

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 | | |
| 68P2008 | October 6, 2008 | 34P2010 | August 19, 2010 | | |
| 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.

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BYLAW 1P2007

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- (d) that is anchored to a hard surface or fixed structure.
- (18) “**bicycle parking stall – class 1**” means a **bicycle parking stall** in a secured or controlled area.
- (19) “**bicycle parking stall – class 2**” means a **bicycle parking stall** in an unsecured or uncontrolled area.
- (20) “**building**” includes anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.
- (21) *deleted* 3P2010
- (22) “**building coverage**” means the area of a **parcel** which is covered by a **building** excluding: 5P2013
- (a) portions of the **building** located entirely below **grade**;
 - (b) portions of the **building** greater than 2.4 metres above **grade** and with a depth less than 1.0 metres, measured from the wall directly below;
 - (c) portions of eaves, roofs, pergolas and other similar elements with a depth less than 1.0 metres, measured from the wall directly below;
 - (d) **patios**, and any covered or enclosed area located below; and
 - (e) **decks, landings**, uncovered stairs, and any external areas located below.
- (23) “**building depth**” means the distance from the **front property line** to the farthest portion of a **main residential building** excluding **decks, eaves, landings** and **patios**, determined by: 5P2013
- (a) establishing a line connecting the midpoint of the **front property line** and the midpoint of the **rear property line**; then
 - (b) extending a line from the portion of the **main residential building** farthest from the **front property line** to a point where it intersects the line connecting the midpoint of the **front property line** and the midpoint of the **rear property line** at a right angle; and
 - (c) measuring the distance from the point where the two lines intersect to the midpoint of the **front property line**.

- 13P2008 **(24)** “**building height**” means the height of a **building**, excluding **ancillary structures**, determined:
- 3P2010, 27P2011 (a) by applying the provisions of sections 360 and 361 for a **parcel** containing a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling**;
- 3P2010 (b) **deleted**
- (c) by measuring from **grade** in a **multi-residential district** where the **use** is not a **Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling**;
- (d) by measuring from **grade** in the S-CI District where provision 1057 (1) through (4) applies; and
- (e) in all other cases by measuring from **grade** at any point adjacent to a **building**.
- 3P2010 **(25)** **deleted**

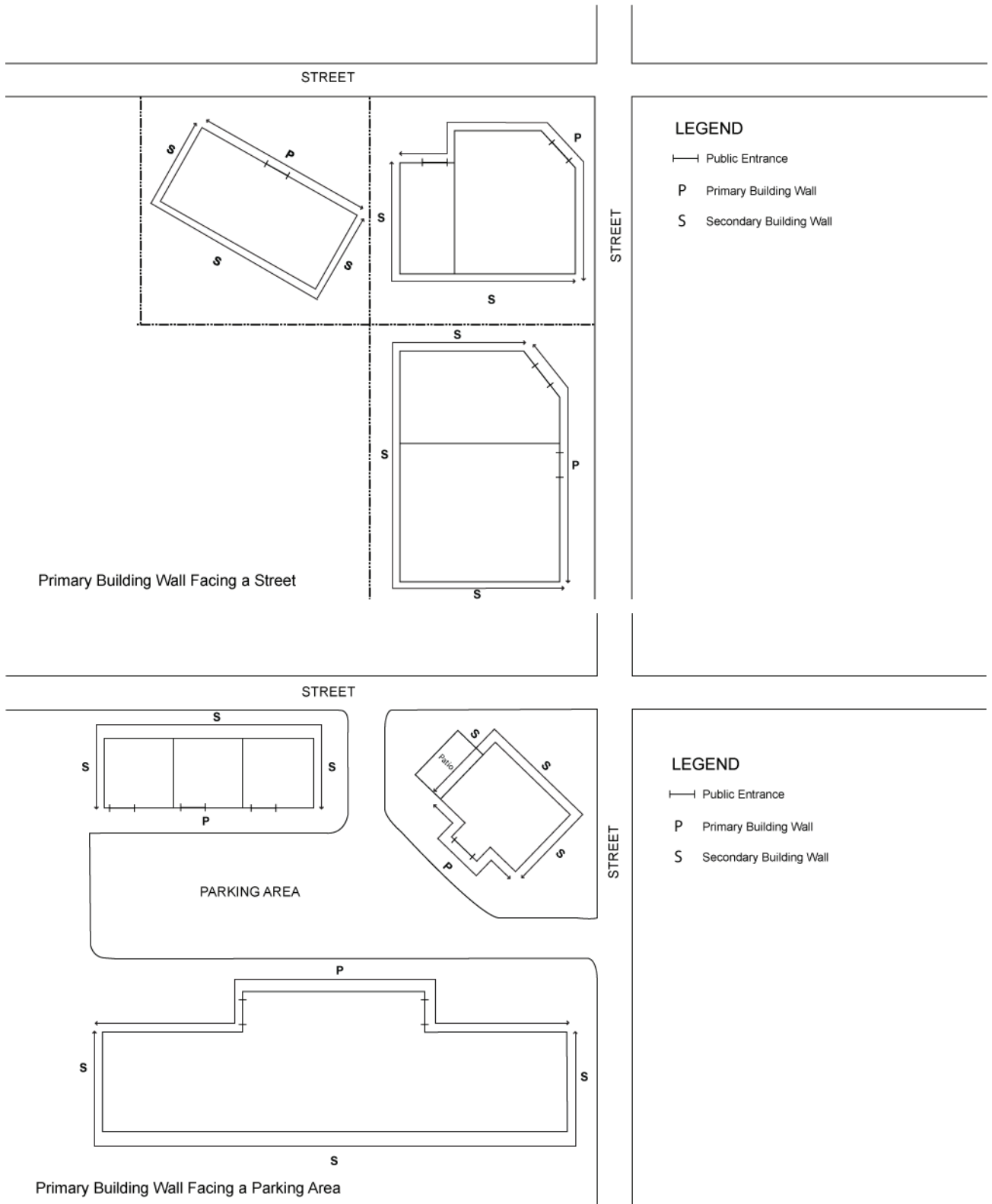
- (81) “**large vehicle**” means a vehicle, other than a **recreational vehicle**: 5P2013
- (a) with a **gross vehicle weight** stated by the manufacturer, vehicle signage, or vehicle registration, to be in excess of 4536 kilograms;
 - (b) with one or more of the following characteristics:
 - (i) tandem axles;
 - (ii) a passenger capacity in excess of 15 persons; or
 - (iii) dual wheels where the vehicle includes a flat deck or other form of utility deck; or
 - (c) that can be generally described as a:
 - (i) bus;
 - (ii) cube van;
 - (iii) dump truck;
 - (iv) flatbed truck; or
 - (v) tractor, trailer, or tractor trailer combination.
- (82) “**light fixture**” means a lighting module that has one or more luminaires and luminaire holders.
- (83) “**loading stall**” means an area to accommodate a vehicle while being loaded or unloaded.
- (84) “**low density residential district**” means any one or more of the land use districts described in Part 5.
- (85) “**low water irrigation system**” means an automated underground irrigation system which includes:
- (a) a rain sensor or a soil moisture sensor;
 - (b) a flow sensor for leak detection; and
 - (c) a master valve to secure the system if a leak is detected.
- (86) “**LRT corridor**” means a **street, parcel** or railroad right-of-way used for a light rail transit system.
- (87) “**LRT platform**” means a platform used for embarking and disembarking light rail transit passengers.
- (88) “**LRT station**” means a light rail transit station.
- (89) “**main residential building**” means a **building** containing one or more **Dwelling Units** but does not include an **Accessory Residential Building** that contains a **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**. 12P2010
- (90) “**major street**” means a **street** identified as a Street in the Transportation Bylaw. 9P2012

- 51P2008
- (91) “**modular construction**” means a method of constructing whereby most of the parts of a **building** have been constructed in an off-site manufacturing facility and transported to a **parcel** where the parts are assembled and anchored to a permanent foundation.
- (92) “**motor vehicle parking stall**” means an area for the parking of a single motor vehicle.
- (93) “**mounting height**” means the vertical distance between the lowest part of the **light fixture** and the **grade** directly below the **light fixture**.
- (94) “**multi-residential district**” means any one or more of the land use districts described in Part 6 and the CC-MH and CC-MHX districts contained in Part 11.
- (95) “**non-conforming building**” means a **building**:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the **building** or the land on which the **building** is situated becomes effective; and
 - (b) that, on the date the land use bylaw becomes effective, does not, or when constructed will not, comply with the land use bylaw.
- (96) “**non-conforming use**” means a lawful specific use:
- (a) being made of land or a **building** or intended to be made of a **building** lawfully under construction, at the date a land use bylaw affecting the land or **building** becomes effective; and
 - (b) that on the date the land use bylaw becomes effective does not, or in the case of a **building** under construction will not, comply with the land use bylaw.
- 9P2012
- (96.1) “**Officer**” means a Bylaw Enforcement Officer or a Peace Officer.
- (97) “**open balcony**” means a **balcony** that is unenclosed on three sides, other than by a railing, balustrade or **privacy wall**.
- (98) “**overland flow area**” means those lands abutting the **floodway** or the **flood fringe**, the boundaries of which are indicated on the Floodway/ Flood Fringe Maps that would be inundated by shallow overland floodwater in the event of a flood of a magnitude likely to occur once in one hundred years.
- 32P2009
- (99) “**parcel**” means
- (a) the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office; and
 - (b) in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-C2, R-1, R-1s, R-1N and R-2 districts, includes a **bare land unit** created under a condominium plan;”

- (100) “**parcel coverage**” means the cumulative **building coverage** of all **buildings** on a **parcel** excluding, **Accessory Residential Buildings** which in aggregate are less than 10.0 square metres. 47P2008, 5P2013
- (101) “**parcel depth**” means the length of a line joining the mid-points of the **front property line** and the **rear property line**.
- (102) “**parcel width**” means the distance between the **side property lines** of a **parcel** measured at a right angle to the mid-point of the shortest **side property line**.
- (103) “**patio**” means an uncovered horizontal structure with a surface height, at any point, no greater than 0.60 metres above **grade**, intended for use as an outdoor **amenity space**.
- (104) “**permitted use**” means a use of land or a **building** that is listed as such **use** in a land use district or a Direct Control District Bylaw.
- (105) “**personal sale**” means the sale of goods and includes sales commonly known as garage sales, yard sales, moving sales and estate sales.
- (106) “**pick-up and drop-off stall**” means a **motor vehicle parking stall** intended only for a motor vehicle to stop while picking up or dropping off passengers.
- (107) “**plan of subdivision**” means a plan of subdivision registered or approved for registration at the land titles office.
- (108) “**porch**” means an unenclosed, covered structure forming an entry to a **building**.
- (108.1) “**primary building wall**” means any exterior **building** wall that forms part of a façade that contains a **public entrance** and faces, or is oriented to, a **street** or a parking area on the same **parcel** as illustrated in Sign Illustration 2, with the exception that corner sites facing public streets can have two **primary building walls** not withstanding one façade may not contain a **public entrance**. 35P2011

35P2011

Sign Illustration 2:
 Primary and Secondary Building Wall
 Subsection 13(108.1) and 13(122.1)



- (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.

- (c) **Special Function – Class 1;** and 4P2012
- (d) **Utilities.**
- (2) The following **uses** are deemed to be **discretionary uses** on all areas designated with a Direct Control District, whether so designated before or after the effective date of this Bylaw, unless the contrary is stated in the Bylaw designating the areas as Direct Control:
- (a) **Community Entrance Feature;**
- (a.1) **Home Based Child Care – Class 2** where the listed **uses** include **Single Detached Dwelling;** 41P2009
- (b) **Home Occupation – Class 2,** where the listed **uses** include a **Dwelling Unit;**
- (c) **Sign – Class C, Sign – Class D and Sign – Class E;**
- (d) **Special Function – Class 2** where restaurant, drinking establishment or night club **uses** are allowed; and 35P2011, 4P2012
- (e) **Utility Building.**
- (3) The following **uses** must only be listed as a **use** on a **parcel** that has been designated Direct Control:
- (a) **Adult Mini-Theatre;**
- (b) **Campground;**
- (c) **Emergency Shelter;**
- (d) **Fertilizer Plant;**
- (e) **Firing Range;**
- (f) **Gaming Establishment – Casino;**
- (g) **Hide Processing Plant;**
- (h) **Intensive Agriculture;**
- (i) **Inter-City Bus Terminal;**
- (j) **Jail;**
- (k) **Motorized Recreation;**
- (l) **Natural Resource Extraction;**
- (m) **Pits and Quarries;**
- (n) **Power Generation Facility – Large;**

5P2013

- (o) **Race Track;**
- (p) **Refinery;**
- (q) **Salvage Processing – Heat and Chemicals;**
- (r) **Sawmill;**
- (r.1) **Sewage Treatment Plant** when not operated by, or on behalf of, the **City**;
- (s) **Slaughter House;**
- (t) **Stock Yards;**
- (u) **Tire Recycling;**
- (u.1) **Waste Disposal and Treatment Facility** when not operated by, or on behalf of, the **City**; and
- (v) **Zoo.**

32P2009

- (4) The **uses** listed in subsection (3) may be either **permitted** or **discretionary** in accordance with the **use** lists of the Direct Control Bylaw.
- (5) Where an activity is proposed and it does not fall within any of the definitions of **uses** or any combination of **uses** defined in Part 4, the **General Manager** must recommend to **Council** that the activity be considered only through a Direct Control Bylaw or that this Bylaw be amended to include such **use**.

Reference to Other Bylaws in Direct Control Bylaws

- 22 (1)** Where a **parcel** is designated with a Direct Control District:
- (a) pursuant to this Bylaw, a reference to a section of this Bylaw within the Direct Control Bylaw is deemed to be a reference to the section as amended from time to time, unless a contrary intent is stated in the Direct Control Bylaw; and
 - (b) pursuant to a previous land use bylaw and such designation is continued pursuant to this Bylaw, the Direct Control Bylaw, as approved by **Council** at the time such designation was made, will continue to apply, unless a contrary intent is set out in the Bylaw designating the **parcel** Direct Control.
- (2)** Direct Control Bylaws that were passed pursuant to previous land use bylaws and are denoted on the Land Use District Maps:
- (a) are hereby incorporated into and form part of this Bylaw as if repeated herein at length; and

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
- 1P2009
- (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**; and
 - (d) is not subject to any restrictions imposed by the Subdivision and Development Regulation.

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**;
 - (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:
 - (i) in the **Developing Area**; or
 - (ii) on a **parcel** identified in subsection 25(2)(n). 5P2013
- (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: 30P2012
- (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;
 - (ii) Block 6 Plan 9711978;
 - (iii) Lot 1 Plan 8711504;

5P2013

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**, require the applicant to undertake an environmental site assessment.
- (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

- (b) the proposed **development** conforms with a **use** prescribed by this Bylaw for that land or **building**.

Use Area Relaxation

32 Where the **Development Authority** is considering an application for a relaxation of a **use area** restriction, the **Development Authority** must consider the test in section 31 of this Part and:

- (a) the purpose of the District;
- (b) whether granting the relaxation would make the proposed **development** incompatible with existing **developments** or **uses**;
- (c) proximity of the proposed **development** to **residential districts**; and
- (d) sound planning principles.

