vehicle that can be accommodated by a wash bay;
- (f) where located within 23.0 metres of a **residential district**, must have any vacuum cleaners situated:
  - (i) within the **building**; or
  - (ii) within a **screened** enclosure that must be:
    - (A) shown on plans required at the time the application for the **use** is made;
    - (B) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
    - (C) constructed of materials and to the standards required by the **Development Authority**;

71P2008, 44P2013

9P2012

47P2008

9P2012

- (g) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (h) does not require **bicycle parking stalls – class 1 or class 2**.

## 162 “Car Wash – Single Vehicle”

- (a) means a **use**:
  - (i) where motor vehicles are washed, provided they are not **large vehicles** or **recreational vehicles**; and 44P2013
  - (ii) that contains one wash bay, and this wash bay is only capable of washing one motor vehicle at a time; 71P2008
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**; 47P2008
- (d) must provide at least two (2) vehicle stacking spaces for the wash bay entrance door;
- (e) must provide a drying area in the form of a motor vehicle **parking stall** for the wash bay;
- (f) where located within 23.0 metres of a **residential district**, must have any vacuum cleaners situated:
  - (i) within the **building**; or
  - (ii) within a **screened** enclosure that must be:
    - (A) shown on plans required at the time the application for the **use** is made;
    - (B) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
    - (C) constructed of materials and to the standards required by the **Development Authority**;
- (g) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (h) does not require **bicycle parking stalls – class 1 or class 2**.

**163 “Catering Service – Major”**

- (a) means a **use**:
- (i) where food is prepared, stored, and delivered for consumption off the premises without provision for pick-up by customers at the premises; and
  - (ii) where cooking equipment, refrigeration equipment and delivery vehicles are located within or outside of a **building**;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

54P2008

**164 “Catering Service – Minor”**

- (a) means a **use**:
- (i) where food is prepared, stored, and delivered for consumption off the premises without provision for pick-up by customers at the premises;
  - (ii) that is entirely within a **building**; and
  - (iii) that may only have delivery vehicles that are necessary for the operation of the **use**;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

54P2008

**165 “Child Care Service”**

- (a) means a **use**:
- (i) where temporary care and supervision is provided to seven or more children:
    - (A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and
    - (B) for periods of less than 24 consecutive hours;
  - (ii) that may provide programming for the social, creative, educational and physical development of children; and

17P2009

**206 “Hide Processing Plant”**

- (a) means a *use*:
  - (i) where animal hides and other animal by-products are processed; and
  - (ii) must be approved only in a Direct Control District that specifically includes **Hide Processing Plant** as a *use*;
- (b) is a *use* within the Direct Control Uses Group in Schedule A to this Bylaw; and
- (c) requires a minimum number of **motor vehicle parking stalls**, based on a parking study required at the time of land use redesignation application.

**206.1 “Home Based Child Care – Class 1”**

17P2009

- (a) means:
  - (i) an incidental *use* by a resident of a **Dwelling Unit** for the purpose of providing temporary care or supervision to a maximum of 6 children:
    - (A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and
    - (B) for periods of less than 24 consecutive hours;
  - (ii) a *use* where no other person, other than a resident of the **Dwelling Unit**, works at the **Dwelling Unit** where the *use* is located;
- (b) is a *use* within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) must not be located in a **Dwelling Unit** containing another **Home Based Child Care – Class 1** or **Class 2**, or **Home Occupation – Class 2**;
- (c.1) must not display any **signs** related to the *use* on the **parcel**;
- (d) must have **screening** for any outdoor play areas;
- (e) does not require additional **motor vehicle parking stalls**; and
- (f) does not require **bicycle parking stalls – class 1** or **class 2**.

5P2013

**206.2 “Home Based Child Care – Class 2”**

17P2009

- (a) means:
  - (i) an incidental *use* by a resident of a **Contextual Single Detached Dwelling** or **Single Detached Dwelling** for the purpose of providing temporary care or supervision to a maximum of 10 children;

- (A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and
- (B) for periods of less than 24 consecutive hours;
- (ii) a **use** that may have a maximum of one non-resident employee at any one time working at the residence where the **use** is located;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) must be located on a **parcel** with a **parcel width** equal to or greater than 9.0 metres;
- (d) may have an outdoor play area on the **parcel**, provided the outdoor play area:
  - (i) is **screened** by a **fence**;
  - (ii) is shown on the plan submitted for a **development permit**;
- (e) must not:
  - (i) locate play structures within an **actual front setback area**; and
  - (ii) display any **signs** related to the **use** on the **parcel**;
- (f) requires a minimum of 1.0 **motor vehicle parking stalls** in addition to the **motor vehicle parking stalls** required for the **Contextual Single Detached Dwelling** or **Single Detached Dwelling**;
- (g) requires a minimum of 1.0 **pick-up and drop-off stalls**; and
- (h) does not require **bicycle parking stalls – class 1 or class 2**;

67P2008, 14P2010,  
9P2012

## 207 “Home Occupation – Class 1”

- (a) means:
  - (i) the incidental **use** by a resident of a **Dwelling Unit** for business purposes; and
  - (ii) a **use** that meets all the rules of this section;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may have a maximum of three (3) business associated vehicle visits per week which includes but is not limited to drop-offs, pick-ups, deliveries, and visits from customers or consultants;
- (d) may only have residents of the **Dwelling Unit** work on the **parcel** where the **use** is located;

- (e) must not use the **private garage** or **Accessory Residential Building** for business related activities, including storage;
- (f) is limited to a maximum of two (2) per **Dwelling Unit**, with a combined maximum of three (3) business associated vehicle visits per week, as described in section 207(c);
- (g) must not create electronic interference, dust, noise, odour, smoke or anything of an offensive or objectionable nature, which is detectable to normal sensory perception, outside the **building** containing the **use**;
- (h) must not display any form of signage related to the **use** on the **parcel**;
- (i) must not advertise the address of the **use** to the general public;
- (j) may only occupy the lesser of 20.0 per cent of the cumulative floor area of the **Dwelling Unit**, or 30.0 square metres;
- (k) must not have any activities related to the **use** take place outside of a **Dwelling Unit**, which includes the outside storage of materials, tools, products or equipment;
- (l) may only have one (1) vehicle, associated with the **use**, provided that vehicle is not a **large vehicle**;
- (m) must not directly sell any goods at the premises, unless they are incidental and related to the services provided by the **use**;
- (n) does not require additional **motor vehicle parking stalls**; and
- (o) does not require **bicycle parking stalls – class 1 or class 2**.

## 208 “Home Occupation – Class 2”

14P2010,  
9P2012

- (a) means the incidental **use** by a resident of a **Dwelling Unit** for business purposes;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may have more than three (3) business associated vehicle visits per week which includes but is not limited to drop-offs, pick-ups, deliveries, and visits from customers or consultants;
- (d) may only have one (1) non-residents of the **Dwelling Unit** work on the **parcel** where the **use** is located;
- (e) may use the **private garage** or **Accessory Residential Building** for business related activities, including storage;

- (f) is limited to one (1) per **Dwelling Unit**;
- (g) must not create electronic interference, dust, noise, odour, smoke or anything of an offensive or objectionable nature, which is detectable to normal sensory perception, outside the **building** containing the **use**;
- (h) must not display any form of signage related to the **use** on the **parcel**;
- (i) must not advertise the address of the **use** to the general public;
- (j) may only occupy the lesser of 20.0 per cent of the cumulative floor area of the **Dwelling Unit**, or 30.0 square metres;
- (k) must not have any activities related to the **use** take place outside of a **Dwelling Unit**, which includes the outside storage of materials, tools, products or equipment;
- (l) may only have one (1) vehicle, associated with the **use**, provided that vehicle is not a **large vehicle**;
- 5P2013 (m) must not generate more than five (5) business associated vehicle visits to the **parcel** on any one day, to a maximum of 15 business associated vehicle visits per week;
- 5P2013, 44P2013 (n) must not directly sell any goods at the premises, unless they are incidental and related to the services provided by the **use**;
- 5P2013, 44P2013 (o) requires a minimum of 1.0 **motor vehicle parking stalls** in addition to the **motor vehicle parking stalls** required for the **Dwelling Unit** the **use** is located in, where the number of business associated vehicle visits per week exceeds three (3); and
- 44P2013 (p) does not require **bicycle parking stalls – class 1** or **class 2**.

14P2010

## 208.1 “Hospital”

- (a) means a **use**:
  - (i) that maintains and operates facilities for both inpatient and outpatient medical care;
  - (ii) that may include long-term and short-term care, overnight stays, diagnostic, laboratory, and surgical services, for the treatment of human illness, injury, and disease; and
  - (iii) that may include the accessory **uses** necessary for the functioning of the institution;
- (b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;

- (c) requires a minimum number of **motor vehicle parking stalls** based on a parking study required at the time of land use redesignation application;
- (d) requires a minimum of 1.0 **bicycle parking stalls – class 1** per 1000.0 square metres of **gross usable floor area**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 1000.0 square metres **gross usable floor area**.

## 209 “Hotel”

- (a) means a **use**:
  - (i) where sleeping accommodation, other than a **Dwelling Unit**, is provided to visitors for remuneration; and
  - (ii) that may be combined with a **use** from the Eating and Drinking Group in Schedule A when such a **use** is contained within a **Hotel**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) does not have a maximum **use area** in any District;
- (d) must not have more than 20 guest rooms in the C-C2, C-COR1 and C-COR2 Districts when located within 45.0 metres of a **low density residential district**, which must be measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **low density residential district**;
- (e) located in the I-B District must not have a **building height** greater than 11.0 metres where the **parcel** containing the **Hotel** shares a **property line** with a **low density residential district**; and
- (e.1) when it is combined with a **use** from the Eating and Drinking Group in Schedule A as allowed in subsection (a)(ii), must also comply with the rules for that **use**;
- (f) requires a minimum number of **motor vehicle parking stalls** for the sleeping accommodation that is the greater of:
  - (i) 1.0 stalls per 2.5 guest rooms: or
  - (ii) 1.0 stalls per guest room when the **parcel** on which the **building** containing the **use** is located **adjacent** to or separated by a **lane** or **street** from a **low density residential district**.
- (g) does not require **bicycle parking stalls – class 1** or **class 2**.

67P2008

## 210 *deleted*

39P2012



- (g) must provide a designated storage area for all equipment stored on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (h) requires a minimum of 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be:
  - (i) signed as being for the exclusive use of the customers and employees of the **use**; and
  - (ii) shown on the plan submitted for a **development permit**;
- (i) does not require **bicycle parking stalls – class 1**; and
- (j) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

## 222 “Large Vehicle Service”

- (a) means a **use** where **large vehicles** undergo maintenance and repair; 44P2013
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and 9P2012
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

## 223 “Large Vehicle Wash”

- (a) means a **use** where large **vehicles** are washed; 44P2013
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**; 47P2008
- (d) must provide at least two (2) vehicle stacking spaces when the **use** only has one wash bay door;
- (e) where located within 23.0 metres of a **residential district**, must have any vacuum cleaners situated:
  - (i) within the **building**; or
  - (ii) within a **screened** enclosure that:

- (A) must be shown on the plans required at the time of **development permit** application;
  - (B) is located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties;
  - (C) is constructed of materials and to the standards required by the **Development Authority**; and
  - (D) is maintained in a state of repair and tidiness such that it does not become an eyesore or a hazard;
- (f) requires 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
  - (g) does not require **bicycle parking stalls – class 1** or **class 2**.

