

THE CITY OF CALGARY LAND USE BYLAW 1P2007

OFFICE CONSOLIDATION

BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

| | | | | | |
|---------|--------------------|---------|--------------------|---------|--------------------|
| 11P2008 | June 1, 2008 | 24P2011 | June 27, 2011 | 4P2017 | January 23, 2017 |
| 13P2008 | June 1, 2008 | 27P2011 | July 1, 2011 | 5P2017 | February 13, 2017 |
| 15P2008 | June 1, 2008 | 30P2011 | July 25, 2011 | 13P2017 | March 27, 2017 |
| 47P2008 | June 1, 2008 | 31P2011 | September 12, 2011 | 20P2017 | May 1, 2017 |
| 48P2008 | June 1, 2008 | 33P2011 | September 19, 2011 | 29P2017 | June 26, 2017 |
| 49P2008 | June 1, 2008 | 35P2011 | December 5, 2011 | 30P2017 | June 26, 2017 |
| 50P2008 | June 1, 2008 | 36P2011 | December 5, 2011 | 37P2017 | August 2, 2017 |
| 53P2008 | June 1, 2008 | 4P2012 | January 10, 2012 | 49P2017 | September 12, 2017 |
| 54P2008 | May 12, 2008 | 2P2012 | February 6, 2012 | 50P2017 | September 25, 2017 |
| 57P2008 | June 9, 2008 | 9P2012 | April 23, 2012 | 56P2017 | September 25, 2017 |
| 67P2008 | October 1, 2008 | 12P2012 | May 7, 2012 | 24P2018 | March 13, 2018 |
| 68P2008 | October 6, 2008 | 30P2012 | November 5, 2012 | | January 29, 2019 |
| 71P2008 | December 22, 2008 | 32P2012 | December 3, 2012 | 13P2018 | April 2, 2018 |
| 51P2008 | January 4, 2009 | 4P2013 | March 1, 2013 | 16P2018 | April 2, 2018 |
| 75P2008 | January 4, 2009 | 5P2013 | March 25, 2013 | 18P2018 | April 2, 2018 |
| 1P2009 | January 26, 2009 | 38P2013 | September 2, 2013 | 17P2018 | April 10, 2018 |
| 10P2009 | April 21, 2009 | 44P2013 | December 2, 2013 | 25P2018 | April 24, 2018 |
| 17P2009 | June 1, 2009 | 7P2014 | April 14, 2014 | 39P2018 | June 11, 2018 |
| 28P2009 | July 13, 2009 | 33P2013 | June 9, 2014 | 40P2018 | June 25, 2018 |
| 31P2009 | September 14, 2009 | 13P2014 | June 9, 2014 | 26P2018 | July 30, 2018 |
| 41P2009 | October 13, 2009 | 15P2014 | June 9, 2014 | 51P2018 | August 6, 2018 |
| 32P2009 | December 14, 2009 | 11P2014 | June 19, 2014 | 52P2018 | August 7, 2018 |
| 46P2009 | December 14, 2009 | 24P2014 | October 27, 2014 | 67P2018 | September 25, 2018 |
| 38P2009 | December 15, 2009 | 37P2014 | December 22, 2014 | 61P2018 | October 9, 2018 |
| 3P2010 | March 1, 2010 | 5P2015 | March 9, 2015 | 62P2018 | October 9, 2018 |
| 11P2010 | April 19, 2010 | 13P2015 | May 13, 2015 | 83P2018 | December 10, 2018 |
| 14P2010 | May 17, 2010 | 26P2015 | September 1, 2015 | 10P2019 | January 29, 2019 |
| 26P2010 | May 17, 2010 | 40P2015 | November 9, 2015 | 32P2019 | April 29, 2019 |
| 12P2010 | June 7, 2010 | 43P2015 | November 9, 2015 | 33P2019 | April 29, 2019 |
| 19P2010 | June 7, 2010 | 45P2015 | December 8, 2015 | 35P2019 | April 29, 2019 |
| 23P2010 | June 7, 2010 | 15P2016 | April 22, 2016 | 42P2019 | June 10, 2019 |
| 32P2010 | July 26, 2010 | 22P2016 | May 2, 2016 | 46P2019 | July 1, 2019 |
| 34P2010 | August 19, 2010 | 23P2016 | May 24, 2016 | 76P2019 | November 18, 2019 |
| 39P2010 | November 22, 2010 | 27P2016 | June 13, 2016 | 77P2019 | November 18, 2019 |
| 7P2011 | January 10, 2011 | 29P2016 | June 13, 2016 | 32P2020 | July 27, 2020 |
| 13P2011 | February 7, 2011 | 28P2016 | June 14, 2016 | 48P2020 | November 3, 2020 |
| 21P2011 | June 20, 2011 | 43P2016 | November 21, 2016 | 6P2021 | January 18, 2021 |

BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

27P2021 July 5, 2021

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.

TITLE: THE CALGARY LAND USE BYLAW 1P2007

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

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- (13) “*School Act*” means the *School Act*, R.S.A. 2000, c.S-3.
- (13.1) “*Street Bylaw*” means the *Street Bylaw*, 20M88. 22P2016
- (14) *deleted* 27P2021
- (15) “*Subdivision and Development Regulation*” means the *Subdivision and Development Regulation*, A/R 43/2002.
- (16) “*Surveys Act*” means the *Surveys Act*, R.S.A. 2000, c.S-26.
- (17) “*Transportation Bylaw*” means *The City of Calgary Transportation System Bylaw*, 40M2009. 9P2012
- (18) “*Waste Bylaw*” means the *Waste Bylaw*, 20M2001.

Forms of Words

8 In this Bylaw:

- (a) words in the singular include the plural, and words in the plural include the singular;
- (b) words using masculine gender include feminine gender, and words using feminine gender include masculine gender;
- (c) words in either gender include corporations;
- (d) a word or expression, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) “may” is to be construed as permissive and empowering;
- (f) “must” is to be construed as a compulsory obligation;
- (g) “required” is to be construed as a compulsory obligation;
- (h) a “person” includes an individual, partnership, association, body corporation, trustee, executor, administrator and legal representative of a person; and
- (i) an “individual” does not include a corporation or other types of persons who are not human beings.

Purpose Statements

- 9 (1) The purpose statements in each land use district are included to illustrate the intent of the land use district.
- (2) The purpose statement relating to *signs* referenced in Part 3, Division 5 are included to illustrate the hierarchy of *signs* and the opportunity for signage on *buildings* and *parcels*.
- (3) The purpose statements of a District are general and all characteristics need not be met to satisfy the intent of the District.

- (4) Where a provision is capable of two or more meanings, it must be given the meaning that is most consistent with the attainment of the purpose of the land use district.

Reference Aids

- 10 (1) For ease of reference:
- (a) words that are capitalized and bold denote *uses* defined in Part 4;
 - (b) words that are italicized and bold denote terms defined in Part 1; and
 - (c) all other words must be given their plain and ordinary meaning as the context requires.
- (2) Headings are for ease of reference only and do not affect the meaning of the provisions to which they relate.
- (3) *deleted*
- (4) *deleted*

51P2008, 26P2010,
33P2013

33P2013

Validity of Provision

- 11 Every provision of this Bylaw is independent of all other provisions, and if any provision of this Bylaw is declared invalid, for any reason, by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid.

Rounding Numbers

- 12 Only for the purpose of confirming compliance with this Bylaw in terms of *building* placement on a *parcel* and *building* projection over *setback areas*, measurements of existing *buildings* shall be rounded off to the same number of significant figures as set out in this Bylaw.

Division 2: Definitions and Methods

General Definitions

- 13 (1) In this Bylaw, the following terms have the following meanings.
- (1.1) “**+15 Skywalk System**” means an environmentally controlled public pedestrian walkway system consisting of **+15 Skywalk System walkways** and **+15 Skywalk System bridges** which operates through and between **buildings** in the Downtown. 33P2013
- (1.2) “**+15 Skywalk System bridge**” means an environmentally controlled pedestrian route located outside of a **property line** and which spans a road right-of-way in order to connect **+15 Skywalk System walkways** between **buildings**. 33P2013
- (1.3) “**+15 Skywalk System Fund**” means a civic fund as defined in the +15 Policy. 33P2013
- (1.4) “**+15 Skywalk System walkway**” means a publicly accessible pedestrian route through and across the second floor of a **building** and which is entirely contained within the **property lines** of a **parcel**. 33P2013
- (2) “**accent lighting**” means outdoor lighting that is entirely used to illuminate architectural features, art, landscaping features, monuments, or trees and is only directed at such features.
- (3) “**actual front setback area**” means the area of a **parcel** defined by the **front property line**, the **side property lines** that intersect with the **front property line**, and a line parallel to the **front property line** measured at the farthest **building setback** from the **front property line**.
- (4) “**actual side setback area**” means the area of a **parcel** defined by a **side property line** and a line parallel to that **side property line** measured at the farthest **building setback** from the **side property line** and terminating where that area meets the **actual front setback area**, the **rear setback area** or another **actual side setback area**.
- (5) “**adjacent**” means contiguous or contiguous if not for a **street, lane, river or stream**.
- (6) “**amenity space**” means a space designed for active or passive recreational use.
- (7) “**ancillary structure**” means, with reference to **building height**, an essential component, other than a **sign** or flag pole, that protrudes above the roof of a **building** and which is necessary for the functioning of a **building** including, but not limited to: 68P2008, 39P2010
- (a) an elevator housing;
 - (b) a mechanical penthouse;
 - (c) a chimney;

- (d) **solar collectors**;
- 38P2013 (e) portions of a **building** or a structure used to provide **screening** of mechanical systems or equipment located outside of a **building**;
- 38P2013 (f) an architectural feature commonly associated with a **Place of Worship**; or
- 38P2013 (g) a **Wind Energy Conversion System – Type 1** or a **Wind Energy Conversion System – Type 2**.
- 27P2021 (7.1) “**Appeal Body**” means the board hearing a subdivision or **development permit** appeal in accordance with the *Municipal Government Act*.
- 67P2008, 41P2009 (8) “**assembly area**” means an area within a **building** where people assemble for ceremonies, religious services, educational, recreation, social or sporting events.
- 3P2010 (9) *deleted*
- (10) “**average building reference points**” means the points:
- (a) determined by calculating the average of the corresponding **building reference points**; and
- (b) expressed as geodetic elevations.
- (11) “**average contextual high point**” means:
- (a) where there are at least two other **buildings** on the same block face, the average of the greatest geodetic elevation of the **contextual adjacent buildings**, excluding **ancillary structures**;
- (b) where there is only one other **building** on the same block face, the greatest geodetic elevation of such **building**, excluding **ancillary structures**; and
- (c) where there is no other **building** on the same block face, a point 8.6 metres above the greatest geodetic elevation at **grade** on the subject **parcel**.
- 16P2018 (12) “**average grade**” means, when determining the maximum area of a horizontal cross section through a **building** in the R-CG, M-CG, M-C1 and M-C2 Districts, the average of the four geodetic elevation points of finished **grade** immediately adjacent to the primary four corners of a **building**.
- 13P2008, 41P2009 (13) “**balcony**” means a horizontal platform that is attached to a **building** above the first **storey** floor level and is intended for use as an outdoor **amenity space**.

- (14) “**bare land unit**” means land described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provision of the *Surveys Act* respecting subdivision.
- (15) “**basement**” means that portion of a **building** which is located below the first floor and is either partially or wholly below **grade**.
- (16) “**bay window**” means a window that projects outward from the façade of a **building** but does not include an opening that is intended to give access to a **building**.
- (17) “**bicycle parking stall**” means an area approved as **bicycle parking stall – class 1** or **bicycle parking stall – class 2** that is equipped to store a bicycle and must include a device:
- (a) specifically designed to park a bicycle;
 - (b) designed to allow a bicycle frame and both wheels to be secured; and
 - (c) designed to support the bicycle frame and both wheels; and
 - (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.
- (19.1) “**blade**” means an element of a Wind Energy Conversion System rotor that extracts kinetic energy from the wind. 33P2013
- (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.

5P2013

- (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:
- (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**.