Conditions

33 The **Development Authority** may, as a condition of approving a **development permit** for a **permitted use** that does not comply with all of the applicable requirements and rules of this Bylaw:

- (a) impose the conditions referenced in section 28 of this part; and
- (b) require the applicant to conform to a higher standard than required by the applicable rules if, in the opinion of the **Development Authority**, conformance to a higher standard will off-set any impact of granting the relaxation.

5P2013

Notification of Decision

34 (1) After approving a **development permit** application for a **permitted use** that does not comply with all of the applicable requirements and rules of this Bylaw, the **Development Authority** must:

- (a) publish, in a local newspaper, a notice stating the location and **use** of the **parcel** for which the application has been approved; and
- (b) endorse the **development permit** as of the date of the decision, but must not release the permit to the applicant:
 - (i) before the 14 day appeal period referred to in the *Municipal Government Act* has expired; or
 - (ii) in the case of an appeal to the Subdivision and Development Appeal Board, until such time as the appeal has been fully dealt with by the Subdivision and Development Appeal Board, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the Subdivision and Development Appeal Board, or the appeal has been withdrawn or abandoned.

54P2008

- (2) After refusing a **development permit** application for a **permitted use** that does not comply with all of the applicable requirements and rules of this Bylaw, the **Development Authority** must provide written notification of the decision and the reasons for it to the applicant.

Commencement of Development

- 44** (1) Where a **development permit** is for a change of **use**, a change of intensity of **use** or both, **development** must commence within one year of the date of approval of the **development permit**. 31P2009
- (2) For the purpose of subsection (1), **development** commences when the applicant begins occupying the **parcel** and operating the **use** which was approved by the **development permit**.
- (3) Where a **development permit** is for construction, or for construction combined with a change of **use**, a change in intensity of **use** or both, **development** must commence within: 31P2009
- (a) three years of the date of approval of the **development permit** on **parcels** designated M-H1, M-H2, M-H3, C-O, I-B, S-CI, S-CRI, CC-MH, CC-MHX, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, and CC-ET Districts; 51P2008, 26P2010
- (b) three years of the date of approval of the **development permit**, on **parcels** designated DC Direct Control, unless otherwise directed by **Council**; and
- (c) two years of the date of approval of the **development permit** on **parcels** designated as any other District.
- (4) For the purpose of subsection (3), **development** commences when the applicant has altered the **parcel** in furtherance of the construction.
- (5) Without restricting the generality of the foregoing:
- (a) excavation in anticipation of construction is an alteration of a **parcel**; and
- (b) fencing a site, posting signage, obtaining permits and minor interior demolition are not alterations of the **parcel**.
- (6) *deleted* 31P2009
- (7) For the purpose of this section, the term “date of approval of the **development permit**” means:
- (a) the date upon which the **Development Authority** approves the **development permit** application;
- (b) in the case of an appeal to the Subdivision and Development Appeal Board, the date upon which the Subdivision and Development Appeal Board renders a written decision approving the **development permit** application; or
- (c) In the case of an appeal or leave to appeal to the Court of Appeal, the date the judgement roll or decision of the court is filed with the Court of Appeal allowing the **development** to proceed pursuant to an approved **development permit**. 41P2009
- (8) The **General Manager** may grant a request to extend the date before which **development** must commence as specified in this Land Use Bylaw or any previous Bylaw governing land use within the **City** provided: 31P2009

- (a) the **development permit** is not for a change of **use**, a change of intensity of **use** or both;
- (b) no more than two extensions are granted for any **development permit**;
- (c) the length of any extension is one year;
- (d) the request is made in writing on a form approved by the **General Manager** and must be submitted with the fee as prescribed by resolution of **Council**; and
- (e) the request is granted prior to the **development permit** lapsing.

31P2009

- (9) When **development** has not commenced in accordance with this section the **development permit** lapses.

Commencement of Construction

- 45** The approval of a **development permit** application and the release of a **development permit** does not authorize construction to either commence or continue except in conjunction with all other required permits.

Reapplication for a Development Permit

5P2013

- 46** Where a **development permit application** has been refused, the **Development Authority** must not accept an application for the same or similar **development** within six months of the date of decision except where the proposed **development** is for a **permitted use** that conforms to all of the applicable requirements and rules of this Bylaw.

Development Completion Permit

- 47** (1) When a **development permit** is required, a **development completion permit** must be issued before the **development** can be occupied or a **use** commenced.
- (2) The **General Manager** must determine which **developments** and **uses** do not require a **Development Completion Permit**, which may be amended from time to time.
- (3) The **Development Authority** must advise an applicant for a **development permit** if the proposed **development** or **use** requires a **Development Completion Permit**.
- (4) An application for a **Development Completion Permit** must be made on a form approved by the **General Manager** and must be accompanied by two copies of a surveyor's certificate.
- (5) An applicant for a **Development Completion Permit** must ensure the **development** or **use** is available for inspection by a Development Inspector during the Inspector's normal work day to confirm the **development** is completed in accordance with the **development permit**, and, upon request by the Development Inspector, the applicant must attend the inspection, produce any documents the Development Inspector feels are necessary for the inspection, and must not hinder the inspection in any way.

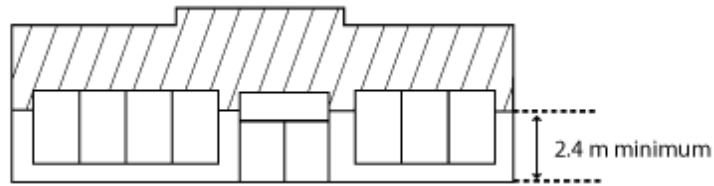
- (6) Where a **Development Authority** is satisfied that the **development** has been completed in accordance with all of the requirements of the **development permit**, the **Development Authority** may issue a **Development Completion Permit** for the **development**.
- (7) Where a **Development Authority** is not satisfied that a **development** has been completed in accordance with all of the requirements of the **development permit**, the **Development Authority** may:
- (a) issue a **Development Completion Permit** upon receipt of a letter of credit or other security in an amount and form acceptable to the **Development Authority**, in order to ensure fulfilment of the outstanding requirements of the **development permit**; or
 - (b) refuse to issue a **Development Completion Permit**.
- (8) The **Development Completion Permit** must be retained on the premises in a legible condition for a period of one year from the date of issuance.

Appeals of Decisions on Development Permits

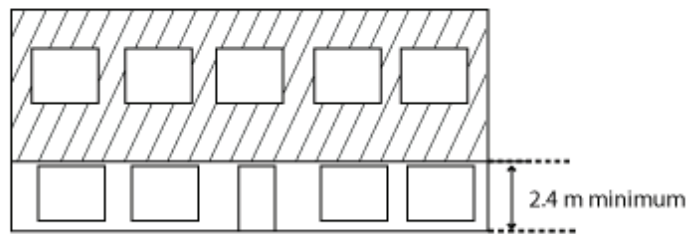
- 48 (1) Appeals in respect of decisions on **development permit** applications are governed by the *Municipal Government Act*.
- (2) The Subdivision and Development Appeal Board Administration must ensure that notice of a hearing of an appeal to the Subdivision and Development Appeal Board is published in a local newspaper at least five days prior to the date of the hearing.
- (3) If the decision of the **Development Authority** to refuse a **development permit** is reversed by the Subdivision and Development Appeal Board, the **Development Authority** must endorse the **development permit** in accordance with the decision of the Subdivision and Development Appeal Board.
- (4) If the decision of the **Development Authority** to approve a **development permit** application is reversed by the Subdivision and Development Appeal Board, the **development permit** is null and void.
- (5) If a decision of the **Development Authority** to approve a **development permit** is upheld by the Subdivision and Development Appeal Board, the **Development Authority** must release the **development permit** upon completion of any outstanding prior to release conditions.
- (6) If any decision of the **Development Authority** is varied by the Subdivision and Development Appeal Board, the **Development Authority** must endorse a **development permit** reflecting the decision of the Subdivision and Development Appeal Board and act in accordance therewith.

- (6) The following diagrams illustrate the rules of subsections (2), (3) and (4):

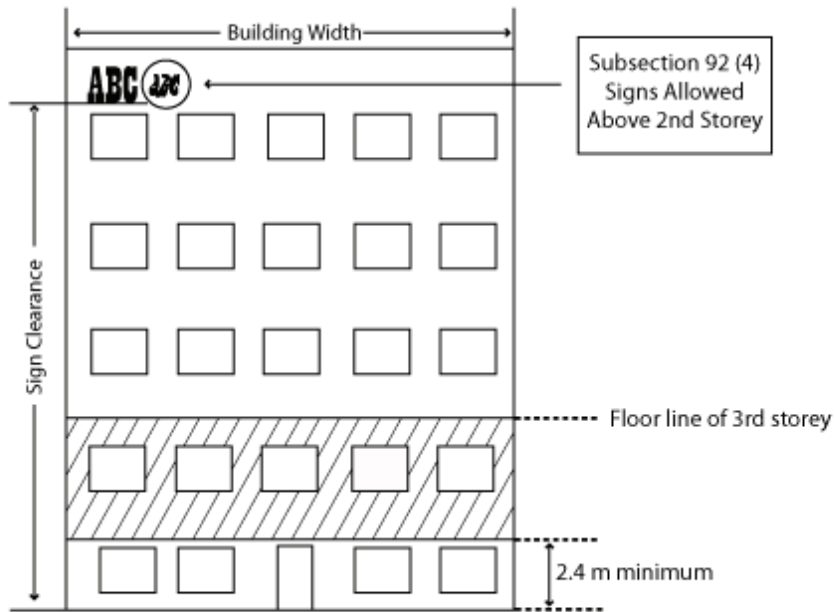
Sign Illustration 3:
Designated Signable Area
Subsections 92(2), (3) and (4)



Single Storey



Two Storey



Over Two Storeys



35P2011

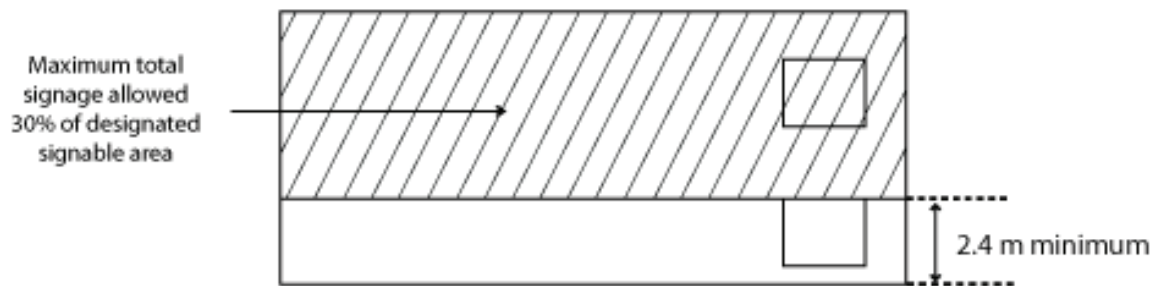
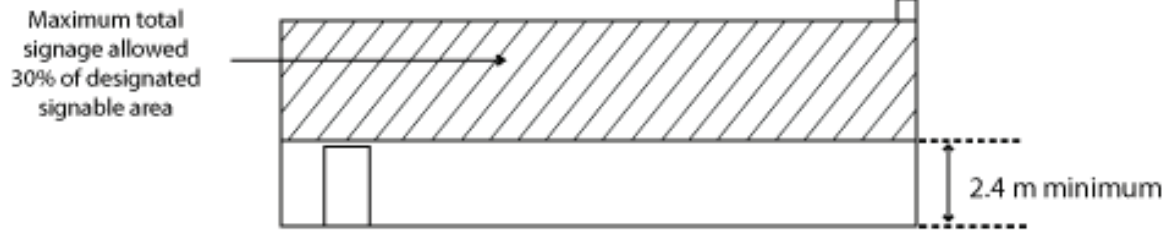
Rules for Fascia Signs

- 93** (1) A **Fascia Sign** does not have a maximum **sign area** when located on a **primary building wall** and within the designated signable area on that wall.
- (2) The maximum total **sign area** for all **Fascia Signs** located on a **secondary building wall** is 30.0 per cent of the designated signable area on that wall.

5P2013

- (3) A **Fascia Sign** located on a **secondary building wall** may be illuminated, but must only be indirectly illuminated when the **copy** of the **sign** is visible from:
- (a) an **adjacent parcel** designated as a **residential district**; or
 - (b) a **Park** or **Natural Area**.
- (4) The following diagrams illustrate the rule in subsection (2).

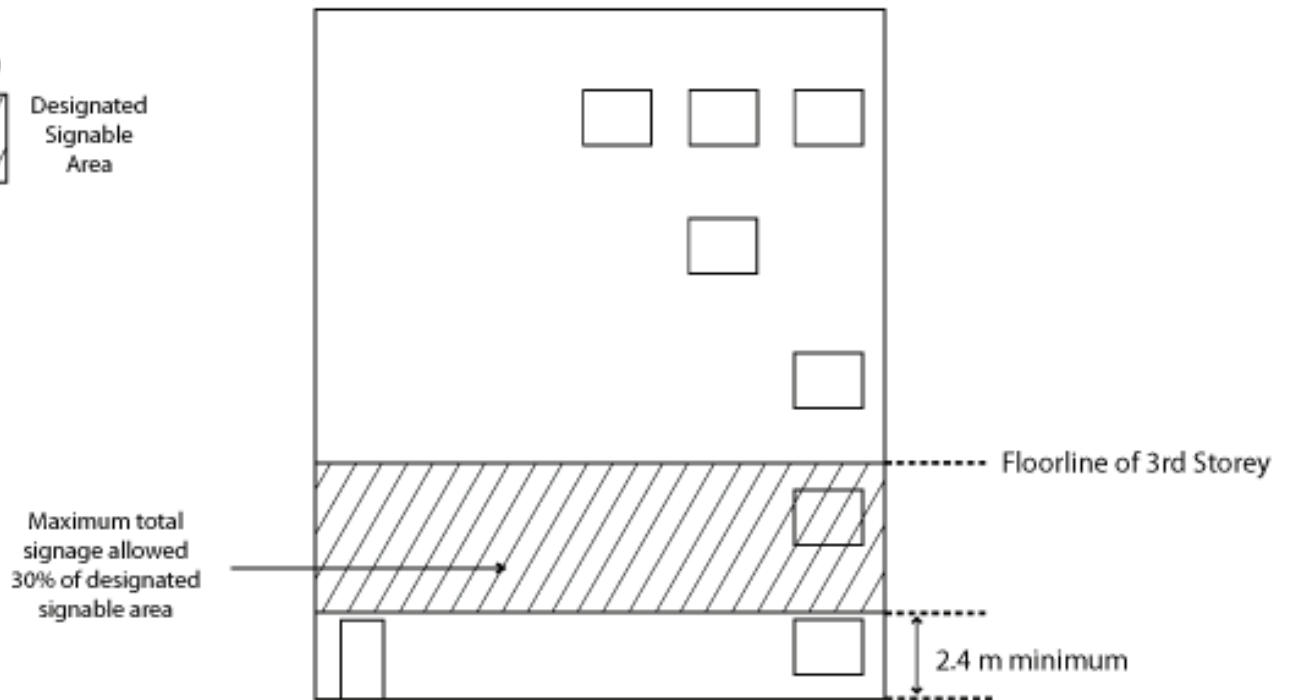
Sign Illustration 4:
Sign Area on Secondary Building Wall
Subsection 93(2)



LEGEND



Designated Signable Area



35P2011

Rules Governing Class C Signs

- 94 (1)** A **development permit** is not required to add additional panels to a legally existing **Freestanding Sign** when:
- (a) the **Freestanding Sign** was previously approved through a **development permit**;
 - (b) the panel sought to be added is the same length as any message panels already on the **Freestanding Sign**;
 - (c) the panel does not extend beyond or protrude from the outer limits of the existing sign structure; and
 - (d) the addition of the panel would not result in the **Freestanding Sign** violating any rules respecting maximum height, **copy**, clearance or location or any conditions of the approved **development permit** for the **Freestanding Sign**.