## 224 “Library”

- (a) means a **use**:
  - (i) where collections of materials are maintained primarily for the purpose of lending to the public;
  - (ii) that may provide lecture theatres, meeting rooms, study space and computers for users of the **use**; and
  - (iii) that may have rooms for the administrative functions of the **use**;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** and 1.0 **motor vehicle parking stalls** per four (4) person capacity of the largest **assembly area** in the **building**, which is calculated by one of the following methods:
  - (i) one (1) person per 0.75 square metres for areas of non-fixed seating;
  - (ii) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
  - (iii) one (1) person per 0.5 linear metres of bench seating; or
  - (iv) the maximum capacity of the **assembly area** as stated in the **development permit**;

**323 “Vehicle Rental – Major”**

- (a) means a *use*:
  - (i) where passenger vehicles and light trucks are rented to the public;
  - (ii) where the **gross vehicle weight** of the vehicles rented is less than 8200 kilograms; and
  - (iii) where more than five (5) vehicles are available for rent;
- (b) is a *use* within the Sales Group in Schedule A to this Bylaw;
- (c) must provide 1.0 **motor vehicle parking stalls** for every inventory vehicle on the *parcel*, which must be shown on the plan submitted for a **development permit**;
- (d) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the *use*, which must be:
  - (i) signed as being for the exclusive use of the customers and employees of the *use*; and
  - (ii) shown on the plan submitted for a **development permit**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

**324 “Vehicle Rental – Minor”**

- (a) means a *use*:
  - (i) where passenger vehicles and light trucks are rented to the public;
  - (ii) where the motor vehicles rented are not **large vehicles** or **recreational vehicles**; and
  - (iii) where no more than five (5) vehicles are available for rent;
- (b) is a *use* within the Sales Group in Schedule A to this Bylaw;
- (c) must provide 1.0 **motor vehicle parking stalls** for every inventory vehicle on the *parcel*, which must be shown on the plan submitted for a **development permit**;
- (d) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the *use*, and these **motor vehicle parking stalls** must be:
  - (i) signed as being for the exclusive use of the customers and employees of the *use*; and

71P2008,  
44P2013

- (ii) shown on the plan submitted for a **development permit**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

**325 “Vehicle Sales – Major”**

71P2008, 44P2013

- (a) means a **use**:
  - (i) where motor vehicles are sold or leased;
  - (ii) where six (6) or more vehicles, that are not **large vehicles** or **recreational vehicles**, are available for sale or lease; and
  - (iii) that may be combined with an **Auto Body and Paint Shop**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not have more than 25.0 per cent of the **gross floor area** occupied by an **Auto Body and Paint Shop**;
- (d) must not have an outdoor speaker system;
- (e) may only store or display vehicles on portions of the **parcel** approved exclusively for storage or display;
- (f) must only accept deliveries and offloading of vehicles within a designated area on the **parcel**;
- (g) must provide 1.0 **motor vehicle parking stall** for every inventory vehicle on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (h) requires a minimum of 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be:
  - (i) signed as being for the exclusive use of the customers and employees of the **use**; and
  - (ii) shown on the plan submitted for a **development permit**;
- (i) does not require **bicycle parking stalls – class 1**; and
- (j) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

**326 “Vehicle Sales – Minor”**

- (a) means a **use**:
  - (i) where motor vehicles are sold or leased; and

- (ii) where no more than five (5) motor vehicles, that are not **large vehicles** or **recreational vehicles**, are available for sale or lease; 71P2008, 44P2013
- (iii) *deleted* 71P2008
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not have an outdoor speaker system;
- (d) may only store or display vehicles on portions of the **parcel** approved exclusively for storage or display;
- (e) must only accept deliveries and offloading of vehicles within a designated area on the **parcel**;
- (f) must provide 1.0 **motor vehicle parking stalls** for every inventory vehicle on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (g) requires a minimum of 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be;
  - (i) signed as being for the exclusive use of the customers and employees of the **use**; and
  - (ii) shown on the plan submitted for a **development permit**;
- (h) does not require **bicycle parking stalls – class 1**; and
- (i) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

### 327 “Vehicle Storage – Large”

- (a) means a **use**:
  - (i) where **large vehicles** are stored; 32P2009, 44P2013
  - (ii) where the vehicles stored are not serviced, cleaned or repaired either in a **building** or outdoors;
  - (iii) that does not accommodate the storage of any equipment;
  - (iv) that does not accommodate the storage of any **dilapidated vehicles**;
  - (v) that may have a **building** for administrative functions associated with the **use**; and
  - (vi) that does not involve the production, display or sale of vehicles as part of the **use**;

- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) must provide a stall for every vehicle stored on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be;
  - (i) signed as being for the exclusive use of the customers and employees of the **use**; and
  - (ii) shown on the plan submitted for a **development permit**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

### 328 “Vehicle Storage – Passenger”

32P2009,  
44P2013

10P2009

- (a) means a **use**:
  - (i) where motor vehicles are stored, provided they are not **large vehicles** or **recreational vehicles**;
  - (ii) where the vehicles stored are not serviced, cleaned or repaired either in a **building** or outdoors;
  - (iii) that does not accommodate the storage of any equipment;
  - (iv) that does not accommodate the storage of any **dilapidated vehicles**;
  - (v) that may have a **building** for administrative functions associated with the **use**; and
  - (vi) that does not involve the production, display or sale of vehicles as part of the **use**;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) must provide 1.0 **motor vehicle parking stalls** for every vehicle stored on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be;

- (5) Where a **Contextual Single Detached Dwelling** is located on a **parcel** with a **parcel width** greater than 10.0 metres, the maximum area of a horizontal cross section through each **storey** above the first **storey** must not exceed the **building coverage**.
- (6) Where a **private garage** is attached to a **Contextual Single Detached Dwelling**, the maximum **building coverage** is the maximum **parcel coverage** which must be reduced by 21.0 square metres for each required **motor vehicle parking stall**.

27P2011

### Contextual Semi-detached Dwelling

#### 347.1 (1) A Contextual Semi-detached Dwelling:

27P2011

- (a) must have:
- (i) the principal front façade of one **unit** staggered a minimum of 0.6 metres behind the principal front façade of the other **unit**; and
  - (ii) the principal rear façade of one **unit** staggered a minimum of 0.6 metres behind the principal rear façade of the other **unit**;
- (b) must have façade articulation for each **unit**, by including:
- (i) a portion of the front façade of each **unit** recessed or projecting forward from the remainder of the front façade of that **unit**, with the projecting or recessed portion having a minimum dimension of:
    - (A) 2.0 metres in width;
    - (B) 0.6 metres in depth; and
    - (C) 2.4 metres in height; or
  - (ii) a **porch** that projects from the front façade a minimum dimension of:
    - (A) 2.0 metres in width; and
    - (B) 1.2 metres in depth;
- (c) located on a **corner parcel** must have an exterior entrance which is visible from the **street** side of the **corner parcel**;
- (d) must not have vehicular access from the lane to an attached **private garage**;
- (e) must not have windows that are located beyond the rear façade of a **contextual adjacent building** on an adjoining **parcel** unless:
- (i) the window is located below the second **storey**;
  - (ii) the window is located on the rear façade;
  - (iii) the glass in the window is entirely obscured; or

9P2012,  
44P2013

- (iv) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; and
  - (f) must not have a roof slope less than 4:12 within 1.5 metres of the horizontal plane forming the maximum **building height**;
  - (g) must not be located on a **parcel** where the difference between the **average building reference points** is greater than 2.4 metres;
  - (h) must not have an exterior entrance from **grade**:
    - (i) directly accessing an internal stairwell; or
    - (ii) located on a side façade, except on the **street** side of a **corner parcel**; and
  - (i) must not have an exterior entrance to a **basement** except where:
    - (i) the exterior entrance is located on the same façade as the at-**grade** entrance to a **walkout basement**; or
    - (ii) the exterior entrance provides access to a **basement** level **private garage**.
- (2) **A Contextual Semi-detached Dwelling:**
- (a) may have a **balcony** located on a side façade where:
    - (i) it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or
    - (ii) it is on the **street** side of a **corner parcel**;
  - (b) may have a **balcony** located on a rear façade where:
    - (i) it does not form part of the side façade unless the side façade is on the **street** side of a **corner parcel**;
    - (ii) a **privacy wall** is provided where the **balcony** is facing a **side property line** shared with a **contextual adjacent building**; and
    - (iii) the **privacy wall** is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height; and
  - (c) must not have a **balcony** with a height greater than 6.0 metres, when measured vertically at any point from **grade** to the platform of the **balcony**.
- (3) The maximum **building depth** of a **Contextual Semi-detached Dwelling** is the greater of:
- (a) 60.0 per cent of the **parcel depth**; or
  - (b) the **contextual building depth average**.

**Building Setback from Side Property Line**

- 397** (1) For a *laned parcel*, the minimum **building setback** from any *side property line* is 1.2 metres.
- (2) For a *laneless parcel*, the minimum **building setback** from any *side property line* is:
- (a) 1.2 metres; or
  - (b) 3.0 metres on one side of the *parcel* when no provision has been made for a **private garage** on the front or side of a **building**.
- (3) Unless otherwise referenced in subsection (4), for a **corner parcel** the minimum **building setback** from a *side property line* shared with a **street** is 1.2 metres, provided there is no portion of a **building**, except for a projection allowed in 337(3), located within 3.0 metres of:
- (a) the back of the public sidewalk; or
  - (b) the curb, where there is no public sidewalk.
- (4) Where a **corner parcel** shares a *side property line* with a **street** and the *parcel* forms part of a **plan of subdivision** approved by the Calgary Planning Commission prior to March 31, 1980, the minimum **building setback** from that *side property line* is 1.2 metres.
- (5) The **building setback** required in 2(b) may be reduced where the owner of the *parcel* proposed for **development** and the owner of the **adjacent parcel** register, against both titles, an exclusive private access easement:
- (a) where the width of the easement, in combination with the reduced **building setback**, must be at least 3.0 metres; and
  - (b) provides unrestricted vehicle access to the rear of the *parcel*.
- (6) One **building setback** from a *side property line* may be reduced to zero metres where:
- (a) the owner of the *parcel* proposed for **development** and the owner of the **adjacent parcel** register, against both titles, a 2.4 metre private maintenance easement that provides for a 0.60 metre eave and footing encroachment easement; and
  - (b) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the *parcel* on which the **building** is located.

**Building Setback from Rear Property Line**

**398** The minimum *building setback* from a *rear property line* is 7.5 metres.

**Building Height**

3P2010

**399 (1)** For a **Contextual Single Detached Dwelling** and a **Single Detached Dwelling**, the maximum *building height* is the greater of:

- (a) 8.6 metres; or
- (b) the *contextual height* plus 1.5 metres, to a maximum of 10.0 metres.

3P2010

**(2)** *deleted*

**(3)** For all other *uses*, the maximum *building height* is 10.0 metres.

3P2010

**400** *deleted*

3P2010

**401** *deleted*

3P2010

**402** *deleted*

3P2010

**403** *deleted*

**Building Setback from Front Property Line**

- 435 (1) For a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** and a **Single Detached Dwelling**, the minimum **building setback** from a **front property line** is the greater of:
- (a) the **contextual front setback** less 1.5 metres; or
- (b) 3.0 metres.
- (2) *deleted* 3P2010
- (3) For an addition or exterior alteration to a **Duplex Dwelling, Semi-detached Dwelling, or Single Detached Dwelling** which was legally existing or approved prior to the effective date of this Bylaw, the minimum **building setback** from a **front property line** is the lesser of:
- (a) the **contextual front setback** less 1.5 metres to a minimum of 3.0 metres; or
- (b) the existing **building setback** less 1.5 metres to a minimum of 3.0 metres. 46P2009
- (4) *deleted* 46P2009
- (5) For all other **uses**, the minimum **building setback** from a **front property line** is 3.0 metres.