- (26) “**building reference points**” means the geodetic elevation of four points:
- (a) located at the intersection of the **front property line** and each **side property line**;
 - (b) located at the intersection of the **rear property line** and each **side property line**; and
 - (c) where each pair of points must be considered as corresponding.
- (27) “**building setback**” means the distance from a **property line** to the point on a **parcel** where a **building** is located measured at a right angle from the **property line** to which it relates.
- (28) “**calliper**” means the diameter of the trunk of a tree measured at 0.3 metres above the ground.
- (28.1) “**carriage house lot**” means a small **parcel** containing one **Dwelling Unit** in a **Single Detached Dwelling** or **Semi-detached Dwelling** where the **parcel**:
- (a) shares a **side property line** or **rear property line** with a **lane**; and
 - (b) is connected to a public **street** using a panhandle with a **front property line** that is between 3.0 metres and 1.5 metres in length.
- (28.2) “**Central Business District Improvement Fund**” means a civic fund into which financial contributions made towards additional **floor area ratio** in accordance with the incentive provisions in Part 13, Division 3 are collected.
- (29) “**City Manager**” means the Chief Administrative Officer of the City of Calgary.
- (30) “**City**” means The City of Calgary, a municipal corporation in the Province of Alberta, or the area within the corporate limits of The City of Calgary, as the context requires.
- (31) “**commercial district**” means any one or more of the land use districts described in Part 7 and the CC-X and CC-COR districts contained in Part 11.
- (32) “**commercial multi-residential uses**” means any one or more of the following **uses**, when referenced in a **multi-residential district**:
- (a) **Artist’s Studio**;
 - (a.1) **Child Care Service**;
 - (a.2) **Convenience Food Store**;
 - (b) *deleted*
 - (c) **Drinking Establishment – Small**;
 - (c.1) **Health Care Service**;

33P2013, 15P2016

15P2016

51P2008

39P2010, 7P2011,
5P2015

42P2019

27P2021

27P2021

27P2021

27P2021

- 27P2021 (d) **Information and Service Provider;**
- 27P2021 (e) **Office;**
- 27P2021 (f) **Outdoor Café;**
- (g) **Print Centre;**
- (h) **Restaurant: Food Service Only;**
- (i) **Restaurant: Licensed;**
- (j) *deleted*
- (k) **Retail and Consumer Service;**
- (l) **Service Organization**
- (m) **Specialty Food Store;** and
- (n) **Take Out Food Service.**
- (33) “**common amenity space**” means a space designed for active or passive recreational use that is provided for the use of all of the occupants of a **development**.
- (34) “**common amenity space – indoors**” means **common amenity space** that is located in a **building**.
- (35) “**common amenity space – outdoors**” means **common amenity space** that is not located in a **building**.
- 44P2013 (36) “**contextual adjacent buildings**” means the two closest **buildings** to a **parcel**:
- (a) located on the same block face not separated by a **street**;
- (b) in the case of **low density residential district** where the **building** is on a **parcel** designated as a **residential district**; and
- (c) where the **building** is not an **Accessory Residential Building**.
- 3P2010 (37) “**contextual building depth average**” means:
- (a) where there are at least two other **buildings** on the same block face, the average **building depth** of the **contextual adjacent buildings** plus 4.6 metres;
- (b) where there is only one other **building** on the same block face, the **building depth** of such **building** plus 4.6 metres; and
- (c) where there is no other **building** on the same block face, 65.0 per cent of **parcel depth**.
- 3P2010 (38) *deleted*

- (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
- (109) “**privacy wall**” means a structure that: 13P2008,67P2008
- (a) provides visual **screening**;
 - (b) is located on a **balcony, deck** or **patio**; and
 - (c) does not include a railing or balustrade.
- (110) “**private amenity space**” means **amenity space** provided for the use of the occupants of only one **unit**.
- (111) “**private condominium roadway**” means an area of land that provides access to a **parcel**, and is contained within:
- (a) common property forming part of a bare land condominium plan; or
 - (b) a **bare land unit** that is used for the purpose of accommodating a private roadway for access purposes in accordance with an easement agreement registered on it.
- (112) “**private garage**” means an **Accessory Residential Building** or a part of a **main residential building** which accommodates the storage or shelter of vehicles and includes a carport.
- (113) “**property line**” means the legal boundary of a **parcel**.
- (114) “**public area**” means the floor area of a **use** that allows access to the public, but does not include washrooms, hallways accessing washrooms or entrance vestibules.
- (115) “**public entrance**” means an entrance to a **building** which is open to the general public.
- (115.1) “**public space**” means any publicly accessible amenity space, park, sidewalk or walkway. 27P2021
- (116) “**rear property line**” means the **property line** opposite to and farthest from the **front property line**, or in the case of an **irregular parcel**, the **rear property line** is established by drawing a line the maximum distance from the **front property line** that: 9P2012
- (a) is wholly within the **parcel**;
 - (b) is not less than 3.0 metres long; and
 - (c) runs parallel to the **front property line**, or, if the **front property line** is a curved line, runs parallel to the straight line between the two end points of the curve of the **front property line**.

- (117) “**rear setback area**” means an area of a **parcel** defined by the **rear property line**, the **side property lines** that intersect with the **rear property line**, and a line parallel to the **rear property line** measured at the minimum depth of the **setback area** required by the District.
- 33P2013 (117.1) “**receiving parcel**” means the **parcel**, comprising the area of the Municipal Historic Resource, that will receive the transfer of **motor vehicle parking stalls** from a **transferring parcel**.
- (118) “**recessed balcony**” means a **balcony** that is enclosed on at least two sides other than by a railing, balustrade or **privacy wall**.
- (119) “**recreational vehicle**” means a vehicle that provides temporary accommodation for recreational or travel purposes and includes but is not limited to:
- (a) motor homes;
 - (b) travel trailers;
 - (c) fifth wheel travel trailers;
 - (d) campers, whether located on a truck or other vehicle or not;
 - (e) tent trailers;
 - (f) boats; and
 - (g) a trailer used to transport any of the above.
- 32P2009 (119.1) “**research and development**” means the process of creating or improving products and services by way of information obtained through experimental qualitative and quantitative testing for industries such as, but not limited to, pharmaceuticals, bio-technology, computer software, medical instrumentation, aerospace and electronics manufacturers:
- (120) “**residential district**” means any of the land use districts in the **low density residential districts** and the **multi-residential districts**.
- (121) “**retaining wall**” means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock, or similar materials.
- 38P2013, 24P2014, 15P2016 (121.1) *deleted*
- 24P2014 (121.2) “**rotor’s arc**” means the largest circumferential path travelled by a **blade**.
- 33P2013 (121.3) “**scramble parking**” means a parking area where the **motor vehicle parking stalls** are not assigned to individual users or vehicles and where access is available to vehicles for periods no longer than four hours at a time.
- (122) “**screen**”, “**screened**” and “**screening**” means the total or partial concealment of a **building**, equipment, structure or activity by a berm, **fence**, vegetation or wall.

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*;
 - (d) is not subject to any restrictions imposed by the Subdivision and Development Regulation; and
 - (e) has adequate sewage collection, treatment and disposal, water supply, treatment and distribution, storm water collection and storage and road infrastructure capacity necessary to serve the *development*. 44P2013

Exempt Developments

- 25** (1) The following *developments* do not require a *development permit* if the conditions of section 24 are met: 13P2008, 57P2008, 67P2008, 68P2008, 71P2008, 75P2008, 1P2009, 10P2009, 17P2009, 46P2009, 14P2010, 21P2011, 27P2011, 4P2012, 9P2012, 32P2012
- (a) a **Home Occupation – Class 1**;
 - (b) a **Home Based Child Care – Class 1**.
 - (c) the erection of any *fence* or gate;
 - (d) a driveway;
 - (e) the construction of a *deck, landing* or *patio*;
 - (e.1) the construction of *skateboard and sports ramps* located in the Districts contained within Part 5: Low Density Residential Districts, or Part 6: Multi-Residential Districts; 43P2016
 - (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;
 - (f.1) the construction of an **Accessory Residential Building** located on a parcel containing a **Contextual Semi-detached Dwelling, Duplex Dwelling, or a Semi-detached Dwelling** that has yet to be subdivided with a *gross floor area* equal to or less than 150.0 square metres when listed as a *permitted use* in a land use district; 16P2018

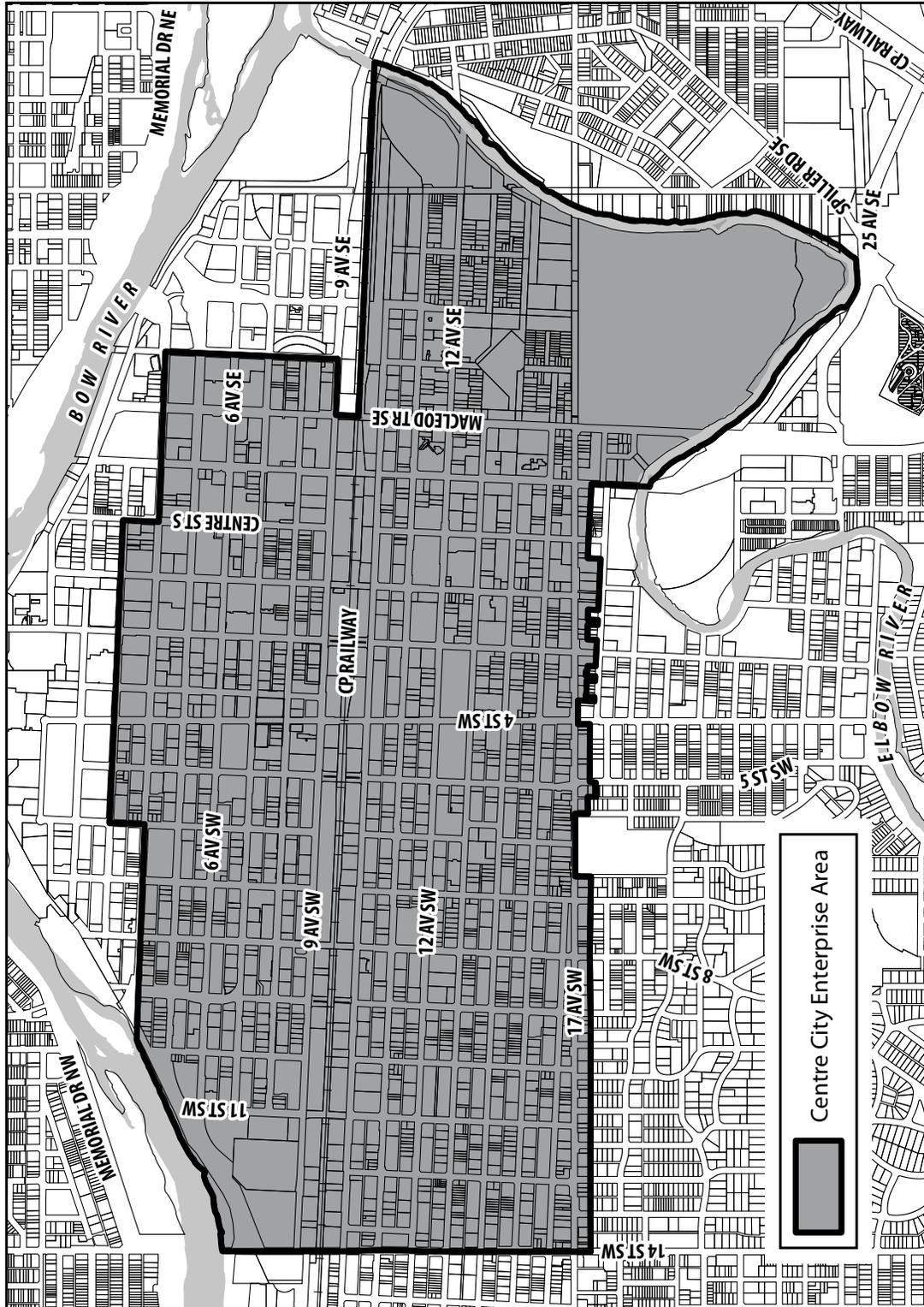
- (g) a satellite dish antenna less than 1.0 metre in diameter;
- (h) external maintenance, internal alterations, and mechanical and electrical work on a **building** provided the intensity of **use** of the **building** does not increase;
- (i) a **Special Function – Class 1**;
- (j) a **Special Function – 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
- 33P2013 (B) 300.0 square metres when located on a parcel designed CR20-C20/R20 or an East Village District contained in Part 12; and
- 5P2015 (iii) where located on the same **parcel** as:
- 49P2017 (A) **Brewery, Winery and Distillery**;
- 49P2017 (A.1) **Conference and Event Facility**;
- (B) **Drinking Establishment – Large**;
- (C) **Drinking Establishment – Medium**;
- (D) **Drinking Establishment – Small**;
- 27P2021 (E) **Restaurant: Licensed**; or
- 27P2021 (F) *deleted*
- 27P2021 (G) *deleted*
- 27P2021 (H) *deleted*
- (I) **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;

- (b) it is a listed *use* in the district.
- (3) Unless otherwise stated in subsections (4) and (5), exterior alterations for **buildings** not listed on the **City** inventory of evaluated historic resources, do not require a **development permit** if:
- (a) it is located within the “Centre City Enterprise Area” as illustrated on Map 2.1; and
- (b) it is a listed *use* in the district.
- (4) The following **uses** are not exempt under subsections (1), (2) and(3):
- (a) *deleted* 25P2018,
27P2021
- (a.1) **Cannabis Store;** 26P2018
- (a.2) **Custodial Care;** 25P2018
- (b) **Liquor Store;**
- (c) *deleted* 25P2018
- (d) **Nightclub;**
- (e) **Pawn Shop;** and
- (f) **Payday Loan.**
- (5) The following **uses** are not exempt under subsections (1), (2) and (3) where they are located within 30 metres of a freight rail corridor **property line**:
- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- (c) **Child Care Service;**
- (d) **Dwelling Unit;**
- (e) **Emergency Shelter;**
- (f) **Home Based Child Care – Class 2;**
- (g) **Hospital;**
- (h) **Jail;**
- (i) **Residential Care;**
- (j) **School – Private;**
- (k) **School Authority – School;** and
- (l) **Temporary Shelter.**
- (6) **Parcels** designated with a Direct Control District, whether so designated before or after the effective date of this Bylaw, are subject to the **development permit** exemption clauses contained in this section unless specifically indicated otherwise in the Direct Control Bylaw.

77P2019,
27P2021

(7) Subsections (1), (3), (4), (5) and (6) remain in effect until July 1, 2023.