35P2011

Rules for Freestanding Signs

- 95 (1)** A **Freestanding Sign** must not interfere with vehicle parking or traffic circulation.
- (2)** The electrical power supply to a **Freestanding Sign** must be located underground.
- (3)** Anchor bolts securing the base of a **Freestanding Sign** must be permanently covered.

5P2013

- (4)** A proposed **Freestanding Sign** must be located a minimum of 30.0 metres from any other **Freestanding Sign** located on an **adjacent parcel** that is:
- (a) facing the same oncoming traffic; and
 - (b) on the same side of the **street**.

35P2011

Number of Freestanding Signs

- 96 (1)** Unless otherwise referenced in subsections (2) and (3), a **parcel** may have a maximum of one **Freestanding Sign** facing each **street** that provides access to the **parcel**.
- (2)** Where a **parcel** has a **frontage** equal to or greater than 200.0 metres, one additional **Freestanding Sign** for every 200.0 metres of **frontage** is allowed on the applicable **frontage** in addition to the **Freestanding Sign** allowed in accordance with subsection (1).
- (3)** Where a **parcel** is designated the C-R2 or C-R3 District, two additional **Freestanding Signs** are allowed per **frontage** in addition to those **Freestanding Signs** allowed in accordance with subsections (1) and (2).

Size and Height Restrictions for Freestanding Signs

35P2011

- 97** (1) In the C-N1, C-N2 and C-C1 Districts:
- (a) the maximum **sign area** of a **Freestanding Sign** is 9.5 square metres; and
 - (b) the maximum height of a **Freestanding Sign** is 6.0 metres.
- (2) In the C-COR3 District:
- (a) the maximum **sign area** of a **Freestanding Sign** is 18.5 square metres; and
 - (b) the maximum height of a **Freestanding Sign** is 12.2 metres.
- (3) In all other **commercial** and in all **industrial districts**:
- (a) the maximum **sign area** of a **Freestanding Sign** is 14.0 square metres; and
 - (b) the maximum height of a **Freestanding Sign** is 9.0 metres.
- (4) In the CC-MH, CC-MHX, M-H1, M-H2, M-H3, M-X1 and M-X2 Districts where the **parcel** contains **commercial multi-residential uses**:
- (a) the maximum **sign area** for a **Freestanding Sign** is 7.0 square metres; and
 - (b) the maximum height of a **Freestanding Sign** is 6.0 metres.
- (5) In the **low density residential districts** and the M-CG, M-C1, M-C2, M-G, M-1 and M-2 Districts:
- (a) the maximum **sign area** of a **Freestanding Sign** is 5.0 square metres; and
 - (b) the maximum height of a **Freestanding Sign** is 4.0 metres.
- (6) In the **special purpose districts**:
- (a) the maximum **sign area** of a **Freestanding Sign** is 7.0 square metres; and
 - (b) the maximum height of a **Freestanding Sign** is 6.0 metres.

Rules Governing Class D Signs

35P2011

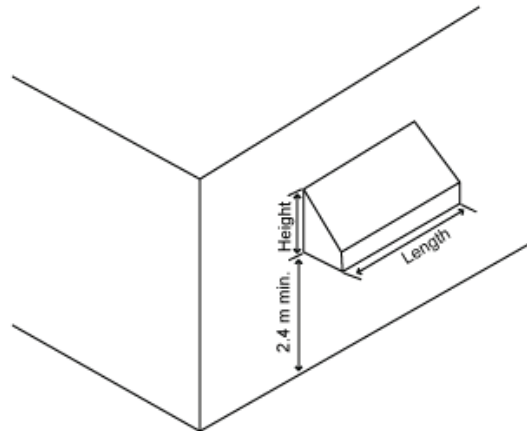
- 98** (1) A **development permit** is required to erect a new canopy, awning, marquee or projecting structure intended to display a **Sign – Class D** and must follow any applicable dimensional standards referenced in sections 99, 100, 101 and 102.
- (2) A **development permit** is not required for a change in **copy** for a **Sign – Class D** when the canopy, awning, marquee or projecting structure legally exists even if the applicable sign structure does not meet the dimensional standards referenced in sections 99, 100, 101 and 102.

35P2011

Rules for Canopy Signs

- 99** (1) The **copy area** on a **Canopy Sign** must not exceed 50.0 per cent of the total area of the canopy which will be measured by the vertical height of the canopy multiplied by the length of the canopy or awning.
- (2) The **Canopy Sign** must not extend beyond the structure on which it is displayed.
- (3) A structure used to display **Canopy Signs** must:
- have a minimum clearance of 2.4 metres from **grade**;
 - not extend any further than the line on which street light or power line poles are located;
 - not extend further than 2.4 metres from the wall of the **building** to which it is attached; and
 - not exceed 1.5 metres in height measured from the lowest point of the structure to the highest point of the structure.
- (4) The following diagram illustrates the rules in subsection (1) and (3)(a).

Sign Illustration 4:
Rules for Canopy Signs
Subsections 99(1) and (3)(a)



35P2011

Rules for Signs under Canopies

- 100** **Signs** hanging or attached under canopies and other **building** projections:
- must have a minimum clearance of 2.4 metres from **grade**;
 - may be a maximum of 0.30 metres in height;
 - may have a maximum **sign area** of 1.0 square metres; and
 - must be a minimum of 4.5 metres from each other.

35P2011

Rules for Projecting Signs

- 101** (1) The maximum number of **Projecting Signs** a business may have on a **primary building wall** is one.

- (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 and legible 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

Division 6: Requirements for Motor Vehicle Parking Stalls, Bicycle Parking Stalls and Loading Stalls

General Rules

116 *Motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls* and *loading stalls* required for a *use* may only be located on a separate *parcel* from the *use* where:

5P2013

- (a) the stalls are on *parcels* that form part of a comprehensive *development*; and
- (b) all *parcels* forming part of the comprehensive *development* are indicated on the same *development permit*.

Parking Stall Signage

117 (1) Permanent signage must identify and restrict the use of motor *vehicle parking stalls* as being only for the purpose required for:

- (a) residents of **Dwelling Units** that are not **Single Detached Dwellings, Semi-detached Dwellings** or **Duplex Dwellings**;
- (b) residents of **Live Work Units**;
- (c) *visitor parking stalls*; and
- (d) *pick-up and drop-off parking stalls*.

(2) Permanent signage must identify *loading stalls* for the approved purpose.

Location of Parking and Loading Requirements

118 (1) The minimum number of *motor vehicle parking stalls, visitor parking stalls* and *bicycle parking stalls* for a *development* are specified in Part 4, General Rules for Multi-Residential Districts and the land use districts.

(2) The minimum number of *loading stalls* is specified in this Part.

(3) Where the minimum number of *motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls* or *loading stalls* for a *development* is not specified, the Development Authority must determine the minimum number of stalls for that *development* in consideration of the minimum number of stalls for other *developments* with similar characteristics and other relevant information.

Use of Parking and Loading Stalls

13P2008

119 *Motor vehicle parking stalls* must be used and made available only for the purpose for which they were approved.

Identification of Required Parking and Loading Stalls

120 A plan forming part of a *development permit* must:

- (a) show the location, number and size of required *motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls, pick-up and drop-off stalls* and *loading stalls*;
- (b) label required *motor vehicle parking stalls* for **Dwelling Units** and **Live Work Units**; and
- (c) label required *motor vehicle parking stalls* for non-residential uses.

Calculation of the Minimum Number of Required Parking and Loading Stalls

121 (1) When the calculation of the minimum number of required *motor vehicle parking stalls, bicycle parking stalls, visitor parking stalls* or *loading stalls* results in a fractional number of stalls, the next higher whole number must be the minimum requirement for:

- (a) *motor vehicle parking stalls*;
 - (b) *bicycle parking stalls – class 1*;
 - (c) *bicycle parking stalls – class 2*; and
 - (d) *loading stalls*.
- (2)** For *uses* other than **Dwelling Units** and **Live Work Units**, the following must be calculated separately:
- (a) *motor vehicle parking stalls*;
 - (b) *bicycle parking stalls – class 1*; and
 - (c) *bicycle parking stalls – class 2*.
- (3)** For **Dwelling Units** and **Live Work Units**, the following must be calculated separately:
- (a) *motor vehicle parking stalls* required for residents of **Dwelling Units**;
 - (b) *visitor parking stalls* for **Dwelling Units**;
 - (c) *motor vehicle parking stalls* required for residents of **Live Work Units**;
 - (d) *visitor parking stalls* for **Live Work Units**;

- (8) In a **multi-residential district**, where the cumulative **gross floor area** of **commercial multi-residential uses** exceeds 930.0 square metres, the **commercial multi-residential uses** require 1.0 **loading stalls** per 9300.0 square metres of **gross floor area**.

Relaxations of Parking and Loading Stall Requirements

- 124 (1) For **uses** in **buildings** listed on the **City** inventory of potential heritage sites, the **Development Authority** may consider a relaxation of the minimum **motor vehicle parking stalls, visitor parking stalls, bicycle parking stall** and **loading stall** requirements. Consideration for relaxations must be based on:
- (a) satisfaction of the test for a relaxation referenced in section 31 or 36;
 - (b) the existing ability of the site to accommodate **motor vehicle parking stalls, visitor parking stalls, loading stalls** and **bicycle parking stalls**; and
 - (c) the number of **motor vehicle parking stalls, visitor parking stalls, loading stalls** and **bicycle parking stalls** to be relaxed.
- (2) The **Development Authority** may consider a relaxation in the **required motor vehicle parking stalls** and **visitor parking stalls** for **uses** when a transportation demand management measure is approved by the **Development Authority** and is required to be implemented as a condition in a **development permit**.
- (3) Any approved transportation demand management measure must:
- (a) be sustainable throughout the term of the **development permit**; and
 - (b) include requirements that must be incorporated into an approved plan or condition on a **development permit**.
- (4) The **Development Authority** may consider a relaxation in the minimum required **motor vehicle parking stalls, visitor parking stalls, loading stalls** and **bicycle parking stalls** for a **development** when:
- (a) the test for a relaxation referenced in section 31 is satisfied; and
 - (b) the type of **use**, the size or shape of the **parcel**, or the topographical constraints present practical difficulties in accommodating the requirements of this Bylaw; when a relaxation is given for this reason, it and the reasons must be stated on the **development permit**; or

5P2013

- (c) an applicant submits a parking study, as part of a **development permit** application, that demonstrates that the **motor vehicle parking stall** requirement, **visitor parking stall** or **bicycle parking stall** requirement should be less than the requirements of this Bylaw due to unique site, location or **use** characteristics, and the conclusions of the study are considered acceptable by the **Development Authority**.
- (5) The **Development Authority** may consider a relaxation in the minimum required **motor vehicle parking stalls** and **pick-up and drop-off stalls** for a **School Authority – School** when:
- 9P2012 (a) the proposed **development** is an addition to a **School Authority – School building** existing on the effective date of this Bylaw; or
- 57P2009 (b) The proposed **development** is a new **School Authority – School building** proposed on a **parcel** designated as reserve land existing on the effective date of this Bylaw; and
- (c) in the opinion of the **Development Authority**, it would be difficult to provide the required **pick-up and drop-off stalls** due to the **parcel** configuration, area of a **parcel** and **frontage**.
- 5P2013 (6) The **Development Authority** may consider a relaxation of Section 116 where:
- (a) the test for a relaxation referenced in either Section 31 or 36 is satisfied;
- (b) the **development permit** identifies the locations of the minimum required stalls, including the mechanisms used to maintain the stalls for the duration of the **development**;
- (c) the stalls referenced in subsection (b) are signed or marked as being available for the **development**; and
- (d) all **parcels** forming part of the **development** are indicated on the same **development permit**.

Bicycle Parking Stalls

- 125 (1) **Bicycle parking stalls – class 1** must be located on hard surfaced areas.
- (2) **Bicycle parking stalls – class 2** may only be located in hard surfaced areas and in **hard surfaced landscaped areas**.
- (3) **Bicycle parking stalls** must not interfere with a pedestrian walkway.
- (4) **Bicycle parking stalls** must be separated from **motor vehicle parking stalls**, **visitor parking stalls** or **loading stalls** by 2.0 metres or a physical barrier.

- (5) A **bicycle parking stall** that is not an individual locker must be at least 2.0 metres in height.
- (6) A **bicycle parking stall** that is not an individual locker and is attached to the ground must be located at least 0.6 metres from any physical barrier.
- (7) Rows of bicycle parking devices, when affixed on the floor or **grade**, must be separated by at least 2.0 metres.
- (8) Bicycle parking devices, when affixed on the floor or **grade**, must be separated by at least 0.6 metres.
- (9) Required **bicycle parking stalls – class 2** should be located within 15.0 metres of the **public entrance** of a **building** containing the **uses** for which they are required.
- (10) Directional signage indicating the location of minimum required **bicycle parking stalls – class 2** must be provided when the stalls are not obviously visible near the entrance to a **building**.
- (11) The area where **bicycle parking stalls** are located must be illuminated.

Motor Vehicle Pick-Up and Drop-Off Stalls

- 126 (1) All minimum required **pick-up and drop-off stalls** must be located:
- (a) on the same **parcel** as the **development** requiring them; or
 - (b) within a **street**, if approved by the **Development Authority** and the General Manager of Transportation or his delegate.
- (2) The minimum dimensions of a **pick-up and drop-off stall** are the same as those for **motor vehicle parking stalls** provided in Table 2, except that a **pick-up and drop-off stall** that is parallel to a **street**, driveway or curb has a minimum width of 2.6 metres and a minimum depth of 6.7 metres.

Cash-in-lieu: Kensington 10th Street NW Commercial Parking Area

127 *deleted*

13P2008

Cash-in-lieu: 17th Avenue S. Commercial Parking Area

128 *deleted*

13P2008

Cash-in-lieu: 4th Street SW Commercial Parking Area

129 *deleted*

13P2008

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
 - (ii) that is not attached to a **Dwelling Unit** 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**.