**Building Setback from Side Property Line**

- 436 (1) For a **laned parcel**, the minimum **building setback** from any **side property line** is 1.2 metres.
- (2) For a **laneless parcel**, the minimum **building setback** from any **side property line** is:
- (a) 1.2 metres; or
- (b) 3.0 metres on one side of the **parcel** when no provision is made for a **private garage** on the front or side of a **building**.
- (3) For a **parcel** containing a **Contextual Semi-detached Dwelling** or a **Semi-detached Dwelling**, there is no requirement for a **building setback** from the **side property line** upon which the party wall is located. 27P2011
- (4) Unless otherwise referenced in subsection (5), for a **corner parcel**, the minimum **building setback** from a **side property line** shared with a **street** is 1.2 metres, provided there is no portion of a **building**, except for a projection allowed in 337(3), located within 3.0 metres of:

44P2013

- (a) the back of the public sidewalk; or
  - (b) the curb where there is no public sidewalk.
- (5) Where a **corner parcel** shares a **side property line** with a **street** and the **parcel** forms part of a **plan of subdivision** approved by the Calgary Planning Commission prior to March 31, 1980, the minimum **building setback** from that **side property line** is 1.2 metres.
- (6) The **building setback** from a **side property line** of 3.0 metres required in subsection 2(b) may be reduced where the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, an exclusive private access easement:
- (a) where the width of the easement, in combination with the reduced **building setback**, must be at least 3.0 metres; and
  - (b) that provides unrestricted vehicle access to the rear of the **parcel**.
- (7) One **building setback** from a **side property line** may be reduced to zero metres where:
- (a) the owner of the **parcel** proposed for **development** and the owner of the **adjacent parcel** register, against both titles, a 2.4 metre private maintenance easement that provides for a 0.60 metre eave and footing encroachment easement; and
  - (b) all roof drainage from the **building** is discharged through eavestroughs and downspouts onto the **parcel** on which the **building** is located.

#### Building Setback from Rear Property Line

**437** The minimum **building setback** from a **rear property line** is 7.5 metres.

#### Building Height

3P2010, 27P2011

**438 (1)** For a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** and a **Single Detached Dwelling**, the maximum **building height** is the greater of:

- (a) 8.6 metres; or
- (b) the **contextual height** plus 1.5 metres, to a maximum of 10.0 metres.

3P2010

- (2) *deleted*
- (3) For all other **uses**, the maximum **building height** is 10.0 metres.

### Landscaped Area Reductions – Multi-Residential Development

**553** The minimum **landscaped area** of 40.0 per cent for **Multi-Residential Development** may be reduced by the three options as referenced in sections 554, 555 and 556 individually or in combination, to a total available reduction of 10.0 per cent of the area of a **parcel**.

### Street-Oriented Multi-Residential Landscaping Option

44P2013

- 554** (1) For the Street-Oriented Multi-Residential Landscaping Option, the required 40.0 per cent **landscaped area** may be reduced for a **street oriented multi-residential building** by 2.0 square metres for every 1.0 metres of **frontage** along the **property line** shared with a **street**, not including motor vehicle access driveways, to a maximum of 4.0 per cent of the area of the **parcel**.
- (2) Subsection (1) does not apply to a **street-oriented multi-residential building** abutting a **private condominium roadway**.

### Enhanced Landscaping Option

**555** For the Enhanced Landscaping Option, the required 40.0 per cent **landscaped area** may be reduced by 3.0 per cent of the area of the **parcel** where:

- (a) 1.0 trees and 2.0 shrubs are planted for every 25.0 square metres of **landscaped area** provided;
- (b) deciduous trees have a minimum **calliper** of 65 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 85 millimetres at the time of planting; and
- (c) coniferous trees have a minimum height of 3.0 metres and at least 50.0 per cent of the provided coniferous trees must have a minimum height of 4.0 metres at the time of planting.

### Low Water Landscaping Option

**556** For the Low Water Landscaping Option, the required 40.0 per cent **landscaped area** may be reduced by 3.0 per cent of the area of the **parcel** where:

- (a) a **low water irrigation system** is provided;
- (b) the delivery of the irrigated water is confined to trees and shrubs;
- (c) trees and shrubs with similar water requirements are grouped together;

- (d) a maximum of 30.0 per cent of the required **landscaped area** is planted with sod and the remainder is covered with plantings, mulch or hard surfaces;
- (e) a minimum of 30.0 per cent of required trees are selected from the list in Table 3: Low Water Trees; and
- (f) a minimum of 30.0 per cent of required shrubs are selected from the list in Table 4: Low Water Shrubs.

- (t) **Single Detached Dwelling;**
  - (u) **Temporary Residential Sales Centre;** and
  - (v) **Utility Building.**
- (2) The following **uses** are additional **discretionary uses** if they are located in **buildings** used or previously used as **School Authority – School** in the Multi-Residential – Contextual Low Profile District:
- (a) **Library;**
  - (b) **Museum;**
  - (c) **School – Private;**
  - (d) **School Authority Purpose – Major;** and
  - (e) **Service Organization.**
- (3) The following **uses** are additional **discretionary uses** on a **parcel** in the Multi-Residential – Contextual Low Profile District that has a **building** used or previously used as **School Authority – School**:
- (a) **Community Recreation Facility;**
  - (b) **Food Kiosk;**
  - (c) **Indoor Recreation Facility;**
  - (d) **Outdoor Recreation Area;**
  - (e) **Park Maintenance Facility – Large;** and
  - (f) **Park Maintenance Facility – Small.**

## Rules

**589** In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3;
- (c) the applicable Uses And Use Rules referenced in Part 4; and
- (d) the applicable rules for the Special Purpose – Community Service District for those **uses** referenced in sections 587(2) and 588(2) and (3).

**Density**

- 590** (1) The maximum **density** for **parcels** designated M-C1 District is 148 **units** per hectare.
- (2) The maximum **density** for **parcels** designated M-C1 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
  - (b) the number after the letter “d” must not exceed the maximum **density** referenced in subsection (1).

**Setback Area**

- 591** The depth of all **setback areas** must be equal to the minimum **contextual multi-residential building setback** and the **building setback** required in section 592.

**Building Setbacks**

- 592** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is the greater of:
- (a) the **contextual multi-residential building setback**; or
  - (b) 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is the **contextual multi-residential building setback** less 1.5 metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.
- (5) The minimum **building setback** from a **property line** shared with another **parcel** for a **street-oriented multi-residential building** is zero metres, when the adjoining **parcel** is designated:
- (a) C-N1, C-COR1, CC-X or CC-COR District; or
  - (b) M-CG, M-C1, M-C2, M-H1, M-H2, M-H3, M-X1, M-X2, CC-MH or CC-MHX District and contains four or more **Dwelling Units**.

51P2008

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- (o) **Semi-detached Dwelling;**
  - (p) **Sign – Class B;**
  - (q) **Sign – Class C;**
  - (r) **Sign – Class D;**
  - (s) **Sign – Class E;**
  - (t) **Single Detached Dwelling;**
  - (u) **Temporary Residential Sales Centre; and**
  - (v) **Utility Building.**
- (2) The following **uses** are additional **discretionary uses** if they are located in **buildings** used or previously used as **Community Recreation Facility** or **School Authority – School** in the Multi-Residential – Contextual Medium Profile District: 53P2008
- (a) **Library;**
  - (b) **Museum;**
  - (c) **School – Private;**
  - (d) **School Authority Purpose – Major; and**
  - (e) **Service Organization.**
- (3) The following **uses** are additional **discretionary uses** on a **parcel** in the Multi-Residential – Contextual Medium Profile District that has a **building** used or previously used as **School Authority – School**:
- (a) **Community Recreation Facility;**
  - (b) **Food Kiosk;**
  - (c) **Indoor Recreation Facility;**
  - (d) **Outdoor Recreation Area;**
  - (e) **Park Maintenance Facility – Large; and**
  - (f) **Park Maintenance Facility – Small.**

## Rules

- 598** In addition to the rules in this District, all **uses** in this District must comply with:

- 44P2013
- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
  - (b) the Rules Governing All Districts referenced in Part 3;
  - (c) the applicable Uses And Use Rules referenced in Part 4; and
  - (d) the applicable rules for the Special Purpose – Community Service District for those **uses** referenced in sections 596(2) and 597(2) and (3).

7P2011

### Floor Area Ratio

- 599** (1) The maximum **floor area ratio** is 2.5.
- (2) The maximum **floor area ratio** for all **buildings** on **parcels** designated M-C2 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be less than 2.5.

13P2008

### Density

- 600** (1) There is no maximum **density** for **parcels** designated M-C2 District, unless established as referenced in subsection (2).
- (2) The maximum **density** for **parcels** designated M-C2 District followed by the letter “d” and a number indicated on the Land Use District Maps is the number expressed in **units** per hectare.

### Setback Area

- 601** The depth of all **setback areas** must be equal to the minimum **contextual multi-residential building setback** and **building setback** required in section 602.

### Building Setbacks

- 602** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is the greater of:
- (a) the **contextual multi-residential building setback**; or
  - (b) 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is a minimum of the **contextual multi-residential building setback** less 1.5 metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.

- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.
- (5) The minimum **building** setback from a **property line** shared with another **parcel** for a **street-oriented multi-residential building** is zero metres when the adjoining **parcel** is designated:
- (a) C-N1, C-COR1, CC-X or CC-COR District; or 51P2008
- (b) M-CG, M-C1, M-C2, M-H1, M-H2, M-H3, M-X1, M-X2, CC-MH or CC-MHX District and contains four or more **Dwelling Units**. 51P2008