Map 2.1 "Centre City Enterprise Area"



- 25.3 (1)** A **development** listed in subsections (2) and (3) will only be exempt from the requirement to obtain a **development permit** if it:
- (a) is not subject to the Calgary International Airport Vicinity Protection Area Regulation;
 - (b) is not located in the **floodway**;
 - (c) is not subject to any restrictions imposed by the Subdivision and Development Regulation; and
 - (d) has adequate sewage collection, treatment and disposal, water supply, treatment and distribution, storm water collection and storage and road infrastructure capacity necessary to serve the **development**.
- (2)** Unless otherwise stated in subsections (4), (5), (6), (7), and (8), a change of **use** for a **building** or portion of a **building** does not require a **development permit** if:
- (a) it is located within the “International Avenue Change of Use/Exterior Renovation Exemption Area”, “Montgomery Change of Use/Exterior Renovation Exemption Area”, or “Sunalta Change of Use Exemption Area” as illustrated on Maps 2.2, 2.3 and 2.4, respectively; and
 - (b) it is a listed **use** in the district.
- (3)** Unless otherwise stated in subsections (4), (5), (6), (7) and (8), exterior alterations for **buildings** not listed on the City inventory of evaluated historic resources, do not require a **development permit** if:
- (a) it is located within the “International Avenue Change of Use/Exterior Renovation Exemption Area”, or “Montgomery Change of Use/Exterior Renovation Exemption Area” as illustrated on Maps 2.2 and 2.3, respectively; and
 - (b) it is a listed **use** in the district.
- (4)** The following **uses** are not exempt under subsections (2) and (3):
- (a) **Addiction Treatment**;
 - (b) *deleted*;
 - (c) **Cannabis Store**;
 - (d) **Custodial Care**;
 - (e) **Liquor Store**;
 - (f) **Nightclub**;
 - (g) **Pawn Shop**; and
 - (h) **Payday Loan**.

6P2021

27P2021

(5) The following additional **uses** are not exempt under subsections (2) and (3) for the “International Avenue Change of Use/Exterior Renovation Exemption Area”:

- (a) **Assisting Living;**
- (b) **Auto Service – Major;**
- (c) **Auto Service – Minor;**
- (d) *deleted*
- (e) **Dwelling Unit;**
- (f) *deleted*
- (g) **Place of Worship – Large;**
- (g) **Place of Worship – Medium;**
- (h) **Place of Worship – Small;**
- (i) **Residential Care;**
- (j) **Service Organization;**
- (k) **Social Organization;**
- (l) **Temporary Shelter;**
- (m) **Vehicle Rental – Major;**
- (n) **Vehicle Rental – Minor;**
- (o) **Vehicle Sales – Major; and**
- (p) **Vehicle Sales – Minor.**

27P2021

27P2021

(6) The following **uses** are not exempt under subsections (2), and (3) where they are located within 30 metres of a freight rail corridor **property line**:

- (a) **Assisted Living;**
- (b) **Child Care Service;**
- (c) **Dwelling Unit;**
- (d) **Emergency Shelter;**
- (e) **Home Based Child Care – Class 2;**
- (f) **Hospital;**
- (g) **Jail;**
- (h) **Residential Care;**
- (i) **School – Private;**
- (j) **School Authority – School; and**
- (k) **Temporary Shelter.**

(7) **Parcels** designated with a Direct Control District, whether so designated before or after the effective date of this Bylaw, are subject to the **development permit** exemption clauses contained in this section unless specifically indicated otherwise in the Direct Control Bylaw.

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** or a **public area** restriction, the **Development Authority** must consider the test in section 31 of this Part and:

27P2021

- (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 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:

83P2018

54P2008, 16P2018

(i) before the 21 day appeal period referred to in the *Municipal Government Act* has expired; or

27P2021

(ii) in the case of an appeal to the **Appeal Body**, until such time as the appeal has been fully dealt with by the **Appeal Body**, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the **Appeal Body**, or the appeal has been withdrawn or abandoned.

(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.

- (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.
- (3) The **Development Authority** may, as a condition of issuing of a **development permit** for a **discretionary use** on a **parcel adjacent to a freight rail corridor**. 51P2018
- (a) require additional information as necessary to mitigate the impact of a potential train derailment and noise impact associated with freight rail operations; and
 - (b) require the mitigation identified in subsection (a) to be incorporated into the **development** for the life of the **development**.

Notification of Decision for Discretionary Use Application

- 39 (1) After approving a **development permit** application for a **discretionary use**, the **Development Authority** must:
- (a) publish a notice online for the public stating the location and **use** of the **parcel** for which the application has been approved; and 83P2018,
46P2019
 - (b) endorse the **development permit** as of the date of the decision, but must not release the permit to the applicant:
 - (i) before the 21 day appeal period referred to in the **Municipal Government Act** has expired; or 16P2018
 - (ii) in the case of an appeal to the **Appeal Body**, until such time as the appeal has been fully dealt with by the **Appeal Body**, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the **Appeal Body**, or the appeal has been withdrawn or abandoned. 27P2021

-
- (2) After refusing an application for a ***development permit*** application for a ***discretionary use***, whether or not it complies with all of the rules of this Bylaw, the ***Development Authority*** must provide written notification of the decision and the reasons for it to the applicant.

Administrative Cancellation of an Application

31P2009

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

Term of a Development Permit

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

Suspension or Cancellation of a Development Permit

- 43 (1)** The **Development Authority** may suspend or cancel a **development permit** following its approval or issuance if:
- (a) the application contains a misrepresentation;
 - (b) facts have not been disclosed which should have been at the time of consideration of the application for the **development permit**;
 - (c) the **development permit** was issued in error;
 - (d) the requirements of conditions of the **development permit** have not been complied with;
 - (e) the applicant requests, by way of written notice of the **Development Authority**, the cancellation of the **development permit**, provided that commencement of the **use, development** or construction has not occurred; or
 - (f) the **Development Authority** cancels a **development permit** for a **use** after it has commenced, to allow the same **use** in a new location that would otherwise not be allowed by a location distance rule when measured from the original location of approval.
- (2)** If the **Development Authority** suspends or cancels a **development permit**, the **Development Authority** must provide written notice of the suspension or cancellation to the applicant.

71P2008

43P2015

- (3) Upon receipt of the written notice of suspension or cancellation, the applicant must cease all **development** and activities to which the **development permit** relates.

31P2009

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**.

- (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**.

31P2009

- (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:

51P2008, 26P2010
33P2013

- (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, CC-ET and CR20-C20/R20 Districts;
- (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**.

31P2009

- (6) *deleted*

- (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;

27P2021

- (b) in the case of an appeal to the **Appeal Body**, the date upon which the **Appeal Body** renders a written decision approving the **development permit** application; or

Appeals of Decisions on Development Permits83P2018,
27P2021

- 48 (1) Appeals in respect of decisions on **development permit** applications are governed by the *Municipal Government Act*.
- (2) The **Appeal Body** must ensure that notice of a hearing of an appeal to the **Appeal Body** is published 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 **Appeal Body**, the **Development Authority** must endorse the **development permit** in accordance with the decision of the **Appeal Body**.
- (4) If the decision of the **Development Authority** to approve a **development permit** application is reversed by the **Appeal Body**, the **development permit** is null and void.
- (5) If a decision of the **Development Authority** to approve a **development permit** is upheld by the **Appeal Body**, 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 **Appeal Body**, the **Development Authority** must endorse a **development permit** reflecting the decision of the **Appeal Body** and act in accordance therewith.

PART 3: RULES GOVERNING ALL DISTRICTS

Division 1: Public Realm Setbacks

27P2021

Purpose

- 53 (0.1)** To maintain and improve the quality of the physical environment for the overall public interest, the public realm setbacks are intended to accommodate public realm improvements, pedestrian environment improvements, and context specific mobility improvements.

27P2021

Required Setbacks

- 53 (1)** The *Development Authority* must not relax the Required Setbacks referenced in Table 1 below:

51P2008, 26P2010, 9P2012,
33P2013, 15P2014, 27P2021

Table 1: Required Setbacks

| ON (Numbered Streets) | FROM | TO | BASIC R.O.W. (Metres) | REQUIRED R.O.W. (Metres) | REQUIRED SETBACKS (Metres) (Side) |
|-----------------------------|----------------------|----------------------|-----------------------------|--------------------------------|---|
| 1 STREET E. | RIVERFRONT AVENUE | 3 AVENUE S. | 20.177 | 24.385 | 2.134 Each |
| 1 STREET E. | 4 AVENUE S. | 9 AVENUE S. | 20.117 | 30.481 | 5.182 Each |
| 1 STREET E. | 10 AVENUE S. | ELBOW RIVER | 20.117 | 30.481 | 5.182 Each |
| 1 STREET W. | RIVERFRONT AVENUE | 9 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 1 STREET W. | 10 AVENUE S. | 17 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 2 STREET W. | RIVERFRONT AVENUE | 9 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 3 STREET W. | 2 AVENUE S. | 7 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 4 STREET W. | 4 AVENUE S. | 7 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 4 STREET W. | 40 AVENUE N. | 16 AVENUE N. | 20.117 | 24.385 | 2.134 Each |
| 4 STREET E. | 2 AVENUE N. | MEMORIAL DRIVE | 20.117 | 24.385 | 2.134 Each |
| 4 STREET E. | 7 AVENUE S. | 9 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 5 STREET W. | 3 AVENUE S. | 26 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 6 STREET W. | 1 AVENUE S. | 8 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 7 STREET W. | 1 AVENUE S. | 9 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 8 STREET W. | 2 AVENUE S. | 17 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 9 STREET W. | 7 AVENUE S. | 17 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 10 STREET W. | 4 AVENUE S. | 9 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 10 STREET W. | 24 AVENUE N. | GLADSTONE ROAD | 20.117 | 30.481 | 5.182 Each |
| 11 STREET E. | 12 STREET E. SUBWAY | C.P.R. RIGHT-OF-WAY | 20.117 | 24.385 | 2.134 Each |
| 11 STREET W. | 11 AVENUE S. | 17 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 12 STREET E. | 1 AVENUE N. | SAINT GEORGE'S DRIVE | 20.117 | 24.385 | 2.134 Each |
| 12 STREET E. | BOW RIVER | 12 STREET E. SUBWAY | 20.117 | 24.385 | 2.134 Each |
| 14 STREET W. | 48 AVENUE N. | NORTH HAVEN DRIVE | 25.299 | 30.481 | 5.182 WEST |
| 14 STREET W. | ROSELAWN CRESCENT N. | 38 AVENUE S. | 20.117 | 30.481 | 5.182 Each |
| 18 STREET W. | 10 AVENUE S. | 11 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 19 STREET W. | 10 AVENUE S. | 12 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 28 STREET E. | 8 AVENUE N. | 17 AVENUE S. | 22.251 | 24.385 | 2.134 WEST |
| 29 STREET W. | 32 STREET W. | MEMORIAL DRIVE | 20.117 | 24.385 | 2.134 Each |
| 29 STREET W. | BOW TRAIL | 35 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 33 STREET W. | 8 AVENUE S. | 17 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 36 STREET E. | AIRPORT TRAIL N. | 64 AVENUE N. | 20.117 | 36.577 | 8.230 Each |
| 36 STREET E. | 8 AVENUE S. | 26 AVENUE S. | 20.117 | 30.481 | 5.182 Each |
| 37 STREET W. | BOW TRAIL | 17 AVENUE S. | 25.299 | 30.481 | 5.182 WEST |
| 37 STREET W. | 28 AVENUE S. | 33 AVENUE S. | 25.299 | 30.481 | 5.182 WEST |
| 37 STREET W. | 44 AVENUE S. | 45 AVENUE S. | 25.299 | 30.481 | 5.182 EAST |
| 44 STREET E. | 17 AVENUE S. | 26 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| 45 STREET W. | BOW TRAIL | 15 AVENUE S. | 22.251 | 24.385 | 2.134 EAST |
| 45 STREET W. | 17 AVENUE S. | 26 AVENUE S. | 22.251 | 24.385 | 2.134 EAST |
| 45 STREET W. | 33 AVENUE S. | 35 AVENUE S. | 22.251 | 24.385 | 2.134 WEST |