- (A) one (1) person per 0.75 square metres for areas of non-fixed seating;
 - (B) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
 - (C) one (1) person per 0.5 linear metres of bench seating; and
 - (D) the maximum capacity of the **assembly area** as stated in the **development permit**;
- (f) does not require **bicycle parking stalls – class 1**; and
 - (g) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

170.2 “Contextual Semi-detached Dwelling”

27P2011

- (a) means a **building** that:
 - (i) contains two **Dwelling Units** located side by side and separated by a common party wall extending from foundation to roof; and
 - (ii) meets all of the rules specified for the **use** in a district;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

171 “Contextual Single Detached Dwelling”

47P2008

- (a) means a **building** containing one **Dwelling Unit** that:
 - (i) meets all of the rules specified for the **use** in a district; and
 - (ii) may include a **Secondary Suite, Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden** in Districts that list those **uses**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

12P2010

9P2012

172 *deleted*

32P2009

173 *deleted*

32P2009

174 “Convenience Food Store”

- (a) means a **use**:
- 13P2008 (i) where fresh and packaged food is sold;
- 13P2008 (ii) where daily household necessities may be sold;
- (iii) that is entirely within a **building**;
- (iv) that has a maximum **gross floor area** of 465.0 square metres;
- (v) that may display the items for sale within the **use** outside of a **building** a maximum distance of 6.0 metres from the public entrance of the **use**; and
- 9P2012, 5P2013 (vi) that may include the preparation of food and non-alcoholic beverages for human consumption;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- 9P2012 (b.1) may have a maximum floor area of 7.5 square metres to accommodate a seating area;
- (c) must not locate any outdoor display area in a required **setback area**, a parking area or on a sidewalk, if it impedes pedestrian movement;
- (d) requires a minimum of 4.0 **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 250.0 square metres of **gross usable floor area**.

175 “Cottage Building”

- 13P2008 (a) means a residential **building** that is restricted in size and contains one, two or three **Dwelling Units**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**;
- (d) requires a minimum of 0.15 **visitor parking stalls** per **Dwelling Unit**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

176 “Counselling Service”

- (a) means a **use** where people receive treatment, advice or guidance for emotional, psychological or life management issues;
- (b) is a **use** within the Office Group in Schedule A to this Bylaw;

- (c) requires a minimum of 4.0 **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 250.0 square metres of **gross usable floor area**.

177 “Crematorium”

- (a) means a **use**: 5P2013
 - (i) where the deceased are incinerated and the ashes of the deceased are collected for interment; and
 - (ii) that may provide services such as the preparation of the deceased for burial, the organization and direction of funeral services, and the facilities for the purpose of viewing a body;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** that is the greater of: 5P2013
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
 - (ii) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time;
- (d) does not require **bicycle parking stalls – class1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

178 “Custodial Care”

24P2011

- (a) means a **use**:
 - (i) where care, accommodation and on-site professional supervision is provided to one or more persons who have been required to reside full –time in the facility as part of a conditional or early release from a correctional institution or part of an open custody program; 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 two (2) resident staff and additional **motor vehicle parking stalls** may be required based on the projected level of visits by non-resident staff and visitors; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

179 “Custodial Quarters”

- (a) means a **use**:
 - (i) where living accommodation is provided primarily in an **industrial district**;
 - (ii) which will only be approved on a **parcel** where another **use** has been approved; and
 - (iii) where the occupant of the **use** performs a custodial or security function that is necessary for the operation of the **use** with which the **Custodial Quarters** is combined;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Custodial Quarters**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

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** were 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 (n) 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
- 5P2013 (o) 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**; 67P2008
- (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**.

210 deleted

39P2012

227 “Manufactured Home”

- (a) means a residential **building**:
 - (i) that is intended for year round occupancy, containing one **Dwelling Unit**;
 - (ii) that is constructed on a permanent undercarriage or chassis;
 - (iii) that is designed with the capability of being transported, from time to time, from one location to another without the necessity of being placed on a permanent foundation; and
 - (iv) that is not a **recreational vehicle**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

15P2008

228 “Manufactured Home Park”

- (a) means a **use**:
 - (i) that provides sites for two or more **Manufactured Homes** on a **parcel**;
 - (ii) that must provide on-site laundry and recreation facilities for the occupants of the **use**;
 - (iii) that must provide administration facilities for the management of the **use**; and
 - (iv) that may have **buildings** for the recreational activities of the **use**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Manufactured Home** located on the **parcel**;
- (d) requires a minimum of 0.1 **visitor parking stalls** per **Manufactured Home** located on the **parcel**; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

32P2009 **229** *deleted*

32P2009 **230** *deleted*

32P2009 **231** *deleted*

232 **“Market”**

(a) means a **use**:

- (i) where individual vendors provide goods for sale directly to the public;
- (ii) where the goods may be sold both inside and outside of a **building**;
- (iii) where the vendors may change on a frequent or seasonal basis;
- (iv) where the goods being sold are finished consumer goods, food products, produce, handcrafted articles, antiques or second hand goods;
- (v) where the items being sold are not live animals;
- (vi) that may include a limited seating area; and
- (vii) that does not include a **Retail and Consumer Service** or **Supermarket**;

9P2012

39P2010

- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) requires 4.5 **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 **bicycle parking stalls – class 2** based on 5.0 per cent of the minimum required **motor vehicle parking stalls**.

5P2013

232.1 **“Market – Minor”**

(a) means a **use**:

- (i) where individual vendors provide goods for sale directly to the public;
- (ii) that is entirely within a **building**;
- (iii) where the goods being sold are finished consumer goods, food products, produce, handcrafted articles, antiques or second hand goods;
- (iv) where the items being sold are not live animals or alcoholic beverages;

- (v) that may include a limited seating area; and
- (vi) that does not include a **Retail and Consumer Service or Supermarket**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) may display merchandise related to the **use** outside of a **building**, provided the merchandise:
 - (i) is within 6.0 metres of a **public entrance** of the **use**; and
 - (ii) is not located in a **setback area**, a parking area or on a sidewalk if it impedes pedestrian movement;
- (d) requires 4.0 **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 **bicycle parking stalls – class 2** based on 5.0 per cent of the minimum required **motor vehicle parking stalls**.

233 “Medical Clinic”

- (a) means a **use** where human health services that are preventative, diagnostic, therapeutic or rehabilitative are provided without overnight accommodation for patients;
- (b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;
- (c) requires a minimum of 6.0 **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 250.0 square metres of **gross usable floor area**.

234 *deleted*

32P2009

235 *deleted*

46P2009

236 “Motion Picture Filming Location”

- (a) means a **use**:
 - (i) where motion pictures are filmed, either within a **building** or outdoors; and
 - (ii) that must be approved on a temporary basis for a period of time not greater than one year;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;

- (c) must not construct any permanent **buildings**, or make permanent exterior renovations or additions to an existing **building** or structure;
- (d) does not have a maximum **use area** in any District;
- (e) does not require **motor vehicle parking stalls**; and
- (f) does not require **bicycle parking stalls – class 1** or **class 2**.

237 “Motion Picture Production Facility”

- (a) means a **use**:
 - (i) where motion pictures are filmed and produced;
 - (ii) where part of the processes and functions associated with the **use** may be located outside of a **building**;
 - (iii) that may have the functions of packaging or shipping the products made as part of the **use**; and
 - (iv) that may have the administrative functions associated with the **use**;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** that is the greater of:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
 - (ii) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time;
- (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**.

32P2009

238 “Motorized Recreation”

- (a) means a **use**:
 - (i) where people participate in motorized sports and recreation activities outdoors;
 - (ii) that may provide a **building** containing change rooms, washrooms, showers and rooms for the administrative and storage functions required to operate the **use**;
 - (iii) that may provide seating areas for viewing the sport and recreation activities associated with the **use**; and

- (iv) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Motorized Recreation** 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.

239 “Multi-Residential Development”

- (a) means a **use**: 67P2008
 - (i) that consists of one or more **buildings**, each containing one or more **units**;
 - (ii) that has a minimum of three **units**;
 - (iii) where all of the **units** in a **development** with only three **units** are provided within the same **main residential building**;
 - (iv) where a minimum of 50.0 per cent of the **units** in a **development** with a minimum of four **units** and a maximum of nine **units** are provided in **buildings** containing two or more **units**; and
 - (v) where a minimum of 90.0 per cent of the **units** in a **development** with 10 or more **units** are provided in **buildings** containing three or more **units**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) provides for all **building** forms referenced in subsection (a), including **building** forms similar to **Townhouse** and **Rowhouse**, unless otherwise referenced in a District;
- (d) requires a minimum number of **motor vehicle parking stalls** as referenced in Part 6, Division 1 or Part 11; 51P2008
- (e) requires a minimum number of **visitor parking stalls** as referenced in Part 6, Division 1 or Part 11; and 51P2008
- (f) requires a minimum number of **bicycle parking stalls – class 1** and **class 2** as referenced in Part 6, Division 1 or Part 11. 51P2008

240 “Multi-Residential Development – Minor”

- (a) means a **use**: 67P2008
 - (i) on a **parcel** 1.0 hectares or less in area;
 - (ii) that consists of one or more **buildings**, each containing one or more **units**;

- (iii) that has a minimum of three **units**;
 - (iv) where a minimum of 90.0 per cent of the **units** are provided in **buildings** containing three or more **units**; and
 - (v) that complies with all of the rules specified for the **use** in the district;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
 - (c) provides for all **building** forms referenced in subsection (a), including **building** forms similar to **Townhouse** and **Rowhouse**, unless otherwise referenced in a District;
 - (d) requires a minimum number of **motor vehicle parking stalls** as referenced in Part 6, Division 1;
 - (e) requires a minimum number of **visitor parking stalls** as referenced in Part 6, Division 1;
 - (f) requires a minimum number of **bicycle parking stalls – class 1** and **class 2** as referenced in Part 6, Division 1.

241 “Municipal Works Depot”

- (a) means a **use**:
 - (i) where infrastructure maintenance services are provided by a level of government;
 - (ii) where large areas of land are required for **buildings** and storage;
 - (iii) that may store and service equipment, vehicles, LRT trains and other municipal vehicles;
 - (iv) that may store sand, gravel and other goods that are capable of being stacked or piled;
 - (v) that may have **buildings** to service the equipment, vehicles, and LRT trains;
 - (vi) that may have a **building** for training staff in the operation of the vehicles, equipment or LRT trains; and
 - (vii) that may have a **building** for administrative functions associated with the **use**;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) must provide **screening** on the same **parcel** as the **use** where the **parcel** shares a **property line** with a **residential district** or **special purpose district** and where there are piles or stacks of loose materials stored on the **parcel**;

13P2008

13P2008

- (d) must provide **screening** equal to the height of the piles or stacks of materials stored on the **parcel**, as referenced in subsection (c).
- (e) must provide a berm with a 3:1 slope if the berm is used to satisfy the **screening** requirements referenced in subsections (3) and (4);
- (f) requires a minimum number of **motor vehicle parking stalls** that is the greater of:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
 - (ii) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time;
- (g) does not require **bicycle parking stalls – class 1**; and
- (h) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

242 “Museum”

- (a) means a **use**:
 - (i) where artifacts and information are displayed for public viewing;
 - (ii) where artifacts are investigated, restored and preserved for the public;
 - (iii) that may be contained entirely within or partially outside of a **building**;
 - (iv) that may have rooms for the provision of educational programs related to the **use**;
 - (v) that may provide lecture theatres, meeting rooms, study space and computers for users of the **use**;
 - (vi) 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** for non-**assembly areas**, 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**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of **bicycle parking stalls – class 2** based on 10.0 per cent of the minimum required **motor vehicle parking stalls**.

243 “Natural Area”

- (a) means a **use** where open space is set aside:
- (i) to maintain existing natural or native plant or animal communities; or
 - (ii) to allow disturbed lands to be naturalized;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) may be improved by benches, interpretive displays, pathways, picnic shelters, trails, viewpoints and washrooms;
- (d) may have small **buildings** that do not exceed 75.0 square metres when required for maintenance facilities or for the study of the **Natural Area**;
- (e) may have a parking area, provided it is located a minimum of 3.0 metres from the nearest **property line**;
- (f) does not require **motor vehicle parking stalls**; and
- (g) does not require **bicycle parking stalls – class 1** or **class 2**.

244 “Natural Resource Extraction”

- (a) means a **use**:
- (i) where gases, liquids or minerals are extracted, but does not include gravel, sand or other forms of aggregate;
 - (ii) that is not **Refinery** or **Pits and Quarries**; and
 - (iii) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Natural Resource Extraction** 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.

245 “Night Club”

- (a) means a **use**:
 - (i) where liquor is sold and consumed on the premises;
 - (ii) where a licence for the sale of liquor, that prohibits minors on the premises at any time, is issued by the Alberta Gaming and Liquor Commission;
 - (iii) where entertainment is provided to patrons, in the forms of a dance floor, live music stage, live performances, or recorded music, in areas greater than 10.0 square metres; and
 - (iv) where food may be prepared and sold for consumption on the premises;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must provide sufficient area **adjacent** to entry doors for patrons to queue prior to entering;
- (d) must be located more than 45.0 metres from a **residential district**, which must be measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (e) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;
- (f) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated from the **residential district** by a **street**;
- (g) requires a minimum of 2.85 **motor vehicle parking stalls** per 10.0 square metres of **public area**;
- (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 **public area**.

246 “Office”

- (a) means a **use**:
 - (i) where business people, professional, clerical and administrative staff work in fields other than medical or counselling fields;

- (ii) that provides services to either a select clientele or no clients, and therefore has limited contact with the public at large;
 - (iii) that may have a reception area;
 - (iv) that may contain work stations, boardrooms, and meeting rooms; and
 - (v) that does not have facilities for the production or sale of goods directly to the public inside the **use**;
- (b) is a **use** within the Office Group in Schedule A to this Bylaw;
- (c) *deleted*
- (d) requires a minimum of 2.0 motor vehicle parking stalls per 100.0 square metres of **gross usable floor area**;
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 1** per 1000.0 square metres of **gross usable floor area**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 1000.0 square metres **gross usable floor area** for **Offices** greater than 1000.0 square metres.

67P2008

14P2010, 51P2008,
26P2010, 7P2011**247 “Outdoor Café”**

- (a) means a **use**:
- (i) where food or beverages are served or offered for sale for consumption on a portion of the premises which are not contained within a fully enclosed **building**; and
 - (ii) that must be approved with another **use** listed within the Eating and Drinking Group in Schedule A, or with a **Convenience Food Store, Specialty Food Store or Supermarket**;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) must not have a floor higher than 0.6 metres above the height of the first **storey** floor level when the **use** is located within 100.0 metres of a **residential district**;
- (d) must not have outdoor speakers;
- (e) must not be combined with a **Drinking Establishment – Small** when located in the M-H2 or M-H3 districts;
- (f) has a maximum area of 25.0 square metres in the C-N1, C-N2, C-C1, C-C2, C-COR1, C-COR2, C-O, C-R1, I-B, CC-MHX, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, CC-ET, M-H1, M-H2, M-H3, M-X1 and M-X2 districts;

- (g) must be located more than 25.0 metres from a **parcel** designated M-CG, M-C1, M-C2, M-G, M-1, M-2, or any **low density residential district**; unless the **use** is completely separated from these districts by a **building** or by an intervening **street**;
- (h) requires a minimum of 2.85 **motor vehicle parking stalls** per 10.0 square metres of outdoor area if the area is greater than 25.0 square metres; and
- (i) does not require **bicycle parking stalls – class 1 or class 2**.