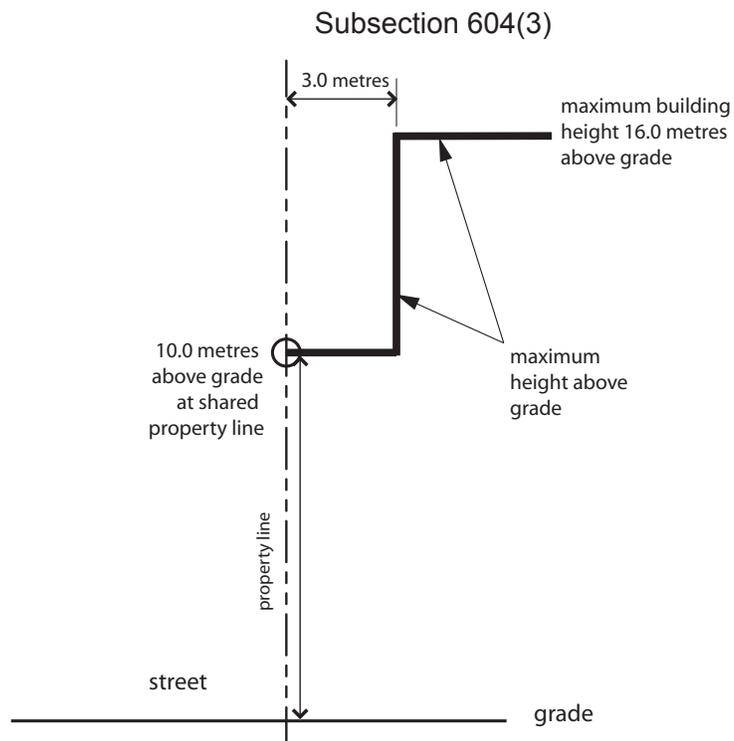
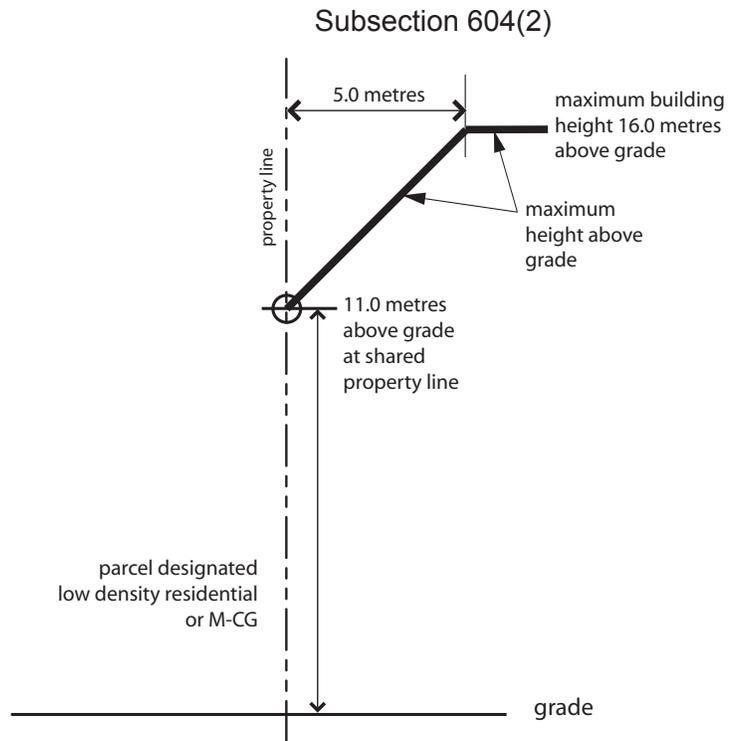
### Landscaping

- 603** At least 90.0 per cent of the required **landscaped area** must be provided at **grade**.

### Building Height and Cross Section

- 604** (1) Unless otherwise referenced in subsections (2) and (3), the maximum **building height** is 16.0 metres.
- (2) Where a **parcel** shares a **property line** with a **parcel** designated with a **low density residential district** or M-CG District, the maximum **building height**:
- (a) is 11.0 metres measured from **grade** at the shared **property line**; and
- (b) increases proportionately to a maximum of 16.0 metres measured from **grade** at a distance of 5.0 metres from the shared **property line**.
- (3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:
- (a) 10.0 metres measured from **grade** within 3.0 metres of that shared **property line**; and
- (b) 16.0 metres measured from **grade** at a distance greater than 3.0 metres from that shared **property line**.
- (4) The maximum area of a horizontal cross section through a **building** at 14.0 metres above **average grade** must not be greater than 40.0 per cent of the maximum area of a horizontal cross section through the **building** between average **grade** and 12.0 metres.
- (5) The following diagrams illustrate the rules of subsections (2), (3) and (4):

Illustration 5:  
Building Height and Cross Section in the Multi-Residential  
Contextual Medium Profile (M-C2) District



- (c) the applicable Uses And Use Rules referenced in Part 4.

### Density

- 609** (1) The minimum **density** for **parcels** designated M-G District is 35 **units** per hectare.
- (2) The maximum **density** for **parcels** designated M-G District is 80 **units** per hectare.
- (3) The maximum **density** for **parcels** designated M-G District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
- (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1) or exceed the maximum **density** referenced in subsection (2).

9P2012

### Building Form

- 610** (1) **Buildings** that contain a **unit** must contain at least three or more **units**.
- (2) Each **unit** must have a separate and direct pedestrian access to **grade**.
- (3) *deleted*

7P2011

### Setback Area

- 611** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 612.

### Building Setbacks

- 612** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.

- (5) The minimum **building setback** from a **property line** shared with another **parcel** for a **street-oriented multi-residential building** is zero metres, when the adjoining **parcel** is designated as:
- (a) C-N1 or C-COR1 District; or
  - (b) M-G, M-1, M-2, M-H1, M-H2, M-H3, M-X1, or M-X2 District.

### Landscaping

**613** All of the minimum required **landscaped area** must be provided at **grade**.

### Building Height

**614** The maximum **building height** is 13.0 metres.

7P2011

### Amenity Space

- 615** (1) Unless otherwise referenced in subsection (4), a **balcony**, **deck**, or **patio** must not be located in any **setback area**.
- (2) Each **unit** in a **Multi-Residential Development** and a **Multi-Residential Development – Minor** must have an **amenity space**:
- (a) provided for the private use of the occupants of the **unit**;
  - (b) that has a minimum area of 7.5 square metres with no dimension less than 2.0 metres; and
  - (c) in the form of a **balcony**, **deck**, or **patio**.
- (3) Where a **patio** is located within 4.0 metres of a **lane** or another **parcel**, it must be **screened**.
- (4) A **patio** may be located between a **street-oriented multi-residential building** and a **property line** shared with a **street**.

- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

### Density

- 620** (1) The minimum **density** for **parcels** designated M-1 District is 50 **units** per hectare.
- (2) The maximum **density** for **parcels** designated M-1 District is 148 **units** per hectare.
- (3) The maximum **density** for **parcels** designated M-1 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
  - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1) or exceed the maximum **density** referenced in subsection (2).

### Setback Area

- 621** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 622.

### Building Setbacks

- 622** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.
- (5) The minimum **building setback** from a **property line** shared with another **parcel** for a **street-oriented multi-residential building** is zero metres when the adjoining **parcel** is designated:
- (a) C-N1 or C-COR1 District; or
  - (b) M-G, M-1, M-2, M-H1, M-H2, M-H3, M-X1, or M-X2 District.

### Landscaping

- 623** At least 90.0 per cent of the required **landscaped area** must be provided at **grade**.

### Building Height

- 624** (1) Unless otherwise referenced in subsection (2) and (3), the maximum **building height** is 14.0 metres.
- (2) Where a **parcel** shares a **property line** with a **parcel** designated with a **low density residential district** or M-G District, the maximum **building height**:
- (a) is 9.0 metres measured from **grade** at the shared **property line**; and
  - (b) increases proportionately to a maximum of 14.0 metres measured from **grade** at a distance of 5.0 metres from the shared **property line**.
- (3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:
- (a) 10.0 metres measured from **grade** within 3.0 metres of that shared **property line**; and
  - (b) 14.0 metres measured from **grade** at a distance greater than 3.0 metres from that shared **property line**.
- (4) The following diagrams illustrate the rules of subsections (2) and (3):

## Rules

**628** In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

## Floor Area Ratio

7P2011

- 629** (1) The maximum **floor area ratio** is 3.0.
- (2) The maximum **floor area ratio** for all **buildings on parcels** designated M-2 District is the number following the letter “F” when indicated on the Land Use District Maps, which must be less than 3.0.

## Density

13P2008

- 630** (1) The minimum **density** for **parcels** designated M-2 District is 60 **units** per hectare.
- (2) There is no maximum **density** for **parcels** designated M-2 District, unless established as referenced in subsection (3).
- (3) The maximum **density** for **parcels** designated M-2 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
  - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1).

## Setback Area

**631** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 632.

## Building Setbacks

- 632** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.

- (5) The minimum **building setback** from a **property line** shared with another **parcel** for a **street-oriented multi-residential building** is zero metres when the adjoining **parcel** is designated:
- (a) C-N1 or C-COR1 District; or
  - (b) M-G, M-1, M-2, M-H1, M-H2, M-H3, M-X1, or M-X2 District.

### Landscaping

- 633** At least 90.0 per cent of the required **landscaped area** must be provided at **grade**.

### Building Height

- 634** (1) Unless otherwise referenced in subsections (2) and (3), the maximum **building height** is 16.0 metres.
- (2) Where a **parcel** shares a **property line** with a **parcel** designated with a **low density residential district** or M-G District, the maximum **building height**:
- (a) is 11.0 metres measured from **grade** at the shared **property line**; and
  - (b) increases proportionately to a maximum of 16.0 metres measured from **grade** at a distance of 5.0 metres from the shared **property line**.
- (3) Where a **parcel** shares a **property line** with a **street**, the maximum **building height** is:
- (a) 10.0 metres measured from **grade** within 3.0 metres of that shared **property line**; and
  - (b) 16.0 metres measured from **grade** at a distance greater than 3.0 metres from that shared **property line**.
- (4) The following diagrams illustrate the rules of subsection (2) and (3):

- (z) **Specialty Food Store;**
  - (aa) **Take Out Food Service;**
  - (bb) **Temporary Residential Sales Centre;** and
  - (cc) **Utility Building.**
- (2) The following *uses* are additional *discretionary uses* in the Multi Residential – High Density Low Rise District if they are located on a *parcel* in the *developed area* that is used or was previously used as **Duplex Dwelling**, **Semi-detached Dwelling** or **Single Detached Dwelling**:
- (a) **Duplex Dwelling;**
  - (b) *deleted* 33P2011
  - (c) **Secondary Suite – Detached Garage;**
  - (d) **Secondary Suite – Detached Garden;**
  - (e) **Semi-detached Dwelling;** and
  - (f) **Single Detached Dwelling.**

## Rules

**638** In addition to the rules in this District, all *uses* in this District must comply with:

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing all Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

## Floor Area Ratio

- 639** (1) The maximum *floor area ratio* is 4.0. 7P2011
- (2) The maximum *floor area ratio* for all *buildings* on *parcels* designated M-H1 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be less than 4.0.

## Density

- 640** (1) The minimum *density* for *parcels* designated M-H1 District is 150 *units* per hectare. 13P2008
- (2) There is no maximum *density* for *parcels* designated M-H1 District, unless established as referenced in subsection (3).

- (3) The maximum **density** for **parcels** designated M-H1 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
  - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1).

### Setback Area

- 641** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 642.

### Building Setbacks

- 642** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a street is 6.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is zero metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 3.0 metres.
- (5) The minimum **building setback** from a **property line** shared with another **parcel** is zero metres when the adjoining **parcel** is designated as a:
- (a) **commercial district**;
  - (b) **industrial district**;
  - (c) **special purpose district**; or
  - (d) M-C2, M-2, M-H1, M-H2, M-H3, M-X2, CC-MH or CC-MHX District.

9P2012

51P2008

### Landscaping

- 643** At least 50.0 per cent of the required **landscaped area** must be provided at **grade**.

7P2011

### Building Height

- 644** (1) Unless otherwise referenced in subsections (2), (3), (4) and (5), the maximum **building height** is 26.0 metres.
- (2) The maximum **building height** for **parcels** designated M-H1 is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres, which must be less than 26.0 metres.

- (y) **Sign – Class C;**
  - (z) **Sign – Class D;**
  - (aa) **Sign – Class E;**
  - (bb) **Specialty Food Store;**
  - (cc) **Take Out Food Service;**
  - (dd) **Temporary Residential Sales Centre;** and
  - (ee) **Utility Building.**
- (2) The following **uses** are additional **discretionary uses** in the Multi Residential – High Density High Rise District if they are located on a **parcel** in the **developed area** that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling**:
- (a) **Duplex Dwelling;**
  - (b) *deleted*
  - (c) **Secondary Suite – Detached Garage;**
  - (d) **Secondary Suite – Detached Garden;**
  - (e) **Semi-detached Dwelling;** and
  - (f) **Single Detached Dwelling.**

33P2011

## Rules

**660** In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

## Floor Area Ratio

- 661** (1) The maximum **floor area ratio** is 11.0.
- (2) The maximum **floor area ratio** for all **buildings on parcels** designated M-H3 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be greater than 5.0 and less than 11.0.