51P2008, 26P2010
 19P2010, 9P2012, 33P2013, Table 1: Required Setbacks – continued
 15P2014, 27P2021

| ON (Numbered Avenues) | FROM | TO | BASIC R.O.W. (Metres) | REQUIRED R.O.W. (Metres) | REQUIRED SETBACKS (Metres) (Side) |
|---------------------------|---------------------|----------------------|-----------------------------|--------------------------------|---|
| 52 STREET E. | 14 AVENUE S. | 16 AVENUE S. | 25.299 | 30.481 | 5.182 WEST |
| 52 STREET E. | 50 AVENUE S. | 54 AVENUE S. | 20.117 | 45.000 | 4.942 EAST |
| 52 STREET E. | 50 AVENUE S. | 52 AVENUE S. | 20.117 | 45.000 | 19.941 WEST |
| 52 STREET E. | 114 AVENUE S. | 126 AVENUE S. | 20.117 | 45.000 | 24.883 EAST |
| 52 STREET E. | 126 AVENUE S. | 130 AVENUE S. | 20.117 | 50.000 | 29.883 EAST |
| 53 STREET W. | VARSITY ESTATES | 53 AVENUE N. | 20.117 | 24.385 | 2.134 EAST |
| 83 STREET W. | DRIVE (N. LEG) | 33 AVENUE N. | 20.117 | 30.481 | 5.182 Each |
| 85 STREET W. | BOWNESS ROAD | 48 AVENUE N. | 20.117 | 30.481 | 5.182 Each |
| 1 AVENUE N. | BOWNESS ROAD | 6 STREET E. | 20.117 | 24.385 | 2.134 Each |
| 1 AVENUE S. | 4 STREET E. | 7 STREET W. | 20.117 | 24.385 | 2.134 Each |
| 2 AVENUE S. | 6 STREET W. | CENTRE STREET | 20.117 | 24.385 | 2.134 Each |
| 2 AVENUE S. | 3 STREET W. | 6 STREET W. | 20.117 | 24.385 | 2.134 Each |
| 2 AVENUE S. | 8 STREET W. | 1 STREET E. | 20.117 | 24.385 | 2.134 SOUTH |
| 3 AVENUE S. | CENTRE STREET | 1 STREET E. | 20.117 | 24.385 | 2.134 Each |
| 4 AVENUE S. | 8 STREET W. | 1 STREET E. | 20.117 | 24.385 | 2.134 Each |
| 5 AVENUE S. | 10 STREET W. | 2 STREET W. | 20.117 | 24.385 | 2.134 Each |
| 5 AVENUE S. | 11 STREET W. | 1 STREET E. | 20.117 | 30.481 | 5.182 Each |
| 6 AVENUE S. | CENTRE STREET | 4 STREET E. | 20.117 | 24.385 | 2.134 Each |
| 7 AVENUE S. | 11 STREET W. | 3 STREET W. | 20.117 | 24.385 | 2.134 Each |
| 8 AVENUE S. | 10 STREET W. | MACLEOD TRAIL | 20.117 | 24.385 | 2.134 Each |
| 9 AVENUE S. | 11 STREET W. | 5 STREET E. | 20.117 | 24.385 | 2.134 Each |
| 10 AVENUE S. | 14 STREET W. | OLYMPIC WAY | 20.117 | 24.385 | 2.134 Each |
| 10 AVENUE S. | 14 STREET W. | 14 STREET W. | 20.117 | 22.385 | 1.134 Each |
| 11 AVENUE S. | BOW TRAIL | 6 STREET E. | 20.117 | 24.385 | 2.134 Each |
| 11 AVENUE S. | 17 STREET W. | 18 STREET W. | 24.384 | 26.518 | 2.134 NORTH |
| 12 AVENUE S. | 17 STREET W. | 6 STREET E. | 20.117 | 24.385 | 2.134 Each |
| 16 AVENUE N. | 19 STREET W. | 4 STREET E. | 20.117 | 40.539 | 5.182 NORTH |
| 17 AVENUE S. | 13 STREET W. | 17 STREET W. | 20.117 | 30.481 | 5.182 Each |
| 17 AVENUE S. | 37 STREET W. | 50 STREET E. | 20.117 | 34.747 | 7.315 Each |
| 17 AVENUE S. | 27 STREET E. | WEST EDGE OF T.U.C. | 20.117 | 36.577 | 8.230 Each |
| 26 AVENUE S. | C.N.R. RIGHT-OF-WAY | 37 STREET W. | 20.117 | 24.385 | 2.134 Each |
| 26 AVENUE S. | 24A STREET W. | 5 STREET W. | 20.117 | 25.299 | 5.182 NORTH |
| 26 AVENUE S. | 4 STREET W. | 28 STREET E. | 20.117 | 24.385 | 2.134 Each |
| 26 AVENUE S. | 26 STREET E. | 47 STREET E. | 20.117 | 24.385 | 2.134 Each |
| 26 AVENUE S. | 39 STREET E. | OGDEN ROAD | 20.117 | 24.385 | 2.134 SOUTH |
| 34 AVENUE N. | DARTMOUTH ROAD | 69 STREET W. | 22.250 | 24.384 | 2.134 NORTH |
| 42 AVENUE S. | 77 STREET W. | LANE E. OF CLEVELAND | 25.298 | 30.480 | 5.182 NORTH |
| | BRANDON STREET | CR. | | | |
| 42 AVENUE S. | | 12 STREET E. | 20.117 | 30.481 | 5.182 Each |
| 58 AVENUE S. | BLACKFOOT TRAIL | MACLEOD TRAIL | 25.298 | 27.432 | 2.134 NORTH |
| 58 AVENUE S. | ELBOW DRIVE | LANE E. OF C.P.R. | 20.117 | 30.481 | 5.182 Each |
| | 2 STREET W. | RIGHT-OF-WAY | | | |
| 90 AVENUE S. | BONAVENTURE DRIVE | FAIRMOUNT DRIVE | 20.117 | 24.385 | 2.134 Each |

| ON (Named St. & Ave) | FROM | TO | BASIC R.O.W. (Metres) | REQUIRED R.O.W. (Metres) | REQUIRED SETBACKS (Metres) (Side) |
|-------------------------|---------------------|------------------------|-----------------------------|--------------------------------|---|
| BOWNESS ROAD | 85 STREET W. | 40 AVENUE N. | 20.117 | 30.481 | 5.182 Each |
| BOWNESS ROAD | C.P.R. RIGHT-OF-WAY | BOW CRESCENT | 20.117 | 30.481 | 5.182 Each |
| BOWNESS ROAD | 51 STREET W. | 48 STREET W. | 20.117 | 30.481 | 5.182 Each |
| BOWNESS ROAD | 48 STREET W. | MACKAY ROAD | 20.117 | 23.117 | 1.500 Each |
| BURNSLAND ROAD | 34 AVENUE S. | 39 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| CENTRE STREET N. | LAYCOCK DRIVE | 40 AVENUE N. | 24.384 | 30.480 | 3.048 Each |
| CENTRE STREET N. | 40 AVENUE N. | 32 AVENUE N. | 20.117 | 30.481 | 5.182 Each |
| CENTRE STREET N. | 32 AVENUE N. | MEMORIAL DRIVE | 22.860 | 30.480 | 3.810 Each |
| CENTRE STREET S. | RIVERFRONT AVENUE | 4 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| CENTRE STREET S. | 4 AVENUE S. | 6 AVENUE S. | 20.117 | 30.481 | 5.182 Each |
| CENTRE STREET S. | 6 AVENUE S. | LANE S. OF 7 AVENUE S. | 20.117 | 24.385 | 2.134 Each |
| EDMONTON TRAIL | 38 AVENUE N. | 16 AVENUE N. | 20.117 | 24.385 | 2.134 Each |
| EDMONTON TRAIL | 16 AVENUE N. | 5 AVENUE N. | 20.117 | 30.481 | 5.182 Each |
| MACDONALD AVE. | ELBOW RIVER | 8 STREET E. | 20.117 | 24.385 | 2.134 Each |
| MACLEOD TRAIL | 7 AVENUE S. | 9 AVENUE S. | 20.117 | 30.481 | 5.182 Each |
| MACLEOD TRAIL | 10 AVENUE S. | 17 AVENUE S. | 20.117 | 30.481 | 5.182 Each |
| OGDEN ROAD | 24 STREET E. | 80 AVENUE S. | 24.384 | 30.480 | 3.048 Each |
| OGDEN ROAD | 26 AVENUE S. | 17 STREET E. | 20.117 | 30.481 | 5.182 Each |
| OGDEN ROAD | MILLICAN ROAD | 69 AVENUE S. | 20.117 | 30.480 | 10.363 WEST |
| OLYMPIC WAY | 11 AVENUE S. | 12 AVENUE S. | 20.117 | 24.385 | 2.134 EAST |
| RICHMOND ROAD | 29 STREET W. | 37 STREET W. | 22.860 | 24.384 | 0.762 Each |
| RICHMOND ROAD | 41 STREET W. | 45 STREET W. | 25.298 | 30.480 | 5.182 NORTH |
| RIVERFRONT AVENUE | 2 STREET W. | 3 STREET E. | 20.117 | 24.385 | 2.134 Each |
| TRANS CANADA HIGHWAY | 46 STREET W. | MCKAY ROAD | 26.213 | 36.576 | 10.363 SOUTH |

- (2) When considering a **development permit** application for a **parcel adjacent** to a **street** right-of-way referenced in Table 1, the **Development Authority** must require that the **building** be set back from the basic right-of-way by a distance equal to:

 - (a) the required **building setback** in the applicable land use district; plus
 - (b) the Required Setbacks referenced in Table 1.
- (3) When considering an application for a **development permit** for a **discretionary use**, the **Development Authority** may require that a **building** must not be constructed within a future corner cut-off at an intersection.
- (4) Portions of a **parcel** within the Required Setbacks referenced in Table 1 may be used by an applicant for the purposes of calculating **landscaped area**, **floor area ratio** and **units** per hectare.

- (d) character of the District where the **sign** is proposed to be located;
 - (e) amount of signage in the nearby surroundings; and
 - (f) extent to which the **sign** does not comply with the rule proposed to be relaxed.
- (2) Where a type of **sign** is listed as a **discretionary use** in a District, the **Development Authority's** exercise of discretion must be guided by the: 9P2012
- (a) test for a relaxation referenced in section 36 where the relaxation of a rule is requested;
 - (b) purpose statement of this Part;
 - (c) rules relating to opportunities for signage;
 - (d) character of the District where the **sign** is sought to be located; and
 - (e) amount of signage in the nearby surroundings.

Rules Governing All Signs

35P2011

- 73 (1) All **signs** regulated by this Bylaw must be located on a **parcel**.
- (2) No **sign**, other than a **Special Event Sign** or an approved **Sign – Class F** or **Sign – Class G**, may display third party advertising.
- (3) Where a rule in this Division provides a maximum height for a **sign**, the height must be measured from **grade** at any point adjacent to:
- (a) a **building** to the highest portion of the **sign** when the **sign** is located on or projects from a **building**; or
 - (b) the **sign** support structure to the highest portion of the **sign** when the **sign** is freestanding.
- (4) A **sign** must not:
- (a) have the position, shape, colour, format or illumination which is similar to a traffic sign, signal or device; or
 - (b) display lights which is similar to lights generally associated with danger or those used by police, fire, ambulance or other emergency vehicles.
- (5) **Signs** in **residential districts** must not be internally illuminated, but may be illuminated indirectly in a manner that prevents the trespass of light onto **adjacent parcels**.
- (6) **Signs**, sign supports and structures for **signs** must be located a minimum of 0.75 metres back from a curb line.

- 48P2020
- (7) **Signs** must not be placed in or on **motor vehicle parking stalls** or **loading stalls** and must be placed to not reduce the number of **motor vehicle parking stalls** or **loading stalls** required pursuant to this Bylaw or a **development permit**.
- (8) **Signs** must not be placed within a **corner visibility triangle** where any part of the **sign** is higher than 0.75 metres and lower than 4.6 metres above the lowest elevation of the **street**.
- 27P2021
- (9) **Signs**, sign supports and structures for **signs** must not be located in the Required Setbacks referenced in section 53 and Table 1.
- (10) The **Development Authority** may only relax the requirements in subsection (9) if the **sign owner** agrees, in writing, to remove the **sign** from its location within 30 days of being asked to remove it by the **City**.
- (11) **Signs** may project over sidewalks or road rights-of way provided:
- (a) the **sign owner** agrees in writing to remove the **sign** from its location within 30 days of being asked to remove it by the **City**;
 - (b) the **sign** will have a minimum clearance of 4.6 metres over a **City** owned driveway, **lane** or alley; and
 - (c) the **sign** will have a minimum clearance of 2.4 metres in any instance not referenced in subsection (b).
- (12) Trees and shrubs must not be removed or damaged to erect a **sign**, to make a **sign** more visible, to maintain a **sign**, or to change **copy** on a **sign**.
- (13) The **Development Authority** may only relax the requirement of subsection (12) if the **Development Authority** is satisfied that new trees or shrubs will be planted to replace any trees and shrubs that are removed or damaged and that the new plantings are consistent with any conditions respecting landscaping on a **development permit** for the **parcel** where the **sign** is located.
- (14) When a panel on a multi-panel **sign** or a **sign** structure is removed it must be replaced with a blank panel until such time as a new panel is installed.

33P2013, 15P2014

Rules Governing All Signs in the Stephen Avenue Mall Heritage Area

- 73.1 (1) In addition to the rules contained in this Division, **signs** located in the **Stephen Avenue Mall heritage area** must not obscure or adversely impact historical architectural details of a **building's** facade.
- 56P2017
- (2) Notwithstanding section 93(3.1), **signs** located within the **Stephen Avenue Mall heritage area** may utilize only the following means of illumination:

Required Motor Vehicle Parking Stalls for Calculating Barrier Free Parking Stalls

48P2020

121.1 Where the minimum number of **motor vehicle parking stalls** is not specified in Part 4, Table 1.2 provides the minimum parking requirements for the purpose of calculating the number of barrier free designated stalls for use by persons with physical disabilities in accordance with the National Building Code.