248 “Outdoor Recreation Area”

- (a) means a **use**:
 - (i) where people participate in sports and athletic activities outdoors;
 - (ii) where the sport or athletic activity is not **Motorized Recreation or Firing Range**;
 - (iii) that may include a **building** containing change rooms, washrooms or showers and rooms for the administrative functions required to operate the **use**; and
 - (iv) that may provide a temporary seating area for the viewing of the sport or athletic activity associated with the **use**;
- (b) is a **use** within the Culture and Leisure 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 **development permit** application when it is listed as a **discretionary use** in a District; and
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

288 “Salvage Processing – Heat and Chemicals”

- (a) means a **use**:
 - (i) where salvaged and recycled material are processed using heat or the application of chemicals;
 - (ii) that is not a landfill or waste disposal facility for any goods;
 - (iii) that does not involve the disassembly of any goods;
 - (iv) where activities may occur entirely within a **building**, or partially outside of a **building**, or entirely outdoors;
 - (v) that does not involve the manufacture or assembly of any goods;
 - (vi) that may have a **building** for administrative functions associated with the **use**; and
 - (vii) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Salvage Processing – Heat and Chemicals** 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.

288.1 “Salvage Yard”

32P2009

- (a) means a **use**:
 - (i) where any of the following are stored, dismantled or crushed:
 - (A) **dilapidated vehicles**; and
 - (B) damaged, inoperable or obsolete goods, machinery or equipment, building materials, or other scrap material;
 - (ii) where motor vehicles in their complete and operable state are not displayed or sold;
 - (iii) where part or all of the **use** takes place outside of a **building**;

5P2013

5P2013

- (iv) that may have equipment located outdoors to assist in the processes and functions of the **use**;
- (v) that may have the incidental sale of parts and materials that are recovered from the dilapidated vehicles, goods, machinery or equipment, building materials, or other scrap material;
- (vi) that may have a **building** for administrative functions associated with the **use**;
- (vii) that does not involve the manufacture or assembly of any goods; and
- (viii) that does not involve the servicing or repair of anything;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) requires the following minimum number of **motor vehicle parking stalls**:
 - (i) for a **building**, the greater of:
 - (A) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
 - (B) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time; and
 - (ii) for outdoor storage:
 - (A) 0.25 stalls for 100.0 square metres of outdoor storage area for areas up to 4000.0 square metres; and
 - (B) 0.1 stalls per 100.0 square metres thereafter;
- (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**.

289 “Sawmill”

- (a) means a **use**:
 - (i) where timber is cut, sawed, planed or milled to finished lumber or an intermediary step;
 - (ii) that may include facilities for the kiln drying of lumber;
 - (iii) that may include areas for the outdoor storage of raw or finished lumber products;
 - (iv) that may include the distribution or sale of lumber products; 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.

313 “Storage Yard”

- (a) means a **use**:
- (i) where goods, materials and supplies are stored outside;
 - (ii) where goods, materials and supplies being stored are capable of being stacked or piled;
 - (iii) where the goods, materials and supplies stored are not motor vehicles, equipment or waste;
 - (iv) where the goods, materials and supplies are not stored in a **building**, shipping container, trailer, tent or any enclosed structure with a roof;
 - (v) where the piles or stacks of goods, materials and supplies may be packaged into smaller quantities for transportation off the **parcel**; and 9P2012
 - (vi) *deleted* 9P2012
 - (vii) that may have a **building** for the administrative functions associated with the **use**;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) may cover piles or stacks of goods, materials and supplies associated with the **use**, with tarps or a structure with a roof but it must be open on the sides;
- (d) requires the following minimum number of **motor vehicle parking stalls**:
- (i) for a **building**, the greater of:
 - (A) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres: or
 - (B) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time; and
 - (ii) for outdoor storage areas:
 - (A) 0.25 stalls per 100.0 square metres of outdoor storage area for areas up to 4000.0 square metres; and
 - (B) 0.1 stalls per 100.0 square metres thereafter; and

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

314 “Supermarket”

13P2008

- (a) means a **use**:
- (i) where fresh and packaged food is sold;
 - (ii) where daily household necessities may be sold;
 - (iii) that will be contained entirely within a **building**;
 - (iv) that has a minimum **gross floor area** greater than 465.0 square metres;
 - (v) that may include a limited seating area no greater than 15.0 square metres for the consumption of food prepared on the premises; and
 - (vi) that may include the preparation of food and non-alcoholic beverages for human consumption;

39P2010, 5P2013

- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) that is located in the C-R1 District may incorporate the following **uses** within a **Supermarket**, provided the requirements referenced in subsection (d) are satisfied:

- (i) **Amusement Arcade;**
- (ii) **Computer Games Facility;**
- (iii) **Counselling Service;**
- (iv) **Financial Institution;**
- (v) **Fitness Centre;**
- (vi) **Health Services Laboratory – With Clients;**
- (vii) **Medical Clinic;**
- (ix) **Office;**
- (x) **Pet Care Service;**
- (xi) **Print Centre;**
- (xii) **Power Generation Facility – Small;**
- (xiii) **Radio and Television Studio;**
- (xiv) **Restaurant: Food Service Only – Medium;**
- (xv) **Restaurant: Food Service Only – Small;**
- (xvi) **Retail and Consumer Service;**
- (xvii) **Take Out Food Service; and**
- (xviii) **Veterinary Clinic;**

- (ii) where each **Dwelling Unit** has a separate direct entry from **grade**;
- (iii) where no **Dwelling Unit** is located wholly or partially above another **Dwelling Unit**; and
- (iv) that does not include a **Rowhouse**;
- (b) is a **use** within the Residential Group in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** based on:
 - (i) 1.0 stalls per **Dwelling Unit** where the **Townhouse** is located in Area 2 and 3 of the Parking Areas Map, as illustrated on Map 7; and
 - (ii) 1.25 stalls per **Dwelling Unit** where the **Townhouse** is located in Area 1 of the Parking Areas Map, as illustrated on Map 7;
- (d) requires a minimum of 0.15 **visitor parking stalls** per Dwelling Unit; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

320 “Tree Farm”

- (a) means a **use** where trees and shrubs are intensively grown but are not sold commercially;
- (b) is a **use** within the Agriculture and Animal 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**.

321 “Utilities”

- (a) means a **use**:
 - (i) where facilities for water distribution, irrigation and drainage, waste water collection, gas, water heating and cooling for district energy, electricity, cable, telephone and telecommunications are provided; and
 - (ii) that is not **Utilities – Linear** or **Utility Building**;

- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) must not be located in a **building** with a **gross floor area** greater than 10.0 square metres;
- (d) does not require **motor vehicle parking stalls**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

1P2009

321.1 “Utilities – Linear”

- (a) means a **use**:
 - (i) where lines for water distribution, irrigation and drainage, waste water collection, water heating and cooling for the purpose of district energy, gas, electricity, cable, telephone and telecommunications transmission are provided;
 - (ii) that is not located in a **building**; and
 - (iii) that may be located above, below or at **grade**;
- (b) is a **use** within the Infrastructure Group in Schedule A to this Bylaw;
- (c) is not required to meet the rules of any land use district;
- (d) does not require **motor vehicle parking stalls**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

322 “Utility Building”

1P2009, 5P2013

- (a) means a **building** greater than 10.0 square metres in **gross floor area**:
 - (i) where water or steam, sewage treatment or disposal, irrigation, drainage, gas, electricity, heat, waste management, water heating and cooling for the purpose of district energy and telecommunications are located;
 - (ii) where the **use** is partially or wholly above **grade**; and
 - (iii) that does not include a **Sewage Treatment Plant** or a **Water Treatment Plant**;
- (b) is a **use** within the Infrastructure 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**.

Secondary Suite – Building Separation

12P2010

351.1 A minimum separation of 3.0 metres is required between the closest façade of the *main residential building* to the closest façade of a **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**.

Secondary Suite – Floor Area

12P2012

352 (1) The maximum floor area of a **Secondary Suite**, excluding any area covered by stairways, is 70.0 square metres:

- (a) in the R-C1Ls, R-C1s, R-C1N, R-1s and R-1N Districts; or
- (b) when located on a *parcel* with a *parcel width* less than 13.0 metres.

(2) The maximum floor area of a **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**, excluding any area covered by stairways, is 70.0 square metres.

(3) The maximum *floor area* in subsections (1) and (2) may be relaxed by the *Development Authority* to a maximum of 10.0 per cent.

Secondary Suite – Outdoor Private Amenity Space

12P2010

353 A **Secondary Suite**, **Secondary Suite – Detached Garage** and **Secondary Suite – Detached Garden** must have a *private amenity space* that:

- (a) is located outdoors;
- (b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres; and
- (c) is shown on a plan approved by the *Development Authority*.

Secondary Suite – Density

12P2010

354 There must not be more than one **Secondary Suite**, **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden** located on a *parcel*.

Secondary Suite – Entry and Stairways

12P2010

355 *deleted*

Secondary Suite – Building Height

356 (1) The maximum *building height* is:

- (a) 5.0 metres for a **Secondary Suite – Detached Garden**; and
- (b) 7.5 metres for a **Secondary Suite – Detached Garage**.

(2) *deleted*

12P2010

Parcels Deemed Conforming

- 9P2012 **357** Where a *parcel* is legally existing or approved prior to the effective date of this Bylaw and the *parcel width*, *parcel depth* or the area of the *parcel* is less than the minimum required in a district the *parcel* is deemed to conform to the minimum requirement of this Bylaw provided that the *use* of the *parcel* is not being intensified.

Dwellings Deemed Conforming

- 5P2013 **358 (1)** *Decks* greater than 1.5 metres in height, *landings*, *retaining walls* and window wells that are legally existing or approved prior to the effective date of this Bylaw are deemed to conform with the requirements of this Bylaw.
- 27P2011 **(2)** When a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** has been constructed in accordance with this Bylaw, and is located in a *Developed Area*, the maximum *building height*, minimum *building setback* from a *front property line* and maximum *building depth* determined at the time of the *development* are the requirements until further *development* occurs on the *parcel*.
- 53P2008 **(3)** The *building setback* from the *front property line* for a **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** in the *Developed Area* is deemed to conform with the requirements of this Bylaw if:
- (a) the **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** was legally existing or approved prior to the effective date of this Bylaw;
 - (b) the *building setback* from the *front property line* is:
 - (i) a minimum of 6.0 metres for the R-C1L or R-C1Ls districts; or
 - (ii) a minimum of 3.0 metres for any other *residential district*; and
 - (c) the *main residential building*:
 - (i) has not been added to after the effective date of this Bylaw; or
 - (ii) has been added to after the effective date of this Bylaw and the addition complies with the requirements specified in this Bylaw for a *building setback* from the *front property line*.
- 67P2008 **(4)** The *building height* for a **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** in the *Developed Area* is deemed to conform with the requirements of this Bylaw providing:
- (a) the **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling** was legally existing or approved prior to the effective date of this Bylaw; and
- 67P2008, 46P2009

Division 4: Residential – Contextual Narrow Parcel One Dwelling (R-C1N) District

Purpose

404 The Residential – Contextual Narrow Parcel One Dwelling District is intended to accommodate existing residential **development** and contextually sensitive redevelopment in the form of **Single Detached Dwellings** in the **Developed Area** on narrow or small **parcels**.

Permitted Uses

405 The following **uses** are **permitted uses** in the Residential – Contextual Narrow Parcel One Dwelling District:

- (a) **Accessory Residential Building;**
- (b) **Contextual Single Detached Dwelling;**
- (b.1) **Home Based Child Care – Class 1;** 17P2009
- (c) **Home Occupation – Class 1;**
- (d) *deleted* 46P2009
- (e) **Park;**
- (f) **Protective and Emergency Service;**
- (g) **Sign – Class A; and** 4P2012
- (h) *deleted* 4P2012
- (i) **Utilities.**

Discretionary Uses

406 The following **uses** are **discretionary uses** in the Residential – Contextual Narrow Parcel One Dwelling District:

- (a) **Addiction Treatment;**
- (a.1) **Assisted Living;** 24P2011
- (b) **Bed and Breakfast;**
- (c) **Community Entrance Feature;**
- (d) **Custodial Care;** 17P2009
- (d.1) **Home Based Child Care – Class 2;**
- (e) **Home Occupation – Class 2;**
- (f) **Place of Worship – Small;**
- (g) **Power Generation Facility – Small;**

- 34P2010 (h) **Residential Care;**
- 34P2010 (h.1) **Secondary Suite;**
- 34P2010 (h.2) **Secondary Suite – Detached Garage;**
- 34P2010 (h.3) **Secondary Suite – Detached Garden;**
- (i) **Sign – Class B;**
- (j) **Sign – Class C;**
- (k) **Sign – Class E;**
- (l) **Single Detached Dwelling;**
- (m) **Temporary Residential Sales Centre;** and
- (n) **Utility Building.**

Rules

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

- (a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Number of Main Residential Buildings on a Parcel

13P2008 **408** The maximum number of **main residential buildings** on a **parcel** is one.

Parcel Width

- 3P2010, 34P2010 **409 (1)** The minimum **parcel width** is:
- 5P2013 (a) 7.5 metres for a **parcel** containing a **Contextual Single Detached Dwelling** or **Single Detached Dwelling**;
- (b) 9.0 metres for a **parcel** containing a **Secondary Suite**; and
- (c) 13.0 metres for a **parcel** containing a **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**.
- (2) The maximum **parcel width** is 11.6 metres unless the **parcel** is:
- (a) a **corner parcel**;
- (b) a **parcel** on the bulb of a cul-de-sac; or
- (c) a **parcel** with a **front property line** shared with a **street** at a point where the **street** has a significant change in direction.

Discretionary Uses

- 740** (1) **Uses** listed in subsection 739(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Community 1 District.
- (2) **Uses** listed in subsection 739(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3) The following **uses** are **discretionary uses** in the Commercial – Community 1 District:
- (a) **Addiction Treatment;**
 - (b) **Amusement Arcade;**
 - (c) **Artist’s Studio;**
 - (c.1) **Assisted Living;**
 - (d) **Auto Service – Minor;**
 - (e) **Billiard Parlor;**
 - (f) **Car Wash – Single Vehicle;**
 - (g) **Child Care Service;**
 - (h) **Computer Games Facility;**
 - (i) **Custodial Care;**
 - (j) **Drinking Establishment – Small;**
 - (k) **Drinking Establishment – Medium;**
 - (l) **Drive Through;**
 - (m) **Dwelling Unit;**
 - (n) **Gas Bar;**
 - (o) **Home Occupation – Class 2;**

24P2011

- (p) **Indoor Recreation Facility;**
- (q) **Liquor Store;**
- (r) **Live Work Unit;**
- 5P2013 (r.1) **Market – Minor;**
- (s) **Outdoor Café;**
- (t) **Parking Lot – Grade;**
- (u) **Place of Worship – Small;**
- (v) **Power Generation Facility – Small;**
- (w) **Residential Care;**
- (x) **Restaurant: Licensed – Medium;**
- (y) **Restaurant: Licensed – Small;**
- (z) **Seasonal Sales Area;**
- (aa) **Service Organization;**
- (bb) **Sign – Class C;**
- (cc) **Sign – Class E;**
- 4P2013 (dd) *deleted*
- (ee) **Social Organization;**
- 4P2012 (ff) **Special Function – Class 2;**
- 10P2009, 4P2012 (ff.1) *deleted*
- (gg) **Utility Building;** and
- (hh) **Vehicle Sales – Minor.**

Rules

741 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.