## Density

13P2008

- 662** (1) The minimum **density** for **parcels** designated M-H3 District is 300 **units** per hectare.
- (2) There is no maximum **density** for **parcels** designated M-H3 District, unless established as referenced in subsection (3).

- (3) The maximum **density** for **parcels** designated M-H3 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
  - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1).

### Setback Area

- 663** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 664.

### Building Setbacks

- 664** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 6.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is zero metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 6.0 metres.
- (5) Where a **parcel** shares a **property line** with another **parcel**, the minimum **building setback** is zero metres when the adjoining **parcel** is designated as a:
- (a) **commercial district**;
  - (b) **industrial district**;
  - (c) **special purpose district**; or
  - (d) M-C2, M-2, M-H1, M-H2, M-H3, M-X2, CC-MH or CC-MHX District.

9P2012

51P2008

### Landscaping

- 665** At least 25.0 per cent of the required **landscaped area** must be provided at **grade**.

### Building Height

- 666** (1) Unless otherwise referenced in subsection (2), the maximum **building height** for **parcels** designated M-H3 is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

- (bb) **Temporary Residential Sales Centre**; and
  - (cc) **Utility Building**.
- (2) The following **uses** are additional **discretionary uses** in the Multi Residential – Low Profile Support Commercial District if they are located on a **parcel** in the **developed area** that is used or was previously used as **Duplex Dwelling**, **Semi-detached Dwelling** or **Single Detached Dwelling**:
- (a) **Duplex Dwelling**;
  - (b) *deleted* 33P2011
  - (c) **Secondary Suite – Detached Garage**;
  - (d) **Secondary Suite – Detached Garden**;
  - (e) **Semi-detached Dwelling**; and
  - (f) **Single Detached Dwelling**.

### Rules

**671** In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

### Density

- 672** (1) The minimum **density** for **parcels** designated M-X1 District is 50 **units** per hectare. 13P2008
- (2) The maximum **density** for **parcels** designated M-X1 District is 148 **units** per hectare. 13P2008
- (3) The maximum **density** for **parcels** designated M-X1 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in **units** per hectare; and
  - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1) or exceed the maximum **density** referenced in subsection (2).

### Setback Area

**673** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 674.

**Building Setbacks**

- 674 (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.
- (5) The minimum **building setback** from a **property line** shared with another **parcel** for a **street-oriented multi-residential building** is zero metres when the adjoining **parcel** is designated as a C-N1, C-COR1, CC-X or CC-COR District or a **multi-residential district**.

51P2008

**Landscaping**

- 675 At least 80.0 per cent of the required **landscaped area** must be provided at **grade**.

**Building Height**

- 676 (1) Unless otherwise referenced in subsections (2) and (3), the maximum **building height** is 14.0 metres.
- (2) Where a **parcel** shares a **property line** with a **parcel** designated as a **low density residential district** or M-G District, the maximum **building height**:
- (a) is 9.0 metres measured from **grade** at the shared **property line**; and
- (b) increases proportionately to a maximum of 14.0 metres measured from **grade** at a distance of 5.0 metres from the shared **property line**.
- (3) Where a **parcel** shares a **property line** with a **street** the maximum **building height** is:
- (a) 10.0 metres measured from **grade** within 3.0 metres of that shared **property line**; and
- (b) 14.0 metres measured from **grade** at a distance greater than 3.0 metres from that shared **property line**.
- (4) The following diagrams illustrate the rules of subsections (2) and (3):

- (t) **Retail and Consumer Service;**
  - (u) **Service Organization;**
  - (v) **Sign – Class B;**
  - (w) **Sign – Class C;**
  - (x) **Sign – Class D;**
  - (y) **Sign – Class E;**
  - (z) **Specialty Food Store;**
  - (aa) **Take Out Food Service;**
  - (bb) **Temporary Residential Sales Centre;** and
  - (cc) **Utility Building.**
- (2) The following **uses** are additional **discretionary uses** in the Multi Residential – Medium Profile Support Commercial District if they are located on a **parcel** in the **developed area** that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling**:
- (a) **Duplex Dwelling;**
  - (b) *deleted*
  - (c) **Secondary Suite – Detached Garage;**
  - (d) **Secondary Suite – Detached Garden;**
  - (e) **Semi-detached Dwelling;** and
  - (f) **Single Detached Dwelling.**

33P2011

## Rules

**681** In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

## Floor Area Ratio

7P2011

- 682** (1) The maximum **floor area ratio** is 3.0.
- (2) The maximum **floor area ratio** for all **buildings** on **parcels** designated M-X2 District is the number following the letter “F” when indicated on the Land Use District Maps, which must be less than 3.0,

## Density

13P2008

- 683** (1) The minimum **density** for **parcels** designated M-X2 District is 60 **units** per hectare.

- (2) There is no maximum **density** for **parcels** designated M-X2 District, unless established as referenced in subsection (3).
- (3) The maximum **density** for **parcels** designated M-X2 District followed by the letter “d” and a number indicated on the Land Use District Maps:
  - (a) is the number expressed in **units** per hectare; and
  - (b) the number after the letter “d” must not be less than the minimum **density** referenced in subsection (1).

### Setback Areas

- 684** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 685.

### Building Setbacks

- 685** (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 3.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** is zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is 1.2 metres.
- (4) Unless otherwise referenced in subsection (5), the minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.
- (5) The minimum **building setback** from a **property line** shared with another **parcel** for a **street-oriented multi-residential building** is zero metres when the adjoining **parcel** is designated as a C-N1, C-COR1, CC-X or CC-COR District or any **multi-residential district**.

51P2008

### Landscaping

- 686** At least 80.0 per cent of the required **landscaped area** must be provided at **grade**.

### Building Height

- 687** (1) Unless otherwise referenced in subsections (2) and (3), the maximum **building height** is 16.0 metres.
- (2) Where a **parcel** shares a **property line** with a **parcel** designated as a **low density residential district** or M-G District, the maximum **building height**:

- (a) a **commercial district**, there is no requirement for a **side setback area**;
  - (b) an **industrial district**, the **side setback area** must have a minimum depth of 3.0 metres;
  - (c) a **residential district**, the **side setback area** must have a minimum depth of 6.0 metres; and
  - (d) a **special purpose district**, the **side setback area** must have a minimum depth of 6.0 metres.
- (2) Where the **parcel** shares a **side property line** with a **lane**, **LRT corridor** or **street**, the **side setback area** must have a minimum depth of 6.0 metres.

### Landscaping In Setback Areas

- 769 (1) Where a **setback area** shares a **property line** with an **LRT corridor** or **street**, the **setback area** must:
- (a) be a **soft surfaced landscaped area**; and
  - (b) provide a minimum of 1.0 trees and 2.0 shrubs:
    - (i) for every 35.0 square metres; or
    - (ii) for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.
- (2) Where a **setback area** shares a **property line** with a **parcel** designated as a **residential district**, the **setback area** must:
- (a) be a **soft surfaced landscaped area**;
  - (b) provide a minimum of 1.0 trees:
    - (i) for every 30.0 square metres; or
    - (ii) for every 45.0 square metres, where irrigation is provided by **low water irrigation system**; and
  - (c) provide trees planted in a linear arrangement along the length of the **setback area**.
- (3) Where a **setback area** shares a **property line** with a **lane** or **parcel** designated as a **commercial**, **industrial** or **special purpose district**, the **setback area**:
- (a) must be a **soft surfaced landscaped area**;
  - (b) may have a sidewalk along the length of the **building**; and

- (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
  - (i) for every 35.0 square metres; or
  - (ii) for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.

### Minimum Required Motor Vehicle Parking Stalls

**770** The minimum number of **motor vehicle parking stalls**:

44P2013

- (a) is the requirement referenced in Part 4 for the following **uses**:
  - (i) **Cinema**;
  - (ii) **Hotel**;
  - (iii) **Library**;
  - (iv) **Medical Clinic** above the ground floor;
  - (v) **Office** above the ground floor; and
  - (vi) **Post-secondary Learning Institution**;
- (b) for each **Dwelling Unit** is:
  - (i) 0.75 stalls per **unit** for resident parking; and
  - (ii) 0.1 **visitor parking stalls** per **unit**;
- (c) for each **Live Work Unit** is:
  - (i) 1.0 stall per **unit** for resident parking; and
  - (ii) 0.5 **visitor parking stalls** per **unit**; and
- (d) for all other **uses** is 4.5 stalls per 100.0 square metres of **gross usable floor area**.

### Reductions of Minimum Motor Vehicle Parking Requirement

**771 (1)** The minimum number of **motor vehicle parking stalls** is reduced by 10.0 per cent where:

13P2008

- (a) a **building** that generates the parking requirement is located within 400.0 metres of an existing or approved Capital funded **LRT platform**; and
  - (b) the number of stalls required was determined by using the provisions referenced in subsection 770(d).
- (2)** The minimum number of **motor vehicle parking stalls** for an **Office** or **Information and Service Provider** is reduced by 5.0 per cent where:

- (b) provide a minimum of 1.0 trees and 2.0 shrubs:
    - (i) for every 30.0 square metres; or
    - (ii) for every 45.0 square metres, where irrigation is provided by a **low water irrigation system**; and
  - (c) provide trees planted in a linear arrangement along the length of the **setback area**.
- (4) Where a **setback area** shares a **property line** with a **parcel** designated as a **commercial, industrial** or **special purpose district**, the **setback area**:
- (a) must be a **soft surfaced landscaped area**;
  - (b) may have a sidewalk along the length of the **building**; and
  - (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
    - (i) for every 35.0 square metres; or
    - (ii) for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.
- (5) Where a **setback area** shares a **property line** with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district** and there is no access from the **lane**, the **setback area**:
- (a) must be a **soft surfaced landscaped area**;
  - (b) may have a sidewalk along the length of the **building**; and
  - (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
    - (i) for every 35.0 square metres; or
    - (ii) for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.

#### Minimum Required Motor Vehicle Parking Stalls

**791 (1)** Unless otherwise referenced in subsection (3), for **development** on **parcels** 0.4 hectares or less, the minimum number of **motor vehicle parking stalls**:

38P2009,  
23P2010

- (a) *deleted*
- (b) for each **Dwelling Unit** is:
  - (i) 0.75 **stalls** per **unit** for resident parking; and
  - (ii) 0.1 **visitor parking stalls**;
- (c) for each **Live Work Unit** is:

15P2008,  
39P2010

- (i) 0.5 **stalls** per **unit** for resident parking; and
  - (ii) 0.5 **visitor parking stalls**;
- (d) for an **Office**, when located on floors above the ground floor is:
- (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
  - (ii) the cumulative number of stalls referenced in subsection (i) must be reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
- (e) for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small** and **Restaurant: Licensed – Small** is 1.70 stalls per 10.0 square metres of **public area**;
- (f) for an **Information and Service Provider, Pet Care Service, Print Centre** and **Retail and Consumer Service** is:
- (i) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
  - (ii) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on or below the ground floor; and
  - (iii) where **Retail and Consumer Service uses** are located on or below the ground floor, the cumulative number of stalls referenced in subsection (ii) are reduced by 1.0 stall per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 3.0 stalls; and
- (g) for all other **uses** is the minimum requirement referenced in Part 4.