Table 1.2: Minimum Motor Vehicle Parking Requirements for Calculating Required Barrier Free Parking Stalls

48P2020,
27P2021

| Group A | | Minimum Motor Vehicle Parking Requirement |
|--|---|---|
| Artist's Studio Asphalt, Aggregate and Concrete Plant Auto Body and Paint Shop Auto Service – Major Auto Service – Minor Beverage Container Quick Drop Facility Building Supply Centre Bulk Fuels Sales Depot Car Wash – Multi Vehicle Car Wash – Single Vehicle Catering Service – Major Catering Service – Minor Computer Games Facility Crematorium Distribution Centre Dry-cleaning and Fabric Care Plant Equipment Yard Fleet Service Food Production Freight Yard Gas Bar General Industrial – Heavy General Industrial – Light General Industrial – Medium Health Services Laboratory – Without Clients Information and Service Provider | Large Vehicle Service Municipal Works Depot Office Payday Loan Print Centre Printing, Publishing and Distributing Recreational Vehicle Service Recyclable Material Drop-Off Depot Salvage Yard School – Private School Authority – School School Authority Purpose – Major School Authority Purpose – Minor Slaughter House Social Organization Specialized Industrial Specialty Food Store Storage Yard Utility Building Vehicle Storage – Large Vehicle Storage – Passenger Vehicle Storage – Recreational Vehicle Rental – Major Vehicle rental – Minor | 1.0 motor vehicle parking stalls per 100.0 square metres of gross usable floor area . |

27P2021 Table 1.2: Minimum Motor Vehicle Parking Requirements for Calculating Required Barrier Free Parking Stalls – continued

| Group B | | Minimum Motor Vehicle Parking Requirement |
|--|---|---|
| Amusement Arcade Auction Market – Other Goods Billiard Parlour Brewery, Winery and Distillery Cannabis Store Columbarium Community Recreation Facility Convenience Store Financial Institution Fitness Centre Food Kiosk Funeral Home Health Care Service Indoor Recreation Facility Kennel Large Vehicle Equipment and Sales Large Vehicle Wash Library Liquor Store Motion Picture Production Facility Museum | Pawn Shop Pet Care Service Place of Worship – Large Place of Worship – Medium Place of Worship – Small Radio and Television Studio Recreation Vehicle Sales Restored Building Products Sales Yard Retail Garden Centre Retail and Consumer Service Self-Storage Facility Service Organization Spectator Sports Facility Supermarket Takeout Food Service Vehicle Sales – Major Vehicle Sales – Minor Veterinary Clinic | <p>4.0 <i>motor vehicle parking stalls</i> per 100.0 square metres of <i>gross usable floor area</i>.</p> |
| Group C | | Minimum Motor Vehicle Parking Requirement |
| Dinner Theatre Drinking Establishment – Large Drinking Establishment – Medium Drinking Establishment – Small Nightclub | Restaurant: Food Service Only Restaurant: Licensed | <p>2.85 <i>motor vehicle parking stalls</i> per 10.0 square metres of <i>public area</i>.</p> |
| Group D | | Minimum Motor Vehicle Parking Requirement |

- (d) **Photographic Studio;**
- (e) **Proshop;**
- (f) **Retail Store;** and
- (g) **Video Store**
- (6) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **Backyard Suite use**: 24P2014
- (a) **Secondary Suite – Detached Garage;** and
- (b) **Secondary Suite – Detached Garden.**
- (7) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, a **Beverage Container Drop-Off Depot** is deemed to be the **Recyclable Material Drop-Off Depot**. 16P2018
- (8) In any *development permit* or Direct Control District approved after the effective date of this Bylaw: 25P2018
- (a) *deleted* 27P2021
- (b) **Medical Marihuana Production Facility** is deemed to be the **Cannabis Facility use**.
- (9) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following uses are deemed to be the **Health Care Service use**: 27P2021
- (a) **Cannabis Counselling;**
- (b) **Counselling Service;**
- (c) **Health Care Services Laboratory – With Clients;** and
- (d) **Medical Clinic.**
- (10) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, **Market** is deemed to be **Retail and Consumer Service**. 27P2021
- (11) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following uses are deemed to be the **Restaurant: Food Service Only use**: 27P2021
- (a) **Restaurant Food Service – Large;**
- (b) **Restaurant Food Service – Medium;** and
- (c) **Restaurant Food Service – Small.**
- (12) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following uses are deemed to be the **Restaurant: Licensed use**: 27P2021
- (a) **Restaurant: Licensed – Large;**
- (b) **Restaurant: Licensed – Medium;**

- (c) **Restaurant: Licensed – Small:** and
- (d) **Restaurant: Neighbourhood.**

42P2019

Pop-up Uses

134.2 (1) In this section and in section 25, “pop-up uses” means any one or more of the following:

- (a) **Amusement Arcade;**
- (b) **Artist’s Studio;**
- (c) **Auction Market - Other Goods;**
- (d) **Billiard Parlour;**
- 32P2020 (d1) **Catering Service – Minor;**
- (e) **Cinema;**
- (f) **Computer Games Facility;**
- (g) **Conference and Event Facility;**
- 27P2021 (h) *deleted*
- (i) **Fitness Centre;**
- 32P2020 (i.1) **Food Kiosk;**
- 27P2021 (i.2) **Health Care Service;**
- (j) **Indoor Recreation Facility;**
- (k) **Information and Service Provider;**
- (l) **Instructional Facility;**
- (m) **Library;**
- 27P2021 (n) *deleted*
- 27P2021 (o) *deleted*
- (p) **Museum;**
- (q) **Office;**
- (r) **Performing Arts Centre;**
- (s) **Pet Care Service;**
- (t) **Print Centre;**
- 27P2021 (t.1) **Restaurant: Food Service Only;**
- 27P2021 (t.2) *deleted*
- 27P2021 (t.3) *deleted*
- 27P2021 (t.4) **Restaurant: Licensed;**
- 27P2021 (t.5) *deleted*
- 27P2021 (t.6) *deleted*

- (t.7) *deleted* 27P2021
- (u) **Retail and Consumer Service;**
- (v) **Specialty Food Store;**
- (v.1) **Take Out Food Service;** 32P2020
- (w) **Veterinary Clinic;** and
- (x) educational, recreational, sporting, social, and worship activity that includes, but is not limited to a wedding, circus, birthday, trade show, and ceremony.
- (2) “Pop-up uses” may occur where:
- (a) the “pop-up uses” are located:
- (i) in M-H1, M-H2, M-H3, M-X1, M-X2, in all **commercial districts**, in I-G, I-B, I-E, I-C, I-R, in all **mixed use districts**, in CC-MHX, CC-ET, CC-EIR, CC-EMU, CC-EPR, and CR20-C20/R20; and
- (ii) on a **parcel** designated as a Direct Control District, designated after the effective date of this Bylaw, and the Direct Control District is based on the land use districts listed in subsection (i);
- (b) the “pop-up uses” operate, excluding the time used to erect the activity, for a maximum of:
- (i) 4 consecutive days; and
- (ii) 50 cumulative days in a calendar year;
- (c) the **use area** is located on the ground floor of a **building** or within an enclosed shopping mall; and
- (d) may display merchandise related to the **use** outside of a **building**, provided the merchandise does not impede pedestrian movement 32P2020

Interim Uses

42P2019

134.3 (1) In this section and in section 25, “interim uses” means any one or more of the following:

- (a) **Artist’s Studio;**
- (a.1) **Catering Service – Minor;** 32P2020
- (a.2) **Food Kiosk;** 32P2020
- (a.3) **Fitness Centre;** 32P2020
- (a.4) **Indoor Recreation Facility;** 32P2020
- (b) **Information and Service Provider;**

- 32P2020,
27P2021
- (b.1) *deleted*
- (c) **Office;**
- (d) **Print Centre;**
- 27P2021
- (d.1) **Restaurant: Food Service Only;**
- 27P2021
- (d.2) *deleted*
- 27P2021
- (d.3) *deleted*
- 27P2021
- (d.4) **Restaurant: Licensed;**
- 27P2021
- (d.5) *deleted*
- 27P2021
- (d.6) *deleted*
- 27P2021
- (d.7) *deleted*
- (e) **Retail and Consumer Service;**
- (f) **Specialty Food Store;** and
- 32P2020
- (g) **Take Out Food Service.**
- (2) “interim uses” may occur where:
- (a) the “**Interim Uses**” are located:
- (i) in M-H1, M-H2, M-H3, M-X1, M-X2, in all **commercial districts**, in I-B, I-E, I-C, in all **mixed use districts**, in CC-MHX, CC-ET, CC-EIR, CC-EMU, CC-EPR, and CR20-C20/R20; and
- (ii) on a **parcel** designated as a Direct Control District, designated after the effective date of this Bylaw, and the Direct Control District is based on the land use districts listed in subsection (i);
- (b) the “interim uses” operate, excluding the time used to erect the activity, for a maximum of:
- (i) 6 consecutive months; and
- (ii) 6 months in a calendar year;
- (c) the **use area** is located on the ground floor of a **building** or within an enclosed shopping mall; and
- 32P2020
- (d) may display merchandise related to the **use** outside of a **building**, provided the merchandise does not impede pedestrian movement.

- (iii) that may have a private hospitality area where products made on the premises are provided to private groups for tasting and consumption as a special event;
- (iv) that may include the retail sale of products made on the premises for consumption off the premises;
- (v) that may include a **public area** of 150.0 square metres or less where beer, wine, spirits and other alcoholic beverages manufactured on the premises are sold to the general public for consumption on the premises; 33P2019
- (vi) that may include the retail sale for consumption off the premises, and sale for consumption on the premises, of alcoholic beverages made off the premises for one year after commencement of the **use**, or those beverages made in collaboration with another **Brewery, Winery and Distillery**; 33P2019
- (vii) that may have a maximum of 10.0 square metres of **public area** used for the purpose of providing entertainment; 33P2019
- (viii) where the private hospitality area and the **public area** may be separate floor areas or may occur in the same floor area, but whether these activities are combined or separate, the **public area** may not exceed the maximum area in subsection (a)(v) unless combined with another **use** as contemplated in subsection (c); and 33P2019
- (ix) that may include the preparation and sale of food for consumption on the premises to private groups in the private hospitality area and to the general public in the **public area**. 33P2019
- (b) is a **use** within the General Industrial Group in Schedule A to this Bylaw;
- (c) may be combined with a **Drinking Establishment – Large, Drinking Establishment – Medium, Drinking Establishment – Small** or **Restaurant: Licensed** when one of these **uses** is also a listed **use** in the same **district** as a **Brewery, Winery and Distillery**, but the maximum total **public area** of the combined **uses** is the largest **public area** allowed in one of the combined **uses**; 27P2021
- (d) when the **use** includes a **public area**, it must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a facade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;

- (e) when the **use** includes a **public area**, it must not have an exterior entrance located on a facade that faces a **residential district**, unless that facade is separated from the **residential district** by an intervening **street**;
- (f) when the **use** is located in an **industrial district**, the maximum floor area of a display and sales area located in a **building** is the greater of:
 - (i) 38.0 square metres; or
 - (ii) 20.0 per cent of the **gross floor area** of the **use** to a maximum of 465.0 square metres;
- (g) *deleted*
- (h) does not require **bicycle parking stalls – class 1**; and
 - (i) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

48P2020

32P2009

157 *deleted*

32P2009

158 *deleted*

32P2009

158.1 “Building Supply Centre”

- (a) means a **use**:
 - (i) where materials and supplies required for construction or assembly in a specific trade are sold including, but not limited to, lumber, plumbing, electrical and millwork;

- (ii) that may include the incidental sales and rental of products and equipment related to the materials and supplies being sold;
- (iii) that may include the sale and rental of tools and construction equipment;
- (iv) that may include the outdoor storage of the materials and supplies being sold or rented; and
- (v) that does not include the sale of home furnishings, household appliances, furniture or electronics;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) that has maximum **gross floor area** of 3500.0 square metres;
- (d) *deleted* 48P2020
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

159 “Bulk Fuel Sales Depot”

- (a) means a **use**:
 - (i) where fuel for motor vehicles and trucks is sold either with or without an attendant; and
 - (ii) where the vehicles receiving fuel have a **gross vehicle weight** greater than 4536 kilograms; 54P2008, 44P2013, 29P2016
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) *deleted* 48P2020
- (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**.

160 “Campground”

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

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

25P2018,
48P2020,
27P2021

160.1 *deleted*

- 172 *deleted* 32P2009
- 173 *deleted* 32P2009
- 174 **“Convenience Food Store”**
- (a) means a *use*:
 - (i) where fresh and packaged food is sold; 13P2008
 - (ii) where daily household necessities may be sold; 13P2008
 - (iii) that is entirely within a **building**;
 - (iv) that has a maximum **gross floor area** of 465.0 square metres; 9P2012, 5P2013
 - (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
 - (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;
 - (b.1) may have a maximum floor area of 7.5 square metres to accommodate a seating area; 9P2012
 - (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) *deleted* 48P2020
 - (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 Housing Cluster ”** 13P2008, 24P2014
- (a) means a *use*:
 - (i) that is a grouping of **cottage buildings** around an open space; and
 - (ii) where no **Dwelling Unit** is located wholly or partially above another **Dwelling Unit**;
 - (b) is a *use* within the Residential Group in Schedule A to this Bylaw;
 - (c) that has a minimum of four **cottage buildings**;
 - (d) that has a maximum of twelve **cottage buildings**;

- (e) requires a minimum of 1.0 **motor vehicle parking stalls** per **Dwelling Unit** with a floor area equal to or greater than 45.0 square metres, not including areas covered by stairways;
- (f) requires a minimum of 0.15 **visitor parking stalls** per **Dwelling Unit**; and
- (g) does not require **bicycle parking stalls – class 1** or **class 2**.

48P2020,
27P2021

176 *deleted*

5P2013

177 **“Crematorium”**

- (a) means a **use**:
 - (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;

48P2020

(c) *deleted*

(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**.