- (w) **Restaurant: Food Service Only – Medium;**
- (x) **Restaurant: Food Service Only – Small;**
- (y) **Retail and Consumer Service;**
- (z) **Service Organization;**
- (aa) **Specialty Food Store;**
- (bb) **Supermarket;**
- (cc) **Take Out Food Service;**
- (dd) **Vehicle Rental – Minor;**
- (ee) **Vehicle Sales – Minor;** and
- (ff) **Veterinary Clinic.**

Discretionary Uses

- 759 (1)** *Uses* listed in subsection 758(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Community 2 District.
- (2)** *Uses* listed in subsection 758(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Community 2 District:
- (a) **Artist’s Studio;**
 - (b) **Auto Service – Major;**
 - (c) **Auto Service – Minor;**
 - (d) **Billiard Parlour;**
 - (e) **Car Wash – Multi Vehicle;**
 - (f) **Car Wash – Single Vehicle;**
 - (g) **Child Care Service;**
 - (h) **Cinema;**
 - (h.1) **Conference and Event Facility;**
 - (i) **Dinner Theatre;**

67P2008

- (j) **Drinking Establishment – Small;**
- (k) **Drinking Establishment – Medium;**
- (l) **Drive Through;**
- (m) **Dwelling Unit;**
- (n) **Funeral Home;**
- (o) **Gas Bar;**
- (p) **Home Occupation – Class 2;**
- (q) **Hotel;**
- (r) **Indoor Recreation Facility;**
- (s) **Liquor Store;**
- (t) **Live Work Unit;**
- (t.1) **Market – Minor;**
- (u) **Outdoor Café;**
- (v) **Parking Lot – Grade;**
- (w) **Parking Lot – Structure;**
- (x) **Performing Arts Centre;**
- (y) **Place of Worship – Small;**
- (z) **Post-secondary Learning Institution;**
- (aa) **Power Generation Facility – Medium;**
- (bb) **Radio and Television Studio;**
- (cc) **Restaurant: Food Service Only – Large;**
- (dd) **Restaurant: Licensed – Large;**
- (ee) **Restaurant: Licensed – Medium;**
- (ff) **Restaurant: Licensed – Small;**
- (gg) **Seasonal Sales Area;**
- (hh) **Sign – Class C;**
- (ii) **Sign – Class E;**
- (jj) **Social Organization;**

5P2013

Discretionary Uses

- 778 (1) **Uses** listed in subsection 777(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Corridor 1 District.
- (2) **Uses** listed in subsection 777(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3) The following **uses** are **discretionary uses** in the Commercial – Corridor 1 District:
- (a) **Accessory Liquor Service;**
 - (b) **Addiction Treatment;**
 - (c) **Artist’s Studio;**
 - (c.1) **Assisted Living;** 24P2011
 - (d) **Billiard Parlour;**
 - (e) **Child Care Service;**
 - (f) **Cinema;**
 - (g) **Computer Games Facility;** 67P2008
 - (g.1) **Conference and Event Facility;**
 - (h) **Custodial Care;**
 - (i) **Drinking Establishment – Medium;**
 - (j) **Drinking Establishment – Small;**
 - (k) **Dwelling Unit;**
 - (l) **Home Occupation – Class 2;**
 - (m) **Hotel;**
 - (n) **Indoor Recreation Facility;**

- 32P2009
- (o) **Instructional Facility;**
- (p) **Liquor Store;**
- (q) **Live Work Unit;**
- 5P2013
- (q.1) **Market – Minor;**
- (r) **Outdoor Café;**
- (s) **Parking Lot – Grade;**
- (t) **Parking Lot – Structure;**
- (u) **Pawn Shop;**
- (v) **Place of Worship – Small;**
- (w) **Post-secondary Learning Institution;**
- (x) **Residential Care;**
- (y) **Restaurant: Food Service Only – Medium;**
- (z) **Restaurant: Licensed – Medium;**
- (aa) **Restaurant: Licensed – Small;**
- (bb) **Seasonal Sales Area;**
- 14P2010
- (cc) **Sign – Class C;**
- (dd) **Sign – Class E;**
- (ee) **Sign – Class F;**
- (ff) **Social Organization;**
- 4P2012
- (gg) **Special Function – Class 2;**
- 10P2009, 4P2012
- (gg.1) *deleted*
- (hh) **Supermarket; and**
- (ii) **Utility Building.**

Rules

779 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.

Floor Area Ratio

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

Building Height

781 The maximum **building height** for **parcels** designated Commercial – Corridor 1 District is the number following the letter “h” and a number indicated on the Land Use District Maps, expressed in metres.

Building Orientation

- 782**
- (1) The main **public entrance** to a **building** must face the **property line** shared with a commercial **street**.
 - (2) The maximum **building setback** from a **property line** shared with a commercial **street** is 3.0 metres.
 - (3) **Motor vehicle parking stalls** and **loading stalls** must not be located between a **building** and a commercial **street**.

Building Façade

- 783**
- (1) The length of the **building** façade that faces the commercial **street** must be a minimum of 80.0 per cent of the length of the **property line** it faces.
 - (2) In calculating the length of the **building** façade, the depth of any required **rear** or **side setback areas** referenced in sections 788 and 789 will not be included as part of the length of the **property line**.

Vehicle Access

- 784**
- (1) Unless otherwise referenced in subsections (2) and (3), where the **parcel** shares a **rear** or **side property line** with a **lane**, all vehicle access to the **parcel** must be from the **lane**.
 - (2) Where a **corner parcel** shares a **property line** with a **lane**, those **parcels** may have vehicle access from either the **lane** or the **street**.
 - (3) Where a parcel shares a **rear** or **side property line** with a **lane**, but access from the **lane** is not physically feasible due to elevation differences between the **parcel** and the **lane**, all vehicle access must be from a **street**.

Use Area

- 785 (1)** Unless otherwise referenced in subsection (3), the maximum **use area** for **uses** on the ground floor of **buildings** in the Commercial – Corridor 1 District is 465.0 square metres.
- (2)** Unless otherwise referenced in subsection (3), there is no maximum **use area** requirement for **uses** located on upper floors in the Commercial – Corridor 1 District.
- (3)** The maximum **use area** of a:
- (a) Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres;
 - (b) Cinema**, or a **Cinema** combined with any other **use**, is 550.0 square metres; and
 - (c) Supermarket**, or a **Supermarket** combined with any other **use**, is 1400.0 square metres.
- (4)** The following **uses** do not have a **use area** restriction:
- (a) Addiction Treatment;**
 - (a.1) Assisted Living;**
 - (b) Custodial Care;**
 - (c) Hotel; and**
 - (d) Residential Care.**

24P2011

Location of Uses within Buildings

- 786 (1)** The following **uses** must not be located on the ground floor of **buildings**:
- (a) Assisted Living;**
 - (a.1) Catering Service - Minor;**
 - (b) Child Care Service;**
 - (c) Counselling Service;**
 - (d) Dwelling Unit;**
 - (e) Health Services Laboratory- with Clients;**
 - (f) Instructional Facility;**
 - (g) Live Work Unit;**
 - (h) Medical Clinic;**
 - (i) Office;**

24P2011

24P2011

32P2009

- (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 of 3.0 stalls; and
- (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.

Discretionary Uses

- 798 (1)** *Uses* listed in subsection 797(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Corridor 2 District.
- (2)** *Uses* listed in subsection 797(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following *uses* are **discretionary uses** in the Commercial – Corridor 2 District:
- (a) **Addiction Treatment;**
 - (b) **Amusement Arcade;**
 - (c) **Artist’s Studio;**
 - (c.1) **Assisted Living;** 24P2011
 - (d) **Auto Service – Major;**
 - (e) **Auto Service – Minor;**
 - (f) **Billiard Parlour;**
 - (g) **Car Wash – Multi-Vehicle;**
 - (h) **Car Wash – Single Vehicle;**
 - (i) **Child Care Service;**
 - (j) **Cinema;**
 - (k) **Computer Games Facility;**
 - (k.1) **Conference and Event Facility;** 67P2008
 - (l) **Custodial Care;**
 - (m) **Dinner Theatre;**
 - (n) **Drinking Establishment – Medium;**

32P2009

5P2013

- (o) **Drinking Establishment – Small;**
- (p) **Drive Through;**
- (q) **Dwelling Unit;**
- (r) **Funeral Home;**
- (s) **Gas Bar;**
- (t) **Health Services Laboratory – without Clients;**
- (u) **Home Occupation – Class 2;**
- (v) **Hotel;**
- (w) **Indoor Recreation Facility;**
- (x) **Instructional Facility;**
- (y) **Liquor Store;**
- (z) **Live Work Unit;**
- (z.1) **Market – Minor;**
- (aa) **Outdoor Café;**
- (bb) **Parking Lot – Grade;**
- (cc) **Parking Lot – Structure;**
- (dd) **Pawn Shop;**
- (ee) **Performing Arts Centre;**
- (ff) **Place of Worship – Small;**
- (gg) **Post-secondary Learning Institution;**
- (hh) **Power Generation Facility – Medium;**
- (ii) **Residential Care;**
- (jj) **Restaurant: Licensed – Medium;**
- (kk) **Seasonal Sales Area;**
- (ll) **Sign – Class C;**
- (mm) **Sign – Class E;**
- (nn) **Sign – Class F;**

- (dd) **Restaurant: Food Service Only – Large;**
- (ee) **Restaurant: Food Service Only – Medium;**
- (ff) **Restaurant: Food Service Only – Small;**
- (gg) **Restaurant: Licensed – Medium;**
- (hh) **Restaurant: Licensed – Small;**
- (ii) **Retail and Consumer Service;**
- (jj) **Service Organization;**
- (kk) **Specialty Food Store;**
- (ll) **Supermarket;**
- (mm) **Take Out Food Service;**
- (nn) **Vehicle Rental – Minor;**
- (oo) **Vehicle Sales – Minor; and**
- (pp) **Veterinary Clinic.**

Discretionary Uses

- 863 (1)** *Uses* listed in subsection 862(2) are **discretionary uses** if they are located in new **buildings** or new additions to existing **buildings** in the Commercial – Regional 2 District.
- (2)** *Uses* listed in subsection 862(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following *uses* are **discretionary uses** in the Commercial – Regional 2 District:
- (a) **Auto Service – Major;**
 - (b) **Auto Service – Minor;**
 - (c) **Beverage Container Drop-Off Depot;**
 - (d) **Car Wash – Multi Vehicle;**
 - (e) **Car Wash – Single Vehicle;**
 - (f) **Child Care Service;**
 - (f.1) **Conference and Event Facility;**
 - (g) **Drinking Establishment – Large;**

67P2008

5P2013

- (h) **Drinking Establishment – Medium;**
- (i) **Drinking Establishment – Small;**
- (j) **Drive Through;**
- (k) **Dwelling Unit;**
- (l) **Gaming Establishment – Bingo;**
- (m) **Gas Bar;**
- (n) **Home Occupation – Class 2;**
- (o) **Hotel;**
- (p) **Liquor Store;**
- (q) **Live Work Unit;**
- (q.1) **Market – Minor;**
- (r) **Night Club;**
- (s) **Outdoor Café;**
- (t) **Parking Lot – Grade;**
- (u) **Parking Lot – Structure;**
- (v) **Place of Worship – Medium;**
- (w) **Place of Worship – Small;**
- (x) **Post-secondary Learning Institution;**
- (y) **Power Generation Facility – Medium;**
- (z) **Radio and Television Studio;**
- (aa) **Restaurant: Licensed – Large;**
- (bb) **Seasonal Sales Area;**
- (cc) **Sign – Class C;**
- (dd) **Sign – Class E;**
- (ee) **Special Function – Class 2;**
- (ee.1) *deleted*
- (ff) **Utility Building;**
- (gg) **Vehicle Rental – Major; and**
- (hh) **Vehicle Sales – Major.**

4P2012

10P2009, 4P2012

- (aa) **Restaurant: Food Service Only – Medium;**
- (bb) **Restaurant: Food Service Only – Small;**
- (cc) **Restaurant: Licensed – Medium;**
- (dd) **Restaurant: Licensed – Small;**
- (ee) **Retail and Consumer Service;**
- (ff) **Service Organization;**
- (gg) **Specialty Food Store;**
- (hh) **Supermarket;**
- (ii) **Take Out Food Service;**
- (jj) **Vehicle Rental – Minor;**
- (kk) **Vehicle Sales – Minor; and**
- (ll) **Veterinary Clinic.**

Discretionary Uses

- 882 (1)** **Uses** listed in subsection 881(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Regional 3 District.
- (2)** **Uses** listed in subsection 881(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Commercial – Regional 3 District:
- (a) **Auto Service – Major;**
 - (b) **Auto Service – Minor;**
 - (c) **Beverage Container Drop-Off Depot;**
 - (d) **Billiard Parlour;**
 - (e) **Car Wash – Multi-Vehicle;**
 - (f) **Car Wash – Single Vehicle;**
 - (g) **Child Care Service;**
 - (h) **Cinema;**

67P2008

- (h.1) **Conference and Event Facility;**
- (i) **Drinking Establishment – Large;**
- (j) **Drinking Establishment – Medium;**
- (k) **Drinking Establishment – Small;**
- (l) **Drive Through;**
- (m) **Gaming Establishment – Bingo;**
- (n) **Gas Bar;**
- (o) **Hotel;**
- (p) **Liquor Store;**

5P2013

- (p.1) **Market – Minor;**
- (q) **Night Club;**
- (r) **Outdoor Café;**
- (s) **Parking Lot – Grade;**
- (t) **Parking Lot – Structure;**
- (u) **Place of Worship – Medium;**
- (v) **Place of Worship – Small;**
- (w) **Post-secondary Learning Institution;**
- (x) **Power Generation Facility – Medium;**
- (y) **Restaurant: Food Service Only – Large;**
- (z) **Restaurant: Licensed – Large;**
- (aa) **Seasonal Sales Area;**
- (bb) **Sign – Class C;**
- (cc) **Sign – Class E;**
- (dd) **Social Organization;**
- (ee) **Special Function – Class 2;**

4P2012

10P2009, 4P2012

- (ee.1) *deleted*
- (ff) **Utility Building;**
- (gg) **Vehicle Rental – Major; and**
- (hh) **Vehicle Sales – Major.**

Division 2: Centre City Multi-Residential High Rise District (CC-MH)

Purpose

1122 The Centre City Multi-Residential High Rise District:

- (a) is intended to provide for **Multi-Residential Development** on sites within the Centre City area of the city;
- (b) has **Multi-Residential Development** that will provide intense **development**;
- (c) has **Multi-Residential Development** where intensity is measured by **floor area ratio** to provide flexibility in **building** form and **Dwelling Unit** size and number;
- (d) provides a **building** form that is street oriented at grade;
- (e) has a maximum base density with the opportunity for a density bonus over and above base density to achieve public benefit and amenities within the same community;
- (f) is primarily residential with a limited range of **uses** in the Care and Health Group and the Culture and Leisure Group of Schedule A of this Bylaw; and
- (g) provides landscaping to complement the design of the **development**, relationship to the public realm and help to screen and buffer elements of the **development** that may have impacts on residents or nearby **parcels**.