39P2010

44P2013

38P2009

(2) Unless otherwise referenced in sub-section (3), for **development** on **parcels** greater than 0.4 hectares, the minimum number of **motor vehicle parking stalls**:

- (a) for each **Dwelling Unit** is:
  - (i) 0.75 **stalls** per **unit** for resident parking; and
  - (ii) 0.1 **visitor parking stalls**;

- (b) for each **Live Work Unit** is:
- (i) 1.0 **stalls** per **unit** for resident parking; and
  - (ii) 0.5 **visitor parking stalls**;
- (c) for an **Office**, when located on floors above the ground floor is:
- (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
  - (ii) the cumulative number of stalls referenced in subsection (i) are reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
- (d) for a **Retail and Consumer Service** is: 39P2010
- (i) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
  - (ii) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on or below the ground floor; and
  - (iii) where **Retail and Consumer Service uses** are located on or below the ground floor, the cumulative number of stalls referenced in subsection (ii) are reduced by 1.0 stall per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 3.0 stalls; and 44P2013
- (e) for a **Child Care Service, Cinema, Conference and Event Facility, Drinking Establishment – Medium, Home Occupation – Class 1, Home Occupation Class – 2, Hotel, Library, Museum, Restaurant: Food Service Only – Medium, Restaurant: Licensed – Medium, and Seasonal Sales Area** is the minimum requirement referenced in Part 4; 13P2008,  
10P2009,  
4P2012
- (f) for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small, and Restaurant: Licensed – Small** is 1.70 stalls per 10.0 square metres of **public area**; and
- (g) for all other **uses** is 3.5 stalls per 100.0 square metres of **gross usable floor area**.

38P2009, 23P2010,  
39P2010, 5P2013

- (3) For a **Computer Games Facility, Convenience Food Store, Drinking Establishment – Medium, Drinking Establishment – Small, Liquor Store, Outdoor Café, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small, Retail and Consumer Service or Take Out Food Service**, located on the ground floor of a **building**, the minimum number of **motor vehicle parking stalls**:
- (a) In Area A, as illustrated on Map 7.1, is:
- (i) 0.0 stalls where:
- (A) the **building** contains a **Dwelling Unit, Hotel or Office** above the ground floor; or
- (B) the **use area** is less than or equal to 465.0 square metres; and
- (ii) 1.0 stalls per 100.0 square metres of **gross usable floor area** in all other cases; and
- (b) In Area B, as illustrated on Map 7.1, is:
- (i) 0.0 stalls where a **building** contains a **Dwelling Unit** above the ground floor;
- (ii) 0.0 stalls where the **use area** is less than or equal to 465.0 square metres, provided:
- (A) the **building** is only one **storey**; or
- (B) the **building** was legally existing or approved as of November 1, 2009; and
- (iii) 1.0 stalls per 100.0 square metres of **gross usable floor area** where the **use area** is greater than 465.0 square metres and where:
- (A) the **building** is only one **storey**; or
- (B) the **building** was legally existing or approved as of November 1, 2009; and
- (iv) in all other cases the minimum requirement referenced in subsections (1) and (2).

9P2012

### Excess Motor Vehicle Parking Stalls

- 792** Where the number of **motor vehicle parking stalls** provided for **uses**, not including **Dwelling Units** or **Live Work Units**, is in excess of 6.0 stalls per 100.0 square metres of **gross usable floor area**, those excess stalls must be located in either underground or structured parking.

|        |  |                 |
|--------|--|-----------------|
| (q)    | <b>Outdoor Café;</b>                               |                 |
| (q.1)  | <b>Parking Lot – Grade;</b>                        | 44P2013         |
| (q.2)  | <b>Parking Lot – Structure;</b>                    | 44P2013         |
| (r)    | <b>Restaurant: Food Service Only – Medium;</b>     |                 |
| (s)    | <b>Restaurant: Food Service Only – Small;</b>      |                 |
| (t)    | <b>Restaurant: Licensed – Medium;</b>              |                 |
| (u)    | <b>Restaurant: Licensed – Small;</b>               |                 |
| (v)    | <b>Restored Building Products Sales Yard;</b>      |                 |
| (w)    | <b>Retail Garden Centre;</b>                       |                 |
| (x)    | <b>Retail and Consumer Service;</b>                | 39P2010         |
| (y)    | <b>Seasonal Sales Area;</b>                        |                 |
| (z)    | <b>Sign – Class C;</b>                             |                 |
| (aa)   | <b>Sign – Class E;</b>                             |                 |
| (bb)   | <b>Sign – Class F;</b>                             |                 |
| (bb.1) | <b>Sign – Class G;</b>                             | 30P2011         |
| (cc)   | <b>Special Function – Class 2;</b>                 | 4P2012          |
| (cc.1) | <i>deleted</i>                                     | 10P2009, 4P2012 |
| (dd)   | <b>Supermarket;</b>                                |                 |
| (ee)   | <b>Utility Building;</b>                           |                 |
| (ff)   | <b>Vehicle Rental – Major;</b>                     |                 |
| (gg)   | <b>Vehicle Rental – Minor;</b>                     |                 |
| (hh)   | <b>Vehicle Sales – Major;</b>                      | 38P2013         |
| (ii)   | <b>Vehicle Sales – Minor;</b>                      | 38P2013         |
| (jj)   | <b>Wind Energy Conversion System – Type 1; and</b> | 38P2013         |
| (kk)   | <b>Wind Energy Conversion System – Type 2.</b>     | 38P2013         |

## Rules

**846** In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

### **Parcel Area**

**847** The area of a *parcel* must be a minimum of 0.5 hectares and a maximum of 6.0 hectares.

### **Floor Area Ratio**

**848** The maximum *floor area ratio* for *parcels* designated Commercial – Regional 1 District is the number following the letter “f” indicated on the Land Use District Maps.

### **Building Height**

**849** The maximum *building height* is 15.0 metres.

### **Buildings**

- 850** (1) Every *parcel* in the Commercial – Regional 1 District must have one *building* that is equal to or exceeds 3600.0 square metres of *gross floor area*.
- (2) In addition to the *building* required by subsection (1), a *parcel* may have up to two *buildings*, so long as no additional *building* exceeds 360.0 square metres in *gross floor area*.
- (3) The maximum number of *buildings* on every *parcel* is three.

### **Use Area**

**851** Only one *use area* in a *building* in the Commercial – Regional 1 District must be equal to or greater than 3600.0 square metres.

### **Building Entrance Features**

- 852** The *public entrances* must be accentuated by a minimum of one example of three or more of the following features:
- (a) arcades;
  - (b) arches;
  - (c) awnings;
  - (d) pitched or raised cornice roof forms;
  - (e) porticoes;
  - (f) recesses or projections; or
  - (g) windows.

- (b) provide a minimum of 1.0 trees:
    - (i) for every 30.0 square metres; or
    - (ii) for every 45.0 square metres, where irrigation is provided by **low water irrigation system**;
  - (c) provide trees planted in a linear arrangement along the length of the **setback area**; and
  - (d) be **screened** by a **fence** that is a maximum height of 2.0 metres.
- (3) Where a **setback area** shares a **property line** with a **lane** or a **parcel** designated as a **commercial, industrial** or **special purpose district**, the **setback area**:
- (a) must be a **soft surfaced landscaped area**;
  - (b) may provide a sidewalk along the length of the **building**; and
  - (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
    - (i) for every 35.0 square metres; or
    - (ii) for every 50.0 square metres, where irrigation is provided by **low water irrigation system**.

### Minimum Required Motor Vehicle Parking Stalls

**874** The minimum number of **motor vehicle parking stalls**:

- (a) is the requirement referenced in Part 4 for the following **uses**:
  - (i) **Cinema**;
  - (ii) **Hotel**;
  - (iii) **Medical Clinic**, when located above the ground floor;
  - (iv) **Office**, when located above the ground floor;
  - (v) **Performing Arts Centre**; and
  - (vi) **Post-secondary Learning Institution**;
- (b) for each **Dwelling Unit** is:
  - (i) 1.0 stalls per **unit** for resident parking; and
  - (ii) 0.1 **visitor parking stalls** per **unit**;
- (c) for each **Live Work Unit** is:
  - (i) 1.0 stall per **unit** for resident parking; and
  - (ii) 0.5 **visitor parking stalls** per **unit**; and
- (d) for all other uses is 4.5 stalls per 100.0 square metres of **gross usable floor area**.

44P2013

### Reductions of Minimum Motor Vehicle Parking Requirement

- 875 (1)** The minimum number of *motor vehicle parking stalls* is reduced by 10.0 per cent where:
- 13P2008 (a) a **building** that generates the parking requirement is located within 400.0 metres of an existing or approved Capital funded **LRT platform**; and
- 44P2013 (b) the number of stalls required was determined by using the provisions referenced in subsections 874(a)(iv) and 874(d).
- 44P2013 **(2)** The minimum number of *motor vehicle parking stalls* for an **Office or Information and Service Provider** is reduced by 5.0 per cent where:
- (a) a **building** is located within 150.0 metres of a **street** where a **frequent bus service** operates,
- (b) the number of stalls required was determined by using the provisions referenced in subsections 874(a)(iv) or 874(d); and
- (c) the reduction for stalls referenced in subsection (1) was not applied.
- (3)** The minimum number of *motor vehicle parking stalls* required for an **Office or Information and Service Provider** is reduced:
- (a) by 1.0 *motor vehicle parking stalls* per six (6) **bicycle parking stalls – class 1** provided in excess of the minimum number of **bicycle parking stalls** required; and
- (b) by 1.0 *motor vehicle parking stalls* per two (2) lockers provided in a shower and change room facility.

### Excess Motor Vehicle Parking Stalls

- 876** Where the number of *motor vehicle parking stalls* provided for **uses**, not including **Dwelling Units** or **Live Work Units**, is in excess of 6.0 stalls per 100.0 square metres of **gross usable floor area**, those excess stalls must be located in either underground or structured parking.

### Exclusive Use of Motor Vehicle Parking Stalls

- 877** *Motor vehicle parking stalls* required for **uses** in accordance with the District referenced in section 874(d), must not be signed or in any way identified as being other than for the use of all users on the **parcel**.

### Side Setback Area

- 890 (1)** Where the *parcel* shares a *side property line* with a *parcel* designated as:
- (a) Commercial – Regional 3 District, there is no requirement for a *side setback area*;
  - (b) any other *commercial district*, the *side setback area* must have a minimum depth of 3.0 metres;
  - (c) an *industrial district*, the *side setback area* must have a minimum depth of 3.0 metres;
  - (d) a *residential district*, the *side setback area* must have a minimum depth of 6.0 metres; and
  - (e) a *special purpose district*, the *side setback area* must have a minimum depth of 6.0 metres.
- (2)** Where the *parcel* shares a *side property line* with an *LRT corridor* or *street*, the *side setback area* must have a minimum depth of 6.0 metres.
- (3)** Where the *parcel* shares a *side property line* with a *lane* and the *lane* separates the *parcel* from a *parcel* designated as:
- (a) a *residential district*, the *side setback area* must have a minimum depth of 6.0 metres;
  - (b) a District, other than a *residential district*, the *side setback area* must have a minimum depth of 3.0 metres.

### Landscaping In Setback Areas

- 891 (1)** Where a *setback area* shares a *property line* with an *LRT corridor* or *street*, the *setback area* must:
- (a) be a *soft surfaced landscaped area*; and
  - (b) provide a minimum of 1.0 trees and 2.0 shrubs:
    - (i) for every 35.0 square metres; or
    - (ii) for every 50.0 square metres, where irrigation is provided by a *low water irrigation system*.
- (2)** Where a *setback area* shares a *property line* with a *parcel* designated as a *residential district*, the *setback area* must:
- (a) be a *soft surfaced landscaped area*;
  - (b) provide a minimum of 1.0 trees:
    - (i) for every 30.0 square metres; or
    - (ii) for every 45.0 square metres, where irrigation is provided by a *low water irrigation system*; and
  - (c) provide trees planted in a linear arrangement along the length of the *setback area*.