- (ii) where part of the processes and functions associated with the **use** may be located outside of a **building**, including the function of using trailer units or railway cars prior to shipping; 49P2017
- (iii) where dust or vibration may be seen or felt outside of the **building** containing the **use** provided it is contained on the **parcel**; and 49P2017
- (iv) that may include **Food Production**; 49P2017
- (b) is a **use** within the General Industrial Group in Schedule A to this Bylaw;
- (c) *deleted* 48P2020
- (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**.

15P2008,
48P2020,
27P2021

204 “Health Care Service”

- (a) means a **use** that provides physical and mental health services on an out-patient basis. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature;
- (b) may only involve the following activities when located in the M-H1, M-H2, M-H3, M-X1, M-X2, I-R, S-URP Districts:
 - (i) counselling;
- (c) is a **use** within the Care and Health Group in Schedule A to this Bylaw;
- (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**.

205 “Health Services Laboratory – Without Clients”

13P2008

- (a) means a *use*:
 - (i) where any of the following activities occur:
 - (A) bodily samples are tested;
 - (B) medical assessments and research are conducted; or
 - (C) prosthetics, dental aids or medical devices are serviced; and
 - (ii) where no members of the public visit the *use* for any reason;

48P2020

- (b) is a *use* within the Industrial Support Group in Schedule A to this Bylaw;
- (c) must not create electronic interference which would be considered objectionable, outside of the *use*;
- (d) *deleted*
- (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*.

206 “Hide Processing Plant”

- (a) means a *use*:
 - (i) where animal hides and other animal by-products are processed; and

224 “Library”

- (a) means a *use*:
 - (i) where collections of materials are maintained primarily for the purpose of lending to the public;
 - (ii) that may provide lecture theatres, meeting rooms, study space and computers for users of the *use*; and
 - (iii) that may have rooms for the administrative functions of the *use*;
- (b) is a *use* within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) *deleted* 48P2020
- (d) does not require *bicycle parking stalls – class 1*; and
- (e) requires a minimum of 0.5 *bicycle parking stalls – class 2* per 100.0 square metres of *gross usable floor area*. 6P2021

225 “Liquor Store”

- (a) means a *use* where alcoholic beverages are sold for consumption off the retail outlet premises, that has been licensed by the Alberta Gaming and Liquor Commission;
- (b) is a *use* within the Sales Group in Schedule A to this Bylaw;
- (c) in the C-N1 and C-N2 Districts, must only be located on a *parcel* with a front *property line* on a *major street* or a primary collector *street*;
- (d) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 300.0 metres of any other **Liquor Store**, when measured from the closest point of a **Liquor Store** to the closest point of another **Liquor Store**; 13P2015
- (e) in all *commercial, industrial* and *mixed use districts*, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 150.0 metres of a *parcel* that contains a **School – Private** or a **School Authority – School**, when measured from the closest point of a **Liquor Store** to the closest point of a *parcel* that contains a **School Authority – School** or a **School – Private**; 13P2015, 20P2017
- (e.1) in all Centre City East Village Districts, **Liquor Stores** must not be located: 13P2017
 - (i) within 150.0 metres of a *parcel* that contains an **Emergency Shelter**, when measured from the closest point of a **Liquor Store** to the closest point of a *parcel* that contains an **Emergency Shelter**; and

- 25P2018
- (ii) on **parcels** north of 5 Avenue SE and west of 4 Street SE;
- (e.2) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not:
- (i) abut a **Cannabis Store**;
 - (ii) if not for one or more intervening **actual side setback areas**, abut a **Cannabis Store**; and
 - (iii) when located on the same **parcel**, if not for a vacant space between **buildings**, not including an internal road, abut a **Cannabis Store**.
- 48P2020
- (f) *deleted*
 - (g) does not require **bicycle parking stalls – class 1**; and
 - (h) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

226 “Live Work Unit”

- (a) means a **use**:
- (i) where a business is operated from a **Dwelling Unit**, by the resident of the **Dwelling Unit**, but does not include a **Home Occupation – Class 1** or **Home Occupation – Class 2**;
- 13P2008, 39P2010, 33P2013, 20P2017
- (ii) that may incorporate only the following **uses** in a **Dwelling Unit** to create a **Live Work Unit** when located in the **commercial districts, mixed use districts, CC-EMU, CC-ET, CC-EIR** or **CR20-C20/R20 District**:
 - (A) **Artist’s Studio**;
 - (B) **Health Care Service**;
 - (C) **Instructional Facility**;
 - (D) **Office**; and
 - (E) **Retail and Consumer Service**, provided any products sold are also made on the premises or directly related to the service provided;
- 27P2021
- (iii) that may incorporate only the following **uses** in a **Dwelling Unit** to create a **Live Work Unit** when located in the **multi-residential districts** or the **CC-EPR District**:
 - (A) **Artist’s Studio**;
- 13P2008, 39P2010

- (B) **Health Care Service;** 27P2021
- (C) **Office;** and 67P2008
- (D) **Retail and Consumer Service,** provided any products sold are also made on the premises or directly related to the service provided; and 67P2008
- (iv) that, in the *multi-residential districts*, must be contained within a **Multi-Residential Development;**
- (v) where the **Health Care Service** use is limited to the following activities: 27P2021
- (A) counselling;
- (b) is a *use* within the Residential Group in Schedule A to this Bylaw;
- (c) must not exceed 50.0 per cent of the *gross floor area* of the **Dwelling Unit;**
- (d) may have two persons, other than a resident of the **Live Work Unit,** working at the residence where the *use* is located; and 13P2008, 9P2012
- (e) requires a minimum number of *motor vehicle parking stalls* and *bicycle parking stalls – class 1* or *class 2* in accordance with the District the *use* is listed in.

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*

9P2012, 39P2010,
42P2019, 48P2020,
6P2021, 27P2021 **232** *deleted*

5P2013,
42P2019 **232.1** *deleted*

233 *deleted*

48P2020,
27P2021

233.1 *deleted*

7P2014, 25P2018

28P2016, 25P2018 **233.2** *deleted*

32P2009 **234** *deleted*

46P2009 **235** *deleted*

275 *deleted*

32P2009

276 “Refinery”

- (a) means a *use* where crude oil, used motor oil or natural gas are processed;
- (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.

277 “Residential Care”

- (a) means a *use*:
 - (i) where social, physical or mental care is provided to five or more persons who live full time in the facility; and
 - (ii) that has at least one staff person at the facility at all times when at least one resident is within the facility;
- (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*.

24P2011

27P2021

278 “Restaurant: Food Service Only”

- (a) means a *use*:
 - (i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
 - (ii) that is not licensed for the sale of liquor by the Alberta Gaming and Liquor Commission; and
 - (iii) that may have a maximum of 10.0 square metres of *public area* used for the purpose of providing entertainment;
- (b) is a *use* within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) 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*;
- (d) must not have an exterior entrance located on a façade that faces a *residential district*, unless that façade is separated by an intervening *street*;
- (e) if the *public area* is greater than 150.0 square metres it must not be within 45.0 metres of a *residential district* when the *use* is located within the C-C1, C-C2, C-COR1, C-COR2, CC-COR, CC-X, MU-1, MU-2 and S-R Districts, which must be measured from the *building* containing the *use* to the nearest *property line* of a *parcel* designated as a *residential district*;
- (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 the *public area*.

279 *deleted*

27P2021

27P2021

280 *deleted*

27P2021

281 “**Restaurant: Licensed**”

- (a) means a *use*:
 - (i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
 - (ii) where a specific license for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that allows minors on the premises at any time; and
 - (iii) that may have a maximum of 10.0 square metres of *public area* used for the purpose of providing entertainment;
- (b) is a *use* within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) 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*;
- (d) must not have an exterior entrance located on a façade that faces a *residential district*, unless that façade is separated by an intervening *street*;
- (e) if the *public area* is greater than 150.0 square metres it must not be within 45.0 metres of a *residential district* when the *use* is located within the C-C1, C-C2, C-COR1, C-COR2, CC-COR, CC-X, MU-1, MU-2 and S-R Districts, which must be measured from the *building* containing the *use* to the nearest *property line* of a *parcel* designated as a *residential district*;
- (f) does not require *bicycle parking stalls – class 1*; and
- (g) requires a minimum of 1.0 *bicycle parking stalls – class* per 250.0 square metres of the *public area*.

282 *deleted*

27P2021

27P2021

283 *deleted*

283.1 *deleted*

27P2021

284 “Restored Building Products Sales Yard”

- (a) means a *use*:
 - (i) where products that have been recovered from demolished **buildings** are stored, displayed or sold either entirely within a **building** or outside of a **building**;
 - (ii) that does not accommodate the wrecking, dismantling, manufacturing, servicing or repairing of anything on the same **parcel** as the *use*;
 - (iii) that does not accommodate the display, wrecking or sale of any motor vehicles or auto parts;
 - (iv) that does not accommodate waste disposal or landfilling of any product; and
 - (v) that does not accommodate a drop off site for products related to the *use*;
- (b) is a *use* within the Sales Group in Schedule A to this Bylaw; and
- (c) *deleted*
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

48P2020

285 “Retail Garden Centre”

- (a) means a *use*:
- (i) where gardening products, plants, seeds, shrubbery, trees and other gardening related products are sold to the public from a permanent **building**;
 - (ii) that may accommodate temporary structures such as greenhouses and pole barns for the planting and growing of plants;
 - (iii) that may accommodate temporary structures and specifically identified outdoor areas for the storage, display and sale of plants and products; and
 - (iv) that may not accommodate the sale of produce or other food stuff;
- (b) is a *use* within the Sales Group in Schedule A to this Bylaw; and
- (c) *deleted*
- (d) does not require **bicycle parking stalls – class 1 or class 2**.

48P2020

39P2010

286 deleted

39P2010,

286.1 “Retail and Consumer Service”

27P2021

- (a) means a *use* where any of the following activities occur:
- (i) the general retail sale or rental of goods, materials products or supplies including merchandise that may also be sold at a **Building Supply Centre**;
 - (ii) services related to the care and appearance of the human body or hair;
 - (iii) services intended for relaxation and rejuvenation through massage, aromatherapy and similar nonmedical therapies;
 - (iv) the care, cleaning, alteration or repair of clothing, jewelry, or shoes;
 - (v) portrait and professional photography services;
 - (vi) the repair, service or refurbishment of furniture, electronic equipment and appliances that are used in the home; or
 - (vii) a market for the sale of new or used goods and food products, not including live animals, by multiple vendors renting tables or space either in an enclosed building or outdoors.

- (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 does not impede pedestrian movement; 32P2020
- (c.1) may provide seating for the purpose of food consumption for the activities identified in (a)(vii). 27P2021
- (d) may only stock merchandise on the premises in quantities sufficient only to supply the premises;
- (e) may contain laundering services provided it:
- (i) does not include a **Dry-cleaning and Fabric Care Plant**; and
 - (ii) is not located within a **Live Work Unit**;
- (f) when located in the C-R1 District, may incorporate the following **uses** within a **Retail and Consumer Service**, provided the requirements referenced in subsection (g) are satisfied:
- (i) **Amusement Arcade**;
 - (ii) **Computer Games Facility**;
 - (iii) *deleted* 27P2021
 - (iv) **Financial Institution**;
 - (v) **Fitness Centre**;
 - (vi) **Health Care Service**; 27P2021
 - (vii) *deleted* 27P2021
 - (viii) **Office**;
 - (ix) **Pet Care Service**;
 - (x) **Print Centre**;
 - (xi) **Radio and Television Studio**;
 - (xii) *deleted* 27P2021
 - (xiii) **Restaurant: Food Service Only**; 27P2021
 - (xiv) **Take Out Food Service**; and
 - (xv) **Veterinary Clinic**;
- (g) must only incorporate the **uses** referenced in section (f) when those **uses**:
- (i) are located in an existing approved **building**;
 - (ii) are located in a **use area** that is a minimum of 3600.0 square metres;
 - (iii) are located within a **use area** that contains a **Retail and Consumer Service**;

- (iv) do not exceed 10.0 per cent of the **use area** of the **Retail and Consumer Service** within which they are located; and
- (v) do not have direct customer access outside of the **Retail and Consumer Service** within which they are located;

48P2020

- (h) *deleted*
- (i) does not require **bicycle parking stalls – class 1**; and
- (j) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

24P2014

287 “Rowhouse Building”

- (a) means a **use** where a **building**:
 - (i) contains three or more **Dwelling Units**, located side by side and separated by common party walls extending from foundation to roof;
 - (ii) where one façade of each **Dwelling Unit** directly faces a public **street**;
 - (iii) where no intervening **building** is located between the **street** facing façade of each **Dwelling Unit** and the **adjacent** public **street**;
 - (iv) where each **Dwelling Unit** has a separate direct entry from **grade** to an **adjacent** public sidewalk or an adjacent public **street**;
 - (v) where no **Dwelling Unit** is located wholly or partially above another **Dwelling Unit**; and
 - (vi) may contain a **Secondary Suite** within a **Dwelling Unit** in a district where a **Secondary Suite** is a listed **use** and conforms with the rules of the district;
- (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**;
 - (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;

5P2013

5P2013

48P2020

- (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) **deleted**
- (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
 - (v) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Sawmill** 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.