Permitted Uses

1123 (1) The following **uses** are **permitted uses** in the Centre City Multi-Residential High Rise District:

- (a) **Accessory Residential Building;**
- (a.1) **Home Based Child Care – Class 1;** 17P2009
- (b) **Home Occupation – Class 1;**
- (c) **Park;**
- (d) **Protective and Emergency Service;**
- (e) **Sign – Class A;** and 4P2012
- (e.1) *deleted* 10P2009,
4P2012
- (f) **Utilities.**

(2) The following **uses** are **permitted uses** in the Centre City Multi-Residential High Rise District that has a **building** used or previously used as a **School Authority – School**:

- (a) **School Authority – School;** and
- (b) **School Authority Purpose – Minor.**

Discretionary Uses

1124 (1) The following *uses* are **discretionary uses** in the Centre City Multi-Residential High Rise District:

- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- 17P2009 (b.1) **Child Care Service;**
- (c) **Community Entrance Feature;**
- (d) **Custodial Care;**
- (e) **Home Occupation - Class 2;**
- (f) **Live Work Unit;**
- (g) **Multi-Residential Development;**
- (h) **Place of Worship – Medium;**
- (i) **Place of Worship – Small;**
- (j) **Power Generation Facility – Small;**
- (k) **Residential Care;**
- (l) **Sign – Class B;**
- 5P2013 (l.1) **Sign – Class C;**
- (m) **Sign – Class D;**
- 4P2013 (m.1) **Sign – Class E;**
- (n) **Temporary Residential Sales Centre; and**
- (o) **Utility Building.**

(2) 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 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 Centre City Multi-Residential High Rise District that has a **building** used or previously used as a **School Authority - School**:

- (a) **Community Recreation Facility;**
- (b) **Food Kiosk;**
- (c) **Indoor Recreation Facility;**

- (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;**

34P2010

- (c) **Indoor Recreation Facility;**
 - (d) **Outdoor Recreation Facility;**
 - (e) **Park Maintenance Facility - Large;** and
 - (f) **Park Maintenance Facility – Small.**
- (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

- (i) **Dinner Theatre;**
- (j) **Drinking Establishment – Medium**
- (k) **Drinking Establishment – Small;**
- (l) **Dwelling Unit;**
- (m) **Financial Institution;**
- (m.1) **Food Kiosk;** 2P2012
- (n) **General Industrial – Light;**
- (o) **Home Occupation – Class 2;**
- (p) **Hotel;**
- (q) **Indoor Recreation Facility;**
- (r) **Instructional Facility;**
- (s) **Liquor Store;**
- (t) **Live Work Unit;**
- (t.1) **Market – Minor** 5P2013
- (u) **Multi-Residential Development;**
- (v) **Night Club;**
- (w) **Outdoor Café;**
- (x) **Parking Lot – Grade (Temporary);**
- (y) **Parking Lot – Structure;**
- (z) **Pawn Shop;**
- (aa) **Performing Arts Centre;**
- (bb) **Place of Worship – Small;**
- (cc) **Place of Worship – Medium;**
- (dd) **Post-secondary Learning Institution;**
- (ee) **Residential Care;**
- (ff) **Restaurant: Food Service Only – Medium;**
- (gg) **Restaurant: Licensed – Small;**
- (hh) **Restaurant: Licensed – Medium;** 2P2012
- (hh.1) **School – Private;**
- (ii) **Seasonal Sales Area;**
- (jj) **Sign – Class C;**
- (kk) **Sign – Class E;**

- 30P2011, 4P2013 (ll) **Sign – Class F;**
- (ll.1) *deleted*
- 4P2012 (mm) **Social Organization;**
- (nn) **Special Function – Class 2;**
- (oo) **Supermarket;**
- (pp) **Utility Building;** and
- (qq) **Veterinary Clinic.**
- 4P2013 (4) An existing **Sign – Class G** is a **discretionary use** where:
- (a) it existed on the **parcel** prior to March 1, 2013; and
- (b) the previously approved **development permit** issued by the **City** has not expired.

Rules

1165 In addition to the rules in this District, all **uses** in this District must comply with:

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

2P2012

Floor Area Ratio

1166 (1) For **developments** located west of MacLeod Trail SE the maximum **floor area ratio** is:

- (a) for **parcels** between 12 and 13 Avenue and West of 1 Street SE:
- (i) 3.0 for **uses** referenced in sections 1163 and 1164; or
- (ii) 5.0 for **Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development and Hotel uses**
- (b) for **parcels** between 15 and 17 Avenue and west of 1 Street SE is 3.0;
- (c) for all other **parcels**:
- (i) 5.0; or
- (ii) The maximum **floor area ratio** in subsection (i) may be increased by a **floor area ratio** of 3.0 when this additional floor area is used for **Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development and Hotel uses**.

5P2013

- (2) For **developments** located east of Macleod Trail SE the maximum **floor area ratio** is 5.0, for all **parcels**.
- (3) The maximum **floor area ratio** referenced in (1) and (2) may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

Building Height

1167 There is no maximum **building height**.

Building Orientation

1168 The main **public entrance** to a **building** must face the **property line** shared with a commercial **street**.

Front Setback Area

- 1169** (1) The **front setback area** must have a minimum depth of 1.5 metres and a maximum depth of 3.0 metres for **parcels** located on the following **streets**:
- (a) 4 Street SW;
 - (b) 8 Street SW;
 - (c) 11 Street SW;
 - (d) 11 Avenue (west of Olympic Way SE); and
 - (e) 12 Avenue (west of Macleod Trail SE).
- (2) The **front setback area** must have a minimum depth of 1.5 metres and a maximum depth of 6.0 metres for **parcels** located on the following **streets**:
- (a) 1 Street SE;
 - (b) 14 Street SW;
 - (c) 10 Avenue; and
 - (d) Macleod Trail SE.
- (3) The **front setback area** must have a maximum depth of 3.0 metres and no minimum depth requirement for **parcels** located on the following **streets**:
- (a) 1 Street SW;
 - (b) 17 Avenue; and
 - (c) Olympic Way SE.
- (4) The **front setback area** must have a minimum depth of 3.0 metres and a maximum depth of 6.0 metres for **parcels** located on the following **streets**:

2P2012

- (a) 2 Street SW;
- (b) 3 Street SE;
- (c) 5 Street SE;
- (d) 5 Street SW;
- (e) 6 Street SE;
- (f) 6 Street SW;
- (g) 7 Street SW;
- (h) 9 Street SW;
- (i) 10 Street SW;
- (j) 12 Street SW;
- (k) 13 Street SW;
- (l) 11 Avenue SE (east of Olympic Way SE);
- (m) 12 Avenue SE (east of Macleod Trail SE);
- (n) 13 Avenue;
- (o) 14 Avenue SE;
- (p) 15 Avenue; and
- (q) Centre Street.

Rear Setback Area

- 1170 (1)** Where the *parcel* shares a **rear property line** with a *parcel* designated as:
- (a) a **commercial district**, there is no requirement for a **rear setback area**; and
 - (b) a **residential district** or a **special purpose district** the **rear setback area** must have a minimum depth of 3.0 metres.
- (2)** Where the *parcel* shares a **rear property line** with:
- (a) an **LRT corridor**, or rail corridor, the **rear setback area** must have a minimum depth of 3.0 metres;
 - (b) a **lane** that separates the *parcel* from a *parcel* designated as a **residential district** or a **special purpose district**, the **rear setback area** must have a minimum depth of 3.0 metres;
 - (c) a **lane**, in all other cases, there is no requirement for a **rear setback area**; and
 - (d) a **street**, the **front setback area** requirement referenced in section 1169 applies.

Side Setback Area

- 1171 (1) Where the *parcel* shares a *side property line* with a *parcel* designated as:
- (a) a **commercial district**, there is no requirement for a **side setback area**; and
 - (b) a **residential district** or a **special purpose district** the **side setback area** must have a minimum depth of 3.0 metres.
- (2) Where the *parcel* shares a *side property line* with:
- (a) an **LRT corridor**, or rail corridor, the **side setback area** must have a minimum depth of 3.0 metres;
 - (b) a **lane** that separates the *parcel* from a *parcel* designated as a **residential district** or a **special purpose district**, the **side setback area** must have a minimum depth of 3.0 metres;
 - (c) a **lane**, in all other cases, there is no requirement for a **side setback area**; and
 - (d) a **street**, the **front setback area** requirement referenced in section 1169 applies.

Floor Plate Restrictions

- 1172 (1) When located within the area bounded by the CPR tracks, Macleod Trail SE, 12 Avenue and 8 Street SW, each floor of a **building** located partially or wholly above 36.0 metres above **grade**, and containing **Dwelling Units, Hotel suites or Live Work Units**, has a maximum:
- (a) **floor plate area** of 930.0 square metres; and
 - (b) horizontal dimension of 44.0 metres.
- (2) In all other locations, each floor of a **building** located partially or wholly above 36.0 metres above **grade**, and containing **Dwelling Units, Hotel suites or Live Work Units**, has a maximum:
- (a) **floor plate area** of 650.0 square metres; and
 - (b) horizontal dimension of 37.0 metres.

Landscaping

- 1173 (1) A minimum of 30% of the area of the *parcel* must be a **landscaped area**.
- (2) Landscaping provided at **grade** or below 36.0 metres above **grade** may be credited towards the **landscaped area** requirement.

Landscaping In Setback Areas

- 1174 (1) Where a **setback area** shares a **property line** with a **street**, the **setback area** must be a **landscaped area**.

- (2) Where a **setback area** shares a **property line** with a **lane** and approved access to the **parcel** is from the **lane**, there is no requirement for **soft surfaced landscaped area** or **hard surfaced landscaped area** for that **setback area**.
- (3) Where a **setback area** shares a **property line** with an **LRT corridor** or a **parcel** designated as a **residential district**, the **setback area** must:
- (a) be a **soft surfaced landscaped area**;
 - (b) have 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 **landscaped area**; and
 - (b) 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**; and
 - (b) 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**.

Location of Uses within Buildings

- 1175 (1) The following **uses** must not be located on the ground floor of **buildings**:
- (a) **Catering Service – Minor**;
 - (b) **Community Recreation Facility**;
 - (c) **Counselling Service**;

9P2012

9P2012

- (d) **Health Services Laboratory – with Clients;**
 - (e) *deleted* 32P2009
 - (f) **Indoor Recreation Facility;** 9P2012
 - (g) **Instructional Facility;** 32P2012
 - (h) **Medical Clinic;**
 - (i) **Place of Worship – Small;**
 - (j) **Radio and Television Studio;** and
 - (k) **Service Organization;**
- (2) Only those **uses** listed in the Residential Group of Schedule A to this Bylaw, with the exception of **Hotel uses**, may share a hallway with residential **uses**.
- (3) All **uses** must be contained completely within a **building**, with the exception of **Outdoor Café uses**.
- (4) Outdoor speaker systems for **Outdoor Café uses** are prohibited.
- (5) Only those **uses** listed in the Residential Group of Schedule A to this Bylaw, with the exception of **Hotel uses**, may share an area of a parking structure with residential **uses**.
- (6) All **uses** may share an entrance to areas of a parking structure.
- (7) When not combined with other **uses** in a comprehensive **development** the **General Industrial – Light use** may be allowed only in a **building** that was legally existing or approved prior to the effective date of this Bylaw. 32P2009

Use Area

- 1176 (1) Unless otherwise referenced in subsection (3), (4) or (5), the maximum **use area** for **uses** on the ground floor of **buildings** in the Centre City Mixed Use District is 1200.0 square metres.
- (2) Unless otherwise referenced in subsection (3), (4) or (5), there is no maximum **use area** requirement for **uses** located on upper floors in the Centre City Mixed Use District.
- (3) The maximum **use area** of:
- (a) **Night Club** is 300.0 square metres of **public area**; and
 - (b) **Supermarket**, or a **Supermarket** combined with any other **use**, is 5200.0 square metres.
- (4) **General Industrial – Light** does not have a **use area** restriction when located in a **building** that was legally existing or approved prior to the effective date of this Bylaw.

- (5) The following **uses** do not have a **use area** restriction:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Custodial Care;**
 - (d) **Hotel;**
 - (e) **Place of Worship – Medium;**
 - (f) **Place of Worship – Small;**
 - (g) **Protective and Emergency Service;**
 - (h) **Residential Care;** and
 - (i) **Utility Building.**

38P2009

Motor Vehicle Parking Stall Requirements

- 1177 (1) Unless otherwise specified in this section, the minimum number of required **motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls- class 1** and **bicycle parking stalls – class 2** is the requirement specified in the General Rules for Centre City Commercial Land Use Districts referenced in Part 11, Division 4.
- (2) For the area bounded by the CPR tracks, the Elbow River, 12 Avenue and 14 Street SW, the **motor vehicle parking stall** requirement is:
- (a) no requirement for **Cinema, Dinner Theatre, Drinking Establishment – Small, Drinking Establishment – Medium, Night Club, Performing Arts Centre, Restaurant: Food Service Only – Small, Restaurant: Food Service Only-Medium, Restaurant: Licensed – Small and Restaurant: Licensed – Medium;**
 - (b) unless specified in subsection (b.1), a minimum of 1.0 stall per 100.0 square metres of **gross usable floor area** for **Information and Service Provider, Liquor Store, Office, Pet Care Service, Print Centre, Retail and Consumer Service and Take Out Food Service;**
 - (b.1) no requirement for **Computer Games Facility, Convenience Food Store, Food Kiosk, Liquor Store, Outdoor Café** and **Retail and Consumer Service** located on the ground floor of a **building** where:
 - (i) the **building** contains a **Dwelling Unit, Hotel, Multi-Residential Development**, or **Office** located above the ground floor; or
 - (ii) the **use area** is less than 465.0 square metres;
 - (c) a maximum of 1.5 stalls per **Dwelling Unit**; and
 - (d) for all uses other than **Dwelling Units**:

39P2010

39P2010

- (i) a minimum of 75 percent and a maximum of 100 percent of the required parking stalls shall be provided on site unless limiting transportation and engineering constraints are demonstrated to the satisfaction of the Approving Authority;
- (ii) a cash-in-lieu payment shall be provided for the difference between the total number of required parking stalls and the number of parking stalls provided within the development. Such payment shall be based on the cost of constructing the required number and type of parking stalls in accordance with Council's policy and calculated at a rate per parking stall established by Council at the time payment is made.

Supplies and Products

1178 All materials, supplies and products must be contained within a ***building***.

Division 6: Centre City Commercial Corridor District (CC-COR)

Purpose

1179 The Centre City Commercial Corridor District is intended to be characterized by:

- (a) storefronts along a continuous block face;
- (b) commercial **developments** on both sides of a **street**;
- (c) **buildings** that are close to the **street** and the public sidewalk;
- (d) **building** location, **setback areas**, and landscaping that limit the effect of commercial uses on adjoining **residential districts**;
- (e) opportunities for commercial **uses** on the ground floor of **buildings** and residential and **Office uses** on upper floors;
- (f) varying maximum base density with bonus density over and above base density to achieve commercial residential mixed use, public benefit and amenities within the same community; and
- (g) varying **front setback** based on street type.

5P2013

Permitted Uses

1180 (1) The following **uses** are **permitted uses** in the Centre City Commercial Corridor District:

- (a) **Park**;
- (b) **Sign – Class A**;
- (c) **Sign – Class B**;
- (d) **Sign – Class D**; and
- (d.1) *deleted*
- (e) **Utilities**.