- (3) Where a **setback area** shares a **property line** with a **lane** or a **parcel** designated as a **commercial**, **industrial** or **special purpose district**, the **setback area**:
- (a) must be a **soft surfaced landscaped area**;
  - (b) may have a sidewalk along the length of the **building**; and
  - (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
    - (i) for every 35.0 square metres; or
    - (ii) for every 50.0 square metres, where the irrigation is provided by a **low water irrigation system**.

### Minimum Required Motor Vehicle Parking Stalls

**892** The minimum number of **motor vehicle parking stalls**:

- 44P2013
- (a) is the requirement referenced in Part 4 for the following **uses**:
    - (i) **Cinema**;
    - (ii) **Hotel**;
    - (iii) **Medical Clinic**, when located above the ground floor;
    - (iv) **Office**, when located above the ground floor;
    - (v) **Performing Arts Centre**; and
    - (vi) **Post-secondary Learning Institution**; and
  - (b) for all other **uses** is 4.5 stalls per 100.0 square metres of **gross usable floor area**.

### Reductions of Minimum Motor Vehicle Parking Requirement

**893 (1)** The minimum number of **motor vehicle parking stalls** is reduced by 10.0 per cent where:

- 13P2008
- (a) a **building** that generates the parking requirement is located within 400.0 metres of an existing or approved Capital funded **LRT platform**; and
  - (b) the number of stalls required was determined by using the provisions referenced in subsections 892(a)(iv) and 892(b).
- 44P2013

(2) The minimum number of **motor vehicle parking stalls** for an **Office** or **Information and Service Provider** is reduced by 5.0 per cent where:

- (a) a **building** is located within 150.0 metres of a **street** where a **frequent bus service** operates;
  - (b) the number of stalls required was determined by using the provisions referenced in subsections 892(a)(iv) or 892(b); and
  - (c) the reduction for stalls referenced in subsection (1) was not applied.
- 44P2013

- (b) is currently approved by a **development permit** issued by the **City**.

44P2013

**(3) Sign – Class G** is a **discretionary use** where:

- (a) it is replacing a **Sign – Class F** that was approved pursuant to subsection (2); and
- (b) its location on the **parcel** is the same as the **Sign – Class F**.

30P2011

## Rules

**1069** In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Special Purpose Land Use Districts referenced in Part 9, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

## Setback Area

**1070 (1)** Where the **parcel** shares a **property line** with a **parcel** designated as:

- (a) a **commercial district**, the **setback area** must have a minimum depth of 1.2 metres;
- (b) an **industrial district**, the **setback area** must have a minimum depth of 1.2 metres;
- (c) a **residential district**, the **setback area** must have a minimum depth of 6.0 metres; and
- (d) a **special purpose district**, the **setback area** must have a minimum depth of 6.0 metres.

**(2)** Where the **parcel** shares a **property line**:

- (a) with an **LRT corridor** or **street**, the **setback area** must have a minimum depth of 6.0 metres;
- (b) with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **setback area** must have a minimum depth of 6.0 metres; and
- (c) with a **lane**, in all other cases, the **setback area** must have a minimum depth of 3.0 metres.

## Landscaping In Setback Areas

**1071 (1)** All **setback areas** on a **parcel**, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the **Development Authority**, must be a **soft surfaced landscaped area**.

- (2) Where a **setback area** shares a **property line** with a **parcel** designated as a **residential district**, the **setback area** must provide a minimum of:
- (a) 1.0 trees and 2.0 shrubs for every 30.0 square metres; or
  - (b) 1.0 trees and 2.0 shrubs for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.
- (3) Where a **setback area** shares a **property line** with a **lane, street, LRT corridor** or **parcel** designated as a **commercial, industrial** or **special purpose district**, the **setback area** must provide a minimum of:
- (a) 1.0 trees and 2.0 shrubs for every 45.0 square metres; or
  - (b) 1.0 trees and 2.0 shrubs for every 60.0 square metres, where irrigation is provided by a **low water irrigation system**.

### Employee Area

**1072** All **developments** must have an outdoor area, for the use of employees, that is a minimum of 10.0 square metres.

### Reductions to Minimum Required Motor Vehicle Parking Stalls

- 1073** (1) The minimum number of **motor vehicle parking stalls** for an **Office** or **Information and Service Provider** is reduced:
- (a) by 10.0 per cent if the **building** where the **Office** or **Information and Service Provider** is located is within 400.0 metres of an existing or approved Capital funded **LRT platform**; or
  - (b) by 5.0 per cent if the **building** where the **Office** or **Information and Service Provider** is located is within 150.0 metres of a **street** where a **frequent bus service** operates.
- (2) The minimum number of **motor vehicle parking stalls** required for an **Office** or **Information and Service Provider** is reduced:
- (a) by 1.0 **motor vehicle parking stalls** per six (6) **bicycle parking stalls – class 1** provided in excess of the minimum number of **bicycle parking stalls** required in accordance with Part 4; and
  - (b) by 1.0 **motor vehicle parking stalls** per two (2) lockers provided in a shower and change room facility.

13P2008

- (a) for each **Dwelling Unit** or **Live Work Unit** is 1.0 stalls for resident parking;
- (b) for each **Dwelling Unit** is 0.15 *visitor parking stalls* per *unit*; and
- (c) for each **Live Work Unit** is 0.5 *visitor parking stalls* per *unit*.
- (4) The minimum *motor vehicle parking stall* requirement for an **Office**, when located on floors above the ground floor is:
- (a) 1.0 stalls per 100.0 square metres of *gross usable floor area*; and
- (b) the cumulative number of stalls referenced in subsection (a) must be reduced by 0.75 stalls per 50.0 square metres of total *gross usable floor area* to a maximum reduction of 1.5 stalls.
- (5) Unless otherwise referenced in subsection (6.1), the minimum *motor vehicle parking stall* requirement for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small and Restaurant: Licensed – Small** is 1.7 stalls per 10.0 square metres of *public area*. 38P2009
- (6) Unless otherwise referenced in subsection (6.1), the minimum *motor vehicle parking stall* requirement for a **Retail and Consumer Service** is: 38P2009, 39P2010
- (a) 4.0 stalls per 100.0 square metres of total *gross usable floor area* when located on floors above the ground floor;
- (b) 2.0 stalls per 100.0 square metres of total *gross usable floor area* when located on or below the ground floor; and
- (c) where **Retail and Consumer Service uses** are located on or below the ground floor, the cumulative number of stalls referenced in subsection (b) are reduced by 1.0 stall per 50.0 square metres of total *gross usable floor area* to a maximum reduction of 3.0 stalls. 44P2013
- (6.1) For a **Computer Games Facility, Convenience Food Store, Drinking Establishment – Medium, Drinking Establishment – Small, Food Kiosk, Liquor Store, Outdoor Café, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small or Retail and Consumer Service**, located on the ground floor of a *building*, the minimum number of *motor vehicle parking stalls*: 38P2009, 23P2010, 39P2010
- (a) In Area A, as illustrated on Map 7.1, is:
- (i) 0.0 stalls where:
- (A) the *building* contains a **Dwelling Unit, Hotel, Multi-Residential Development** or **Office** above the ground floor; or
- (B) the *use area* is less than or equal to 465.0 square metres; and

- (ii) 1.0 stalls per 100.0 square metres of **gross usable floor area** in all other cases; and
- (b) In Area B, as illustrated on Map 7.1, is:
  - (i) 0.0 stalls where a **building** contains a **Dwelling Unit** or **Multi-Residential Development** above the ground floor;
  - (ii) 0.0 stalls where the **use area** is less than or equal to 465.0 square metres, provided:
    - (A) the **building** is only one **storey**; or
    - (B) the **building** was legally existing or approved as of November 1, 2009; and
  - (iii) 1.0 stalls per 100.0 square metres of **gross usable floor area** where the **use area** is greater than 465.0 square metres and where:
    - (A) the **building** is only one **storey**; or
    - (B) the **building** was legally existing or approved as of November 1, 2009; and
  - (iv) in all other cases, the minimum requirement referenced in subsections (5) (6) and (7).
- (7) The minimum **motor vehicle parking stall** requirement for all other **uses** is the requirement referenced in Part 4.

### Bicycle Parking Stall Requirement

- 1108 (1)** The minimum number of **bicycle parking stalls – class 1** for:
- (a) each **Dwelling Unit** and **Live Work Unit** is:
    - (i) no requirement where the number of **units** is less than 20; and
    - (ii) 0.5 **stalls** per **unit** where the total number of **units** equals or exceeds 20; and
  - (b) all other uses is the minimum requirement referenced in Part 4.
- (2)** The minimum number of **bicycle parking stalls – class 2** for:
- (a) each **Dwelling Unit** and **Live Work Unit** is:
    - (i) 2.0 stalls for **developments** of 20 **units** or less; and
    - (ii) 0.1 stalls per **unit** for **developments** of more than 20 **units**; and
  - (b) all other **uses** is 5.0 per cent of the minimum number of **motor vehicle parking stalls**.

- (e) **Community Recreation Facility;** 9P2012
  - (f) **Custodial Care;**
  - (g) **Drinking Establishment – Small;**
  - (h) **Dwelling Unit;**
  - (i) **Home Occupation - Class 2;**
  - (j) **Hotel;**
  - (k) **Live Work Unit;**
  - (l) **Multi-Residential Development;**
  - (m) **Outdoor Café;**
  - (n) **Place of Worship – Small;**
  - (o) **Place of Worship – Medium;**
  - (p) **Residential Care;**
  - (q) **Restaurant Food Service Only – Small;**
  - (r) **Restaurant Licensed - Small;**
  - (r.1) **Sign – Class C;** 5P2013
  - (s) **Sign – Class D;**
  - (s.1) **Sign – Class E;** 4P2013
  - (t) *deleted* 10P2009
  - (u) **Temporary Residential Sales Centre;** and
  - (v) **Utility Building.**
- (4) The following **uses** are additional **discretionary uses** if they are located in **buildings** used or previously used as a **School Authority – School** in the Centre City Multi-Residential High Rise Support Commercial District:
- (a) **Library;**
  - (b) **Museum;**
  - (c) **School – Private;**
  - (d) **School Authority Purpose – Major;** and
  - (e) **Service Organization.**
- (5) The following **uses** are additional **discretionary uses** on a **parcel** in the Centre City Multi-Residential High Rise Support Commercial District that has a **building** used or previously used as a **School Authority – School**:
- (a) **Community Recreation Facility;**
  - (b) **Food Kiosk;**

- 44P2013
- (c) **Indoor Recreation Facility;**
  - (d) **Outdoor Recreation Area;**
  - (e) **Park Maintenance Facility - Large;** and
  - (f) **Park Maintenance Facility – Small.**
- 34P2010
- (6) The following **uses** are additional **discretionary uses** in the Centre City Multi-Residential High Rise Support Commercial District if they are located on a **parcel** that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling**:
- (a) **Duplex Dwelling;**
  - (b) **Secondary Suite;**
  - (c) **Secondary Suite – Detached Garage;**
  - (d) **Secondary Suite – Detached Garden;**
  - (e) **Semi-detached Dwelling;** and
  - (f) **Single Detached Dwelling.**

### Rules

**1135** In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

### Maximum Floor Area Ratio

- 1136** (1) The maximum **floor area ratio** is 5.0.
- (2) The maximum **floor area ratio** may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