- Rowhouse Building, Semi-detached Dwelling, or a Single Detached Dwelling; and**
- (vii) in the R-G and R-Gm Districts must be contained in a **Rowhouse Building, Semi-detached Dwelling or a Single Detached Dwelling;** 62P2018
- (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*; and 24P2014
- (d) does not require *bicycle parking stalls – class 1 or class 2*.
- 295.1** *deleted* 12P2010, 24P2014
- 295.2** *deleted* 12P2010, 24P2014
- 296 “Self Storage Facility”**
- (a) means a *use*:
- (i) where goods are stored in a *building*;
- (ii) where the *building* is made up of separate compartments and each compartment has separate access;
- (iii) that may be available to the general public for the storage of personal items;
- (iv) that may include the administrative functions associated with the *use*; and
- (v) that may incorporate **Custodial Quarters** for the custodian of the facility;
- (b) is a *use* within the Storage Group in Schedule A to this Bylaw; and
- (c) *deleted* 48P2020
- (d) does not require *bicycle parking stalls – class 1 or class 2*.
- 297 “Semi-detached Dwelling”** 24P2014
- (a) means a *use* where a *building* contains two **Dwelling Units** located side by side and separated by a common party wall extending from foundation to roof;
- (b) may contain a **Secondary Suite** within a **Dwelling Unit** in a district where a **Secondary Suite** is a listed *use* and conforms with the rules of the district; 15P2016
- (c) is a *use* within the Residential Group in Schedule A to this Bylaw;

- (d) requires a minimum of 1.0 *motor vehicle parking stalls* per **Dwelling Unit**; and
- (e) does not require *bicycle parking stalls – class 1* or *class 2*.

298 “Service Organization”

27P2021

- (a) means a *use*:
 - (i) where health or educational programs and services are offered to the public;
 - (ii) that includes **Health Care Service**, where the *use* is limited to the following activities:
 - (A) counselling;
 - (iii) that does not provide a food preparation *kitchen* or eating area for the public;
 - (iv) where there are rooms for the administrative functions of the *use*; and
 - (v) where there may be a meeting room or auditorium available for programs related to the *use*;

48P2020

- (b) is a *use* within the Office Group in Schedule A to this Bylaw;
- (c) *deleted*
- (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*.

67P2008, 35P2011

299 “Sign – Class A”

- (a) means only the following *sign* types:
 - (i) “**Address Sign**” which means a *sign* that identifies:
 - (A) the municipal address of a *building*;
 - (B) the name of a *building*;
 - (C) the name of a business or organization operating a *building*; or
 - (D) the name of any individuals occupying a *building*;
 - (ii) “**Art Sign**” which means a *sign* that is primarily an artistic rendering applied to or affixed to any exterior of a *building* and where less than 10.0 per cent of the area of the *sign* contains written *copy*;
 - (iii) “**Banner Sign**” which means a *sign* that is constructed of non-rigid material capable of being displayed without the use of a flag pole;

- (g) does not require *motor vehicle parking stalls*; and
- (h) does not require *bicycles parking stalls – class 1 or class 2*.

309 “Special Function – Class 2”

10P2009, 21P2011,
4P2012, 5P2015

- (a) means a *use* where temporary structures are erected on a *parcel* which operate as a:
 - (i.) **Brewery, Winery and Distillery;** 49P2017
 - (i.1) **Conference and Event Facility;** 49P2017
 - (ii) **Drinking Establishment – Large;**
 - (iii) **Drinking Establishment – Medium;**
 - (iv) **Drinking Establishment – Small;**
 - (v) **Restaurant: Licensed;** or 27P2021
 - (vi) *deleted* 27P2021
 - (vii) *deleted* 27P2021
 - (viii) *deleted* 27P2021
 - (ix) **Night Club;**
- (b) is a *use* within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may only be located on a *parcel* for 15 cumulative days in a calendar year, excluding the time used to erect or dismantle the temporary structures;
- (d) has a maximum height for covered temporary structures of one *storey*;
- (e) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a *residential district* unless that façade is separated from the residential district by a *street*;
- (f) must not exceed a cumulative area for covered temporary structures of 75.0 square metres when located on a *parcel* designated C-N1, C-N2, I-E, I-R, CC-ER and CC-EPR;
- (g) may be temporarily located on any part of the *parcel*, other than a *corner visibility triangle*;
- (h) does not require *motor vehicle parking stalls*; and
- (i) does not require *bicycles parking stalls – class 1 or class 2*.

32P2009

309.1 “Specialized Industrial”

- (a) means a *use*:
- (i) where any of the following activities occur:
 - (A) **research and development**;
 - (B) the analysis or testing of materials or substances in a **laboratory**; or
 - (C) the manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, products or equipment, provided live animals are not involved in any aspect of the operation;
 - (ii) that may include any of the following *uses*:
 - (A) **Food Production**; and
 - (B) **Health Services Laboratory – Without Clients**;
 - (iii) where all of the processes and functions associated with the *use* are contained within a fully enclosed **building**; and
 - (iv) where no dust or vibration is seen or felt outside of the **building** containing the *use*;
- (b) is a *use* within the General Industrial Group in Schedule A to this Bylaw;
- (c) *deleted*
- (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**.

49P2017

48P2020

32P2009

310 “Specialty Food Store”

- (a) means a *use*:
- (i) where food and non-alcoholic beverages for human consumption are made;
 - (ii) where live animals are not involved in the processing of the food;
 - (iii) where the food products associated with the *use* may be sold within the premises;
 - (iv) with a maximum **gross floor area** of 465.0 square metres;
 - (v) that has the functions of packaging, bottling or shipping the products made as part of the *use*;

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) *deleted* 27P2021
 - (iv) **Financial Institution**;
 - (v) **Fitness Centre**;
 - (vi) **Health Care Service**; 27P2021
 - (vii) *deleted* 27P2021
 - (ix) **Office**;
 - (x) **Pet Care Service**;
 - (xi) **Print Centre**;
 - (xii) **Power Generation Facility – Small**;
 - (xiii) **Radio and Television Studio**;
 - (xiv) **Restaurant: Food Service Only**; 27P2021
 - (xv) *deleted* 27P2021
 - (xvi) **Retail and Consumer Service**;
 - (xvii) **Take Out Food Service**; and
 - (xviii) **Veterinary Clinic**;

- (d) must only incorporate the **uses** referenced in subsection (c) when those **uses**:
 - (i) are located in an existing approved **building**;
 - (ii) are located in a **use area** that is a minimum of 3600.0 square metres;
 - (iii) are located within a **use area** that contains a **Supermarket**;
 - 27P2021 (iv) do not exceed 10.0 per cent of the **use area** of the **Supermarket** within which they are located;
 - 27P2021 (v) do not have direct customer access outside of the **Supermarket** within which they are located; and
 - 27P2021 (vi) do not exceed a **public area** of 300.0 square metres for **Restaurant: Food Service Only**.
- 48P2020 (e) *deleted*
- (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**.

Retaining Walls

- 342** (1) A **retaining wall** must be less than 1.2 metres in height when measured from the lowest **grade** at any point **adjacent** to the **retaining wall** to the highest **grade** retained by the **retaining wall**. 16P2018
- (2) A minimum horizontal separation of 1.0 metre must be maintained between **retaining walls** on the same **parcel**.

Fences

- 343** The height of a **fence** above **grade** at any point along a **fence** line must not exceed:
- (a) 1.2 metres for any portion of a **fence** extending between the foremost front façade of the **main residential building** and the **front property line**;
 - (b) 2.0 metres in all other cases; and
 - (c) 2.5 metres at the highest point of a gate that is not more than 2.5 metres in length.

Solar Collectors

- 343.1** (1) A **solar collector** may only be located on the wall or roof of a **building**.
- (2) A **solar collector** mounted on a roof with a pitch of less than 4:12, may project: 68P2008
- (a) a maximum of 0.5 metres from the surface of a roof, when the solar collector is located 5.0 metres or less from a side property line, measured directly due south from any point along the **side property line**; and
 - (b) in all other cases, maximum of 1.3 metres from the surface of a roof.
- (3) A **solar collector** mounted on a roof with a pitch of 4:12 or greater, may project a maximum of 1.3 metres from the surface of a roof.
- (4) A **solar collector** mounted on a roof must not extend beyond the outermost edge of the roof.
- (5) A **solar collector** that is mounted on a wall:
- (a) must be located a minimum of 2.4 metres above **grade**; and
 - (b) may project a maximum of:
 - (i) 1.5 metres from the surface of that wall, when the wall is facing a **rear property line**; and
 - (ii) in all other cases, 0.6 metres from the surface of that wall.

43P2016

Skateboard and Sports Ramps

- 343.2 (1)** All *skateboard and sports ramp* structures must be located within the maximum envelope dimensions of 1.5 metres high by 5.0 metres wide by 6.0 metres long.
- (2)** More than one structure may be contained within the maximum envelope dimensions referenced in subsection (1).
- (3)** The maximum envelope dimensions referenced in subsection (1) do not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete.
- (4)** Notwithstanding subsection (1), railings for safety purposes may extend beyond the maximum envelope dimensions referenced in subsection (1) provided they are not designed or used as a surface upon which to operate a skateboard, bicycle, scooter, roller skates or other similar device.
- (5)** There must only be one *skateboard and sports ramp* envelope per *parcel*.
- (6)** All *skateboard and sports ramp* structures must be located between the rear façade of the *main residential building* and the *rear property line*.
- (7)** The height of a *skateboard and sports ramp* at any point is measured from *grade*.
- (8)** All *skateboard and sports ramp* structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a *side property line*.
- (9)** All *skateboard and sports ramp* structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a *rear property line*.
- (10)** *Skateboard and sports ramp* structures must not be included in *parcel coverage*.
- (11)** A *skateboard and sports ramp* must not be attached to a *deck*, another structure, *fence*, or *building* such as, but not limited to, a *main residential building*, **Backyard Suite** or **Accessory Residential Building**.

Objects Prohibited or Restricted

27P2021

- 344 (1)** A *recreational vehicle* must not remain in an *actual front setback area* for longer than 36 hours.
- (2)** A trailer that may be used or is intended to be used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste must not remain in an *actual front setback area* except while actively engaged in loading or unloading.

Objects Prohibited or Restricted

- 564** (1) A **recreational vehicle** must not remain in an **actual front setback area** for longer than 24 hours.
- (2) A trailer used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste must not remain in an **actual front setback area**, except while engaged in loading or unloading.
- (3) A **dilapidated vehicle** must not remain outside of a **building**.
- (4) A **large vehicle** must not remain on a **parcel**, except while engaged in loading or unloading.
- (5) A satellite dish antenna greater than 1.0 metre in diameter must not:
- (a) be located in an **actual front setback area** or in an **actual side setback area** of a **corner parcel**;
 - (b) be located higher than 3.0 metres from **grade**; and
 - (c) be illuminated.
- (6) Subsection (5) does not apply to a satellite dish greater than 1.0 metre in diameter, when the applicant demonstrates:
- (a) compliance with subsection (5) would prevent signal reception; and
 - (b) the satellite dish will be located and screened to the satisfaction of the **Development Authority**.
- (7) *deleted*

43P2016

Driveway Length and Parking Areas

- 565** (1) A driveway must not have direct access to a **major street** unless:
- (a) there is no practical alternative method of vehicular access to the **parcel**; and
 - (b) a turning space is provided on the **parcel** to allow all vehicles exiting to face the **major street**.
- (2) A driveway connecting to a **street** must:
- (a) be a minimum of 6.0 metres in length, when measured along the intended direction of travel for vehicles from the back of the public sidewalk or curb; and
 - (b) be a minimum of 3.0 metres in width.
- (3) A driveway connecting to a **lane** must:
- (a) be a minimum of 0.60 metres in length, when measured along the intended direction of travel for vehicles; and

- (b) be located between the **property line** shared with a **lane** and the vehicular entrance of the **private garage**.

9P2012, 16P2018

- (4) Vehicles may only be parked in the **actual front setback area** when the vehicle is located on a driveway or a **motor vehicle parking stall** that is hard surfaced.

Garbage

566 (1) Garbage containers and waste material must be stored either:

- (a) inside a **building**; or
- (b) in a garbage container enclosure approved by the **Development Authority**.

41P2009

- (2) A garbage container enclosure:
 - (a) must not be located between a **building** and a public **street**; and
 - (b) unless specified in subsection (3) must not be located in a **setback area**.

41P2009

- (3) Where the **main residential building** is a **Multi-Residential Development** a garbage container enclosure may be located in a **setback area** from another **parcel** provided that:
 - (a) the wall of the enclosure is constructed of maintenance free materials; and
 - (b) there is no overhang of eaves onto an **adjacent parcel** or **lane**.

Recycling Facilities

567 Recycling facilities must be provided for every **Multi-Residential Development**.

Mechanical Screening

27P2021

568 Mechanical systems or equipment located outside of a **building** shall be positioned, camouflaged or screened from view of a **public space**, or from view of a **parcel** designated as a **residential district**, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above **grade**.