10P2009,
4P2012
10P2009,
4P2012

(2) The following **uses** are **permitted uses** in the Centre City Commercial Corridor District if they are located within existing approved **buildings**:

39P2010

- (a) **Accessory Food Service**;
- (b) **Catering Service – Minor**;
- (c) **Convenience Food Store**;
- (d) **Counselling Service**;
- (e) **Financial Institution**;
- (f) **Fitness Centre**;

- (g) **Health Services Laboratory – With Clients;**
- (h) **Home Based Child Care – Class 1;**
- (i) **Home Occupation – Class 1;**
- (j) **Information and Service Provider;;**
- (k) **Library;**
- (l) **Medical Clinic;**
- (m) **Museum;**
- (n) **Office;**
- (o) **Pet Care Service;**
- (p) **Power Generation Facility – Small;**
- (q) **Print Centre;**
- (r) **Protective and Emergency Service;**
- (s) **Radio and Television Studio;**
- (t) **Restaurant: Food Service Only – Small;**
- (u) **Retail and Consumer Service;**
- (v) **Service Organization;**
- (w) **Specialty Food Store;**
- (x) **Take Out Food Service;**
- (y) **Temporary Residential Sales Centre; and**
- (z) **Veterinary Clinic.**

Discretionary Uses

- 1181 (1)** **Uses** listed in subsection 1180(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City Commercial Corridor District.
- (2)** **Uses** listed in subsection 1180(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one **use** listed in this District that has been approved after the **parcel** was designated as a commercial land use district.
- (3)** The following **uses** are **discretionary uses** in the Centre City Commercial Corridor District:

- (a) **Accessory Liquor Service;**
- (b) **Addiction Treatment;**
- (c) **Artist's Studio;**
- (c.1) **Assisted Living;** 24P2011
- (d) **Billiard Parlour;**
- (e) **Child Care Service;**
- (f) **Cinema;**
- (g) **Computer Games Facility;**
- (h) **Custodial Care;**
- (i) **Drinking Establishment – Medium;**
- (j) **Drinking Establishment – Small;**
- (k) **Dwelling Unit;**
- (l) **Home Occupation – Class 2;**
- (m) **Hotel;**
- (n) **Indoor Recreation Facility;**
- (o) **Instructional Facility;** 32P2009, 9P2012
- (p) **Liquor Store;**
- (q) **Live Work Unit;**
- (q.1) **Market – Minor;** 5P2013
- (r) **Outdoor Café;**
- (s) **Parking Lot – Grade;**
- (t) **Parking Lot – Structure;**
- (u) **Pawn Shop;**
- (v) **Place of Worship – Small;**
- (w) **Post-secondary Learning Institution;**
- (x) **Residential Care;**
- (y) **Restaurant: Food Service Only – Medium;**
- (z) **Restaurant: Licensed – Medium;**
- (aa) **Restaurant: Licensed – Small;**
- (bb) **Seasonal Sales Area;**
- (cc) **Sign – Class C;**
- (dd) **Sign – Class E;**
- (ee) **Sign – Class F;**
- (ee.1) *deleted;* 30P2011, 4P2013

4P2012

- (ff) **Social Organization;**
- (gg) **Special Function – Class 2;**
- (hh) **Supermarket;** and
- (ii) **Utility Building.**

Rules

1182 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 11, Division 4;
- (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

- 1183** (1) For **developments** that do not contain **Dwelling Units**, the maximum **floor area ratio** is 3.0.
- (2) For **developments** containing **Dwelling Units**, the maximum **floor area ratio** is:
- (a) 3.0; or
 - (b) 3.0, plus the **gross floor area** of **Dwelling Units** above the ground floor, up to a maximum **floor area ratio** of 5.0.
- (3) The maximum **floor area ratio** may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

Building Height

1184 There is no maximum **building height**.

Building Orientation

- 1185** (1) The main **public entrance** to a **building** must face the **property line** shared with a commercial **street**.
- (2) Each at **grade use** facing a **street** must have an individual, direct access to the **use** from the **building** exterior and such access must face the **street**.
- (3) Lobbies or entrances for upper floor **uses** must not occupy more than 20% of the at **grade** façade facing a **street**. For **laneless parcels**, portions of façades dedicated to underground parking and loading entrances must not be included as part of the at **grade** façade for the purposes of this rule.
- (4) For **laned parcels**, no motor vehicle access, **motor vehicle parking stalls**, **loading stalls**, garbage facilities, parkade access/egress or parkade venting may be located between the **street** and an at **grade use**.

Division 6: Centre City East Village Integrated Residential District (CC-EIR)

Purpose

1276 The Centre City East Village Integrated Residential District is intended to provide for:

- (a) a residential area integrated with a broad range of support commercial **uses**;
- (b) commercial **uses** located on the ground floor; and
- (c) a **building** form that is street oriented at **grade**.

Permitted Uses

1277 (1) The following **uses** are **permitted uses** in the Centre City East Village Integrated 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.**

(2) The following **uses** are **permitted uses** in the Centre City East Village Integrated Residential District if they are located within existing approved **buildings**: 39P2010

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;** 9P2012
- (c) **Convenience Food Store;**
- (d) **Financial Institution;**
- (e) **Fitness Centre;**
- (f) **Information and Service Provider;**
- (g) **Instructional Facility;**
- (h) **Liquor Store;**
- (i) **Museum;**

- (j) **Pet Care Service;**
- (k) **Print Centre;**
- (l) **Radio and Television Studio;**
- (m) **Restaurant: Food Service Only – Small;**
- (n) **Retail and Consumer Service;**
- (o) **Specialty Food Store;** and
- (p) **Take Out Food Service.**

Discretionary Uses

1278 (1) The following *uses* are **discretionary uses** in the Centre City East Village Integrated Residential District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) **Parking Lot – Grade.**

(2) *Uses* listed in subsection 1277(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Integrated Residential District.

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

- (a) **Amusement Arcade;**
- (a.1) **Artist’s Studio;**
- (b) **Assisted Living;**
- (c) **Billiard Parlour;**
- (d) **Child Care Service;**
- (e) **Cinema;**
- (f) **Community Entrance Feature;**
- (g) **Community Recreation Facility;**
- (h) **Conference and Event Facility;**
- (i) **Drinking Establishment – Medium;**
- (j) **Drinking Establishment – Small;**
- (k) **Dwelling Unit;**
- (l) **Home Occupation - Class 2;**
- (m) **Hotel;**
- (n) **Indoor Recreation Facility;**

39P2010

- (o) **Library;**
- (p) **Live Work Unit;**
- (p.1) **Market – Minor**
- (q) **Medical Clinic;**
- (r) **Office;**
- (s) **Outdoor Café;**
- (t) **Parking Lot- Grade (temporary);**
- (u) **Parking Lot – Structure;**
- (v) **Performing Arts Centre;**
- (w) **Post-secondary Learning Institution;**
- (x) **Residential Care;**
- (y) **Restaurant: Food Service Only – Large;**
- (z) **Restaurant: Food Service Only – Medium;**
- (aa) **Restaurant: Licensed – Medium;**
- (bb) **Restaurant: Licensed – Small;**
- (cc) **Seasonal Sales Area;**
- (dd) **Sign – Class B;**
- (ee) **Sign – Class C;**
- (ff) **Sign – Class D;**
- (gg) **Sign – Class E;**
- (gg.1) **Special Function – Class 2;**
- (hh) **Supermarket; and**
- (ii) **Utility Building.**

5P2013

4P2012

- (4)** The following **uses** are additional **discretionary uses** when located on the ground floor, facing a street located within Area F as illustrated on Map 10:

- (a) **Drinking Establishment – Large;**
- (b) **Night Club; and**
- (c) **Restaurant: Licensed – Large.**

Rules

1279 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

- 1280 (1)** The maximum *floor area ratio* for *development* is:
- (a) 6.65 for an *East Village – High Rise Building*; and
- (b) 7.0 for an *East Village – Mid Rise Building*.
- (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) **Community Recreation Facility**;
 - (iii) **Conference and Event Facility**;
 - (iv) **Indoor Recreation Facility**;
 - (v) **Library**;
 - (vi) **Museum**;
 - (vii) **Performing Arts Centre**;
 - (viii) **Protective and Emergency Service**; and
 - (ix) **Utilities**;
- (b) The following *uses* must be excluded from the calculation of *floor area ratio* for an *East Village – High Rise Building*:
- (i) the total *gross floor area* of a **Post-secondary Learning Institution** to a maximum of 4.0 *floor area ratio*; and
 - (ii) 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

- 1281 (1)** The following *uses* must not be located on the first *storey* of a *building* when they face a *street* located within Area F as illustrated on Map 10:
- (a) **Accessory Residential Building**;
 - (b) **Assisted Living**;
 - (c) **Dwelling Unit**;
 - (d) **Home Occupation - Class 2**;

SCHEDULE A

Groups of Uses

AGRICULTURE AND ANIMAL GROUP

Extensive Agriculture
Kennel
Tree Farm
Veterinary Clinic

AUTOMOTIVE SERVICE GROUP

Auto Body and Paint Shop
Auto Service – Major
Auto Service – Minor
Bulk Fuel Sales Depot
Car Wash – Multi-Vehicle
Car Wash – Single Vehicle
Fleet Service
Gas Bar
Large Vehicle Service
Large Vehicle Wash
Recreational Vehicle Service

CARE AND HEALTH GROUP

Addiction Treatment
Child Care Service
Custodial Care
Funeral Home
Health Services Laboratory – With Clients
Hospital
Medical Clinic
Residential Care

CULTURE AND LEISURE GROUP

Amusement Arcade
Billiard Parlour
Cinema
Community Recreation Facility
Computer Games Facility
Conference and Event Facility
Fitness Centre
Gaming Establishment – Bingo
Indoor Recreation Facility
Library
Motion Picture Filming Location
Museum
Outdoor Recreation Area
Performing Arts Centre
Place of Worship – Large
Place of Worship – Medium
Place of Worship – Small
Radio and Television Studio
Social Organization
Spectator Sports Facility

DIRECT CONTROL USES

Adult Mini-Theatre
Campground
Emergency Shelter
Fertilizer Plant
Firing Range
Gaming Establishment – Casino
Hide Processing Plant
Intensive Agriculture
Inter-City Bus Terminal
Jail
Motorized Recreation
Natural Resource Extraction
Pits and Quarries
Power Generation Facility – Large
Race Track
Refinery
Salvage Processing – Heat and Chemicals
Saw Mill
Slaughter House
Stock Yard
Tire Recycling
Zoo

EATING AND DRINKING GROUP

Catering Service – Major
Catering Service – Minor
Dinner Theatre
Drinking Establishment – Large
Drinking Establishment – Medium
Drinking Establishment – Small
Food Kiosk
Night Club
Restaurant: Food Service Only – Large
Restaurant: Food Service Only – Medium
Restaurant: Food Service Only – Small
Restaurant: Licensed – Large
Restaurant: Licensed – Medium
Restaurant: Licensed – Small
Take Out Food Service

GENERAL INDUSTRIAL GROUP

Asphalt, Aggregate and Concrete Plant
Dry-cleaning and Fabric Care Plant
General Industrial – Heavy
General Industrial – Light
General Industrial – Medium
Printing, Publishing and Distributing
Specialized Industrial

INDUSTRIAL SUPPORT GROUP

Artist's Studio
Beverage Container Drop-Off Depot
Building Supply Centre
Health Services Laboratory – Without Clients
Motion Picture Production Facility
Specialty Food Store

INFRASTRUCTURE GROUP

Airport
Cemetery
Crematorium
Military Base
Municipal Works Depot
Natural Area
Park
Parking Lot – Grade
Parking Lot – Grade (temporary)
Parking Lot – Structure
Park Maintenance Facility – Large
Park Maintenance Facility – Small
Power Generation Facility – Medium
Power Generation Facility – Small
Protective and Emergency Service
Public Transit System
Rail Line
Sewage Treatment Plant
Utilities
Utilities - Linear
Utility Building
Waste Disposal and Treatment Facility
Water Treatment Plant

OFFICE GROUP

Counselling Service
Office
Service Organization

Schedule A has been amended by the following bylaws: 13P2008, 15P2008, 51P2008, 67P2008, 1P2009, 32P2009, 12P2010, 14P2010, 39P2010, 37P2010, 27P2011, 30P2011, 35P2011, 4P2013, 5P2013

RESIDENTIAL GROUP

Assisted Living
 Contextual Semi-detached Dwelling
 Contextual Single Detached Dwelling
 Cottage Building
 Duplex Dwelling
 Dwelling Unit
 Hotel
 Live Work Unit
 Manufactured Home
 Manufactured Home Park
 Multi-Residential Development
 Multi-Residential Development – Minor
 Rowhouse
 Secondary Suite
 Secondary Suite – Detached Garage
 Secondary Suite – Detached Garden
 Single Detached Dwelling
 Semi-detached Dwelling
 Temporary Shelter
 Townhouse

SALES GROUP

Auction Market – Other Goods
 Auction Market – Vehicles and Equipment
 Convenience Food Store
 Financial Institution
 Information and Service Provider
 Large Vehicle and Equipment Sales
 Liquor Store
 Market
 Market – Minor
 Pawn Shop
 Pet Care Service
 Print Centre
 Recreational Vehicle Sales
 Restored Building Products Sales Yard
 Retail Garden Centre
 Retail and Consumer Service
 Supermarket
 Temporary Residential Sales Centre
 Vehicle Rental – Major
 Vehicle Rental – Minor
 Vehicle Sales – Major
 Vehicle Sales – Minor

SIGNS GROUP

Community Entrance Feature

Sign – Class A

Address Sign
 Art Sign
 Banner Sign
 Construction Sign
 Directional Sign
 Election Sign
 Flag Sign
 Gas Bar Sign
 Pedestrian Sign
 Real Estate Sign
 Show Home Sign
 Special Event Sign
 Temporary Sign
 Window Sign
 Any type of sign located in a building not intended to be viewed from outside

Sign – Class B

Fascia Sign

Sign – Class C

Freestanding Sign

Sign – Class D

Canopy Sign
 Projecting Sign

Sign – Class E

Digital Message Sign
 Flashing or Animated Sign
 Inflatable Sign
 Message Sign
 Painted Wall Sign
 Roof Sign
 Rotating Sign
 Temporary Sign Marker
 Any type of sign that does not fit within any of the sign types listed in Classes A, B, C, D, F or G

Sign – Class F

Third Party Advertising Sign

Sign – Class G

Digital Third Party Advertising Sign

STORAGE GROUP

Distribution Centre
 Equipment Yard
 Freight Yard
 Recyclable Construction Material Collection Depot (temporary)
 Salvage Yard
 Self Storage Facility
 Storage Yard
 Vehicle Storage – Large
 Vehicle Storage – Passenger
 Vehicle Storage – Recreational

SUBORDINATE USE GROUP

Accessory Food Service
 Accessory Liquor Service
 Accessory Residential Building
 Bed and Breakfast
 Columbarium
 Custodial Quarters
 Drive Through
 Home Based Child Care - Class 1
 Home Based Child Care - Class 2
 Home Occupation – Class 1
 Home Occupation – Class 2
 Outdoor Café
 Seasonal Sales Area
 Special Function – Class 1
 Special Function – Class 2

TEACHING AND LEARNING GROUP

Instructional Facility
 Post-secondary Learning Institution
 School – Private
 School Authority – School
 School Authority Purpose – Major
 School Authority Purpose – Minor