### Setback Area

**1137** The depth of all **setback areas** must be equal to the minimum **building setback** required in section 1138.

### Building Setbacks

- 1138** (1) The **building setback** from a **property line** shared with a **street** for the following **streets** is a minimum of 1.5 metres and a maximum of 3.0 metres:
- (a) 1 Street SE;
  - (b) 11 Street SW;
  - (c) 12 Avenue SW; and

**Motor Vehicle Parking Stall Requirements**

- 1157 (1)** For **developments** containing **Dwelling Units** or **Live Work Units**, the minimum **motor vehicle parking stall** requirement:
- (a) for each **Dwelling Unit** or **Live Work Unit** is 0.75 stalls for resident parking;
  - (b) for each **Dwelling Unit** is 0.1 **visitor parking stalls per unit**; and
  - (c) for each **Live Work Unit** is 0.5 **visitor parking stalls per unit**.
- (2)** Unless otherwise referenced in sub-section (4), for **development** on parcels 0.4 hectares or less, the minimum **motor vehicle parking stall** requirement: 38P2009
- (a) *deleted* 39P2010
  - (b) for an **Office**, when located on floors above the ground floor is:
    - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
    - (ii) the cumulative number of stalls referenced in subsection (i) must be reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
  - (c) for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small** and **Restaurant: Licensed – Small** is 1.70 stalls per 10.0 square metres of **public area**;
  - (d) for an **Information and Service Provider, Pet Care Service, Print Centre** and **Retail and Consumer Service** is: 39P2010
    - (i) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
    - (ii) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on or below the ground floor; and
    - (iii) where **Retail and Consumer Service uses** are located on or below the ground floor, the cumulative number of stalls referenced in subsection (ii) must be reduced by 1.0 stall per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 3.0 stalls; and 44P2013

- 38P2009 (e) for all other **uses** is the requirement referenced in Part 4.
- 38P2009 (3) Unless otherwise referenced in sub-section (4), for **development** on **parcels** greater than 0.4 hectares, the minimum **motor vehicle parking stall** requirement:
- (a) for an **Office**, when located on floors above the ground floor, is:
- (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
- (ii) the cumulative number of stalls referenced in subsection (i) must be reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
- (b) for a **Drinking Establishment – Small, Restaurant: Food Service Only – Small** and **Restaurant: Licensed – Small** is 1.70 stalls per 10.0 square metres of **public area**;
- 39P2010 (c) for a **Retail and Consumer Service** is:
- (i) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
- (ii) 2.0 stalls per 100.0 square metres of total **gross usable floor area** when located on or below the ground floor; and
- 44P2013 (iii) where **Retail and Consumer Service uses** are located on or below the ground floor, the cumulative number of stalls referenced in subsection (ii) are reduced by 1.0 stall per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 3.0 stalls; and
- (d) for all other **uses** is 3.5 stalls per 100.0 square metres of **gross usable floor area**.
- 38P2009, 23P2010, 39P2010 (4) For a **Computer Games Facility, Convenience Food Store, Drinking Establishment – Medium, Drinking Establishment – Small, Food Kiosk, Liquor Store, Outdoor Café, , Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small** or **Retail and Consumer Service**, located on the ground floor of a **building**, the minimum number of **motor vehicle parking stalls**:
- (a) In Area A, as illustrated on Map 7.1, is:
- (i) 0.0 stalls where:
- (A) the **building** contains a **Dwelling Unit, Hotel, Multi-Residential Development** or **Office** above the ground floor; or

- (n) **Medical Clinic;**
- (o) **Office;**
- (p) **Outdoor Café;**
- (q) **Parking Lot – Grade (temporary);**
- (r) **Parking Lot – Structure;**
- (s) **Performing Arts Centre;**
- (t) **Place of Worship - Small;**
- (u) **Post-secondary Learning Institution;**
- (v) **Residential Care;**
- (w) **Restaurant: Food Service Only – Large;**
- (x) **Restaurant: Food Service Only – Medium;**
- (y) **Restaurant: Licensed – Large;**
- (z) **Restaurant: Licensed – Medium;**
- (aa) **Restaurant: Licensed – Small;**
- (bb) **School – Private;**
- (cc) **School Authority - School;**
- (dd) **Seasonal Sales Area;**
- (ee) **Service Organization;**
- (ff) **Sign – Class B;**
- (gg) **Sign – Class C;**
- (hh) **Sign – Class D;**
- (ii) **Sign – Class E;**
- (jj) **Social Organization;**
- (jj.1) **Special Function – Class 2;**
- (kk) **Supermarket;**
- (ll) **Veterinary Clinic; and**
- (mm) **Utility Building.**

4P2012

- (4) The following *uses* are *discretionary uses* only if they are located on a parcel south of 5th Avenue SE:

- (a) **Liquor Store.**

## Rules

**1260** In addition to the rules in this District, all uses in this District must comply with:

- (a) The General Rules for Centre City East Village Districts referenced in Part 12, Division 1;

- (b) The Rules Governing All Districts referenced in Part 3; and
- (c) The applicable Uses and Use Rules referenced in Part 4.

### Density

**1261 (1)** The maximum **floor area ratio** is 7.0.

44P2013

**(2)** In this section, for the purpose of calculating **floor area ratio** for an **East Village – High Rise Building**:

- (a) the following **uses** must be excluded from the calculation to a maximum of 1.0 **floor area ratio**:
  - (i) **Child Care Service**;
  - (ii) **Library**;
  - (iii) **Museum**;
  - (iv) **Performing Arts Centre**;
  - (v) **Place of Worship - Small**;
  - (vi) **Protective and Emergency Service**;
  - (vii) **School – Private**;
  - (viii) **School Authority – School**;
  - (ix) **Service Organization**;
  - (x) **Social Organization**; and
  - (xi) **Utilities**.
- (b) the following must be excluded from the calculation of **floor area ratio**:
  - (i) the total **gross floor area** of a **unit** that is located on the floor closest to **grade**, and must have an entrance that is visible from the **street** that the **unit** faces;
  - (ii) the total **gross floor area** of any **storey** partially or wholly located below **grade**;
  - (iii) the total **gross floor area** of a **Post-secondary Learning Institution**, to a maximum of 4.0 **floor area ratio**; and
  - (iv) the total **gross floor area** of density transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* to a maximum of 3.0 **floor area ratio**.

### Location of Uses within Buildings

**1262** The following **uses** may not be located on the first **storey** of a **building** when they face a **street** located within Area E as illustrated on Map 10:

- (a) **Assisted Living**;

- (e) **Office;**
  - (f) **Parking Lot – Structure;** and
  - (g) **Residential Care.**
- (2) The following **uses** must only be located on the first or second **storey** of a **building** when they face a **street** located within Area G as illustrated on Map 10: 39P2010
- (a) **Accessory Food Service;**
  - (b) **Accessory Liquor Service;** 44P2013
  - (c) **Amusement Arcade;**
  - (d) **Billiard Parlour;**
  - (e) **Cinema;**
  - (f) **Convenience Food Store;**
  - (g) **Drinking Establishment – Medium;**
  - (h) **Drinking Establishment – Small;**
  - (i) **Financial Institution;**
  - (j) **Information and Service Provider;**
  - (k) **Liquor Store;**
  - (l) **Outdoor Café;**
  - (m) **Pet Care Service;**
  - (n) **Print Centre;**
  - (o) **Radio and Television Studio;**
  - (p) **Restaurant: Food Service Only – Large;**
  - (q) **Restaurant: Food Service Only – Medium;**
  - (r) **Restaurant: Food Service Only – Small;**
  - (s) **Restaurant: Licensed – Medium;**
  - (t) **Restaurant: Licensed – Small;**
  - (u) **Retail and Consumer Service;**
  - (v) **Seasonal Sales Area;**
  - (w) **Specialty Food Store;**
  - (x) **Supermarket;** and
  - (y) **Take Out Food Service.**

### **Use Area**

- 1282** (1) Unless otherwise specified in subsection (3) the maximum **use area** for **uses** on the ground floor of a **building** is 465.0 square metres.
- (2) Unless otherwise specified in subsection (3) there is no maximum **use area** requirement for **uses** located on upper floors.
- (3) The maximum **use area** of a:
- (a) **Accessory Food Service** is 15.0 square metres; and
  - (b) **Medical Clinic** is 200.0 square metres:

### **Use Area Width**

- 1283** The maximum width of a **use area** on the ground floor that faces a **street** is a maximum of 7.5 metres with the exception of **use areas** on the ground floor fronting 9 Avenue SE and 4 Street SE which may have a maximum width of 15.0 metres.

### **Motor Vehicle Parking Stalls**

- 1284** The minimum number of required **motor vehicle parking stalls**, **visitor parking stalls**, and **bicycle parking stalls – class 1** and **class 2** is the required amount specified in the General Rules for Centre City East Village Districts referenced in Part 12, Division 1.

## Division 7: Centre City East Village River Residential District (CC-ERR)

### Purpose

**1285** The Centre City East Village River Residential District is intended to provide for:

- (a) a signature site with high visibility and direct riverfront views;
- (b) mainly residential **uses** with support commercial **uses**;
- (c) active commercial **uses** located on the ground floor of a **building**; and
- (d) a **building** form that is street oriented at **grade**.

### Permitted Uses

**1286** The following **uses** are **permitted uses** in the Centre City East Village River Residential District:

- (a) **Accessory Residential Building**;
- (b) **Home Based Child Care – Class 1**;
- (c) **Home Occupation – Class 1**;
- (d) **Park**;
- (e) **Protective and Emergency Service**;
- (f) **Sign – Class A**; and 4P2012
- (g) *deleted* 4P2012
- (h) *deleted* 4P2012
- (i) **Utilities**.

### Discretionary Uses

**1287 (1)** *deleted* 44P2013

**(2)** The following **uses** are **discretionary uses** in the Centre City East Village River Residential District:

- (a) **Child Care Service**;
- (b) **Dwelling Unit**;
- (c) **Home Occupation - Class 2**;
- (d) **Hotel**;
- (e) **Outdoor Café**;
- (f) **Restaurant: Food Service Only – Medium**;

4P2012

- (g) **Restaurant: Food Service Only – Small;**
- (h) **Restaurant: Licensed – Medium;**
- (i) **Restaurant: Licensed – Small;**
- (j) **Sign – Class B;**
- (k) **Sign – Class C;**
- (l) **Sign – Class D;**
- (m) **Sign – Class E; and**
- (n) **Special Function – Class 2.**

### Rules

- 1288 (1)** In addition to the rules in this District, all **uses** in this District must comply with:
- (a) The General Rules for Centre City East Village Districts referenced in Part 12, Division 1;
  - (b) The Rules Governing All Districts referenced in Part 3; and
  - (c) The applicable Uses and Use Rules referenced in Part 4.

### Density

- 1289 (1)** The maximum **floor area ratio** is 5.0.
- (2)** In this section, for the purpose of calculating **floor area ratio**:
- (a) the following **uses** must be excluded from the calculation to a maximum of 1.0 **floor area ratio**:
    - (i) **Child Care Service;**
    - (ii) **Protective and Emergency Service; and**
    - (iii) **Utilities.**
  - (b) the total **gross floor area** of density transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* to a maximum of 3.0 **floor area ratio**; and

### Location of Uses within Buildings

- 1290 (1)** The following **uses** must only be located on the first or second **storey** of a **building**:
- (a) **Outdoor Café;**
  - (b) **Restaurant: Food Service Only – Medium;**
  - (c) **Restaurant: Food Service Only – Small;**
  - (d) **Restaurant: Licensed – Medium; and**