**Division 8: Multi-Residential – High Density Low Rise (M-H1)
(M-H1f#h#d#) District**

7P2011

Purpose

635 The Multi-Residential – High Density Low Rise District:

- (a) is intended to provide for **Multi-Residential Development** in the *Developed Area* and the *Developing Area*;
- (b) has **Multi-Residential Development** that will provide *development* with higher numbers of **Dwelling Units** and traffic generation;
- (c) provides for **Multi-Residential Development** in a variety of forms;
- (d) has tall **Multi-Residential Development** with high *density*;
- (e) has **Multi-Residential Development** where intensity is measured by *floor area ratio* to provide flexibility in *building* form and **Dwelling Unit** size and number;
- (f) is intended to be typically located at community nodes and transit and transportation corridors and nodes;
- (g) requires that **Multi-Residential Development** achieves a minimum *density*;
- (h) includes a limited range of support *commercial multi-residential uses*, restricted in size and location within the *building*;
- (i) provides outdoor space for social interaction; and
- (j) provides landscaping to complement the design of the *development* and to help screen and buffer elements of the *development* that may have impacts on residents or nearby *parcels*.

Permitted Uses

636 The following *uses* are *permitted uses* in the Multi-Residential High Density Low Rise District:

- (a) **Accessory Residential Building;**
- (a.1) **Home Based Child Care – Class 1;**
- (b) **Home Occupation – Class 1;**
- (c) **Park;**
- (d) **Protective and Emergency Service;**

17P2009

- 33P2011 (d.1) **Secondary Suite;**
- 4P2012 (e) **Sign – Class A;** and
- 4P2012 (f) *deleted*
- (g) **Utilities.**

34P2010 **Discretionary Uses**

39P2010, 7P2011 **637 (1)** The following *uses* are **discretionary uses** in the Multi-Residential – High Density Low Rise District:

- (a) **Addiction Treatment;**
- 42P2019 (a.1) **Artist’s Studio;**
- (b) **Assisted Living;**
- (c) **Child Care Service;**
- (d) **Community Entrance Feature;**
- (e) **Convenience Food Store;**
- (f) **Counselling Service;**
- (g) **Custodial Care;**
- (h) **Home Occupation – Class 2;**
- (i) **Information and Service Provider;**
- (j) **Live Work Unit;**
- (k) **Multi–Residential Development;**
- (l) **Office;**
- (m) **Outdoor Café;**
- (n) **Place of Worship – Medium;**
- (o) **Place of Worship – Small;**
- (p) **Power Generation Facility – Small;**
- (q) **Print Centre;**
- (r) **Residential Care;**
- 27P2021 (s) **Restaurant: Food Service Only;**
- 27P2021 (s.1) **Restaurant: Licensed;**
- (t) **Retail and Consumer Service;**
- (u) **Service Organization;**
- (v) **Sign – Class B;**
- (w) **Sign – Class C;**
- (x) **Sign – Class D;**

- (3) Where a *parcel* shares a *property line* with a *street* or a *parcel* designated as a M-C2, M-2, M-H1, M-H2, M-H3, or M-X2 District, the maximum *building height* referenced in subsection (1) or (2) is reduced to 10.0 metres measured from *grade* within 4.0 metres of that shared *property line*.
- (4) Where a *parcel* shares a *property line* with a *lane* or a *parcel* designated as a *low density residential district*, M-CG, M-C1, M-G, M-1, or M-X1 District, the maximum *building height* referenced in subsection (1) or (2) is reduced to 10.0 metres measured from *grade* within 6.0 metres of that shared *property line*.
- (5) Where a *parcel* shares a *property line* with a *parcel* designated as a *commercial, industrial* or *special purpose district*, the maximum *building height* referenced in subsection (1) or (2) is reduced to 10.0 metres measured from *grade* within 1.2 metres of that shared *property line*.

Rules for Commercial Multi-Residential Uses

- 645 (1) *Commercial multi-residential uses* must:
- (a) be located on the floor closest to *grade* of a *main residential building*; 7P2011
 - (b) be contained completely within the *building* with the exception of **Outdoor Café uses**; 16P2018
 - (c) not be located above any **Dwelling Unit**;
 - (d) not share an internal hallway with **Dwelling Units**; and
 - (e) have a separate exterior entrance from that of the **Dwelling Units**.
- (2) *deleted* 7P2011
- (3) The maximum *use area* for each *commercial multi-residential use* is 325.0 square metres. 27P2021
- (3.1) The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres. 27P2021
- (4) Parking areas for *commercial multi-residential uses* must:
- (a) be separated from residential parking areas;
 - (b) provide pedestrian access to the *commercial multi-residential uses*; and
 - (c) be located a minimum distance of 5.0 metres from a *parcel* designated as a *low density residential district*, in the case of a surface parking area.

**Division 9: Multi-Residential – High Density Medium Rise (M-H2)
(M-H2f#h#d#) District**

7P2011

Purpose

646 The Multi-Residential – High Density Medium Rise District:

- (a) is intended to provide for **Multi-Residential Development** on selected *parcels* in the *Developed Area* and the *Developing Area*;
- (b) has **Multi-Residential Development** that will provide intense development, with higher numbers of **Dwelling Units** and traffic generation;
- (c) provides for **Multi-Residential Development** in a variety of forms;
- (d) has taller **Multi-Residential Development** with higher *density*;
- (e) has **Multi-Residential Development** where intensity is measured by *floor area ratio* to provide flexibility in *building* form and **Dwelling Unit** size and number;
- (f) is located on strategic *parcels*, including landmark locations, transit and transportation corridors and nodes and employment concentrations;
- (g) requires that **Multi-Residential Development** achieves a minimum density;
- (h) includes a limited range of support *commercial multi-residential uses*, restricted in size and location within the *building*;
- (i) provides outdoor space for social interaction; and
- (j) provides landscaping to complement the design of the *development* and to help screen and buffer elements of the *development* that may have impacts on residents or nearby *parcels*.

Permitted Uses

647 The following *uses* are *permitted uses* in the Multi-Residential – High Density Medium Rise District:

- (a) **Accessory Residential Building;**
- (a.1) **Home Based Child Care – Class 1;**
- (b) **Home Occupation – Class 1;**
- (c) **Park;**

17P2009

- 33P2011 (d) **Protective and Emergency Service;**
- 4P2012 (d.1) **Secondary Suite;**
- 4P2012 (e) **Sign – Class A;** and
- (f) *deleted*
- (g) **Utilities.**

34P2010 **Discretionary Uses**

39P2010, 7P2011 **648 (1)** The following *uses* are **discretionary uses** in the Multi-Residential – High Density Medium Rise District:

- 42P2019 (a) **Addiction Treatment;**
- (a.1) **Artist’s Studio;**
- (b) **Assisted Living;**
- (c) **Child Care Service;**
- (d) **Community Entrance Feature;**
- (e) **Convenience Food Store;**
- (f) **Counselling Service;**
- (g) **Custodial Care;**
- (h) **Drinking Establishment – Small;**
- (i) **Home Occupation – Class 2;**
- (j) **Information and Service Provider;**
- (k) **Live Work Unit;**
- (l) **Multi-Residential Development;**
- (m) **Office;**
- (n) **Outdoor Café;**
- (o) **Place of Worship – Medium;**
- (p) **Place of Worship – Small;**
- (q) **Power Generation Facility – Small;**
- (r) **Print Centre;**
- (s) **Residential Care;**
- 27P2021 (t) **Restaurant: Food Service Only;**
- 27P2021 (u) **Restaurant: Licensed;**
- 27P2021 (u.1) *deleted*
- (v) **Retail and Consumer Service;**
- (w) **Service Organization;**

Building Height

7P2011

- 655** (1) Unless otherwise referenced in subsections (2), (3), (4) and (5), the maximum **building height** is 50.0 metres.
- (2) The maximum **building height** for **parcels** designated M-H2 is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres, which must be less than 50.0 metres.
- (3) Where a **parcel** shares a **property line** with a **street** or a **parcel** designated as a M-C2, M-2, M-H1, M-H2, M-H3, or M-X2 District, the maximum **building height** referenced in subsection (1) or (2) is reduced to 10.0 metres measured from **grade** within 4.0 metres of that shared **property line**.
- (4) Where a **parcel** shares a **property line** with a **lane**, the maximum **building height** referenced in subsection (1) or (2) is reduced to 10.0 metres measured from **grade** within 6.0 metres of that shared **property line**.
- (5) Where a **parcel** shares a **property line** with a **parcel** designated as a **commercial, industrial** or **special purpose district**, the maximum **building height** referenced in subsection (1) or (2) is reduced to 10.0 metres measured from **grade** within 1.2 metres of that shared **property line**.

Rules for Commercial Multi-Residential Uses

- 656** (1) Unless otherwise referenced in subsection (2), **commercial multi-residential uses** must:
- (a) be contained completely within the **building** with the exception of **Outdoor Café uses**; 16P2018
- (b) be located on the floor closest to **grade** of a **main residential building**; and
- (c) not share a hallway with **Dwelling Units**.
- (2) A **Health Care Service, Information and Service Provider, Office** or **Service Organization** may be located on the second **storey** of the **main residential building** provided they: 7P2011, 27P2021
- (a) are contained completely within the **building**; and
- (b) do not share a hallway with **Dwelling Units**.
- (3) The maximum **use area** for each **commercial multi-residential use** is 325.0 square metres. 27P2021
- (3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres. 27P2021

-
- (4) Parking areas for ***commercial multi-residential uses*** must:
- (a) be separated from residential parking areas; and
 - (b) be located a minimum distance of 5.0 metres from a ***parcel*** designated as a ***low density residential district*** in the case of a surface parking area.

Division 10: Multi-Residential – High Density High Rise (M-H3) (M-H3f#h#d#) District

Purpose

657 The Multi-Residential – High Density High Rise District:

- (a) is intended to provide for **Multi-Residential Development** on selected strategic *parcels* in the *Developed Area* and the *Developing Area*;
- (b) has **Multi-Residential Development** that will provide for the highest intensity *development* of all the *multi-residential districts*, with higher numbers of **Dwelling Units** and traffic generation;
- (c) provides for **Multi-Residential Development** in a variety of forms;
- (d) has the tallest **Multi-Residential Development** with the highest *density*;
- (e) has **Multi-Residential Development** where intensity is measured by *floor area ratio* to provide flexibility in *building* form and **Dwelling Unit** size and number;
- (f) is located on strategic *parcels*, including landmark locations, transit and transportation corridors and nodes and employment concentrations;
- (g) requires that **Multi-Residential Development** achieves a minimum *density*;
- (h) provides the opportunity for a range of support *commercial multi-residential uses*, restricted in size with few restrictions on location within the *building*;
- (i) provides outdoor space for social interaction; and
- (j) provides landscaping to complement the design of the *development* and to help screen and buffer elements of the *development* that may have impacts on residents or nearby *parcels*.

Permitted Uses

658 The following *uses* are *permitted uses* in the Multi-Residential High Density High Rise District:

- (a) **Accessory Residential Building;**
- (a.1) **Home Based Child Care – Class 1;**
- (b) **Home Occupation – Class 1;**
- (c) **Park;**
- (d) **Protective and Emergency Service;**

17P2009

- 33P2011 (d.1) **Secondary Suite;**
- 4P2012 (e) **Sign – Class A;** and
- 4P2012 (f) *deleted*
- (g) **Utilities.**

34P2010 **Discretionary Uses**

34P2010, 7P2011 **659 (1)** The following *uses* are **discretionary uses** in the Multi-Residential – High Density High Rise District:

- (a) **Addiction Treatment;**
- 42P2019 (a.1) **Artist’s Studio;**
- (b) **Assisted Living;**
- (c) **Child Care Service;**
- (d) **Community Entrance Feature;**
- (e) **Convenience Food Store;**
- (f) **Counselling Service;**
- (g) **Custodial Care;**
- (h) **Drinking Establishment – Small;**
- (i) **Home Occupation – Class 2;**
- (j) **Information and Service Provider;**
- (k) **Live Work Unit;**
- (l) **Multi-Residential Development;**
- (m) **Office;**
- (n) **Outdoor Café;**
- (o) **Place of Worship – Medium;**
- (p) **Place of Worship – Small;**
- (q) **Power Generation Facility – Small;**
- (r) **Print Centre;**
- (s) **Residential Care;**
- 27P2021 (t) **Restaurant: Food Service Only;**
- 27P2021 (u) **Restaurant: Licensed;**
- 27P2021 (u.1) *deleted;*
- (v) **Retail and Consumer Service;**
- (w) **Service Organization;**
- (x) **Sign – Class B;**

- (2) The maximum **building height** is 10.0 metres from **grade**:
- (a) within 4.0 metres of a **property line** shared with a **street** or with a **parcel** designated as a M-C2, M-2, M-H1, M-H2, M-H3, or M-X2 District;
 - (b) within 6.0 metres of a **property line** shared with a **lane**; and
 - (c) within 1.2 metres of a **property line** shared with a **parcel** designated as a **commercial, industrial** or **special purpose district**.

Rules for Commercial Multi-Residential Uses

- 667 (1)** Unless otherwise referenced in subsection (2), **commercial multi-residential uses** must: 7P2011
- (a) be contained completely within the **building** with the exception of **Outdoor Café uses**; 16P2018
 - (b) be located on the floor closest to **grade** of a **main residential building**; and
 - (c) not share a hallway with **Dwelling Units**.
- (2) A **Health Care Service, Information and Service Provider, Office** or **Service Organization** may be located on the second **storey** of the **main residential building** provided they: 7P2011,
27P2021
- (a) are contained completely within the **building**; and
 - (b) do not share a hallway with **Dwelling Units**.
- (3) The maximum **use area** for each **commercial multi-residential use** is 325.0 square metres. 27P2021
- (3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres. 27P2021
- (4) Parking areas for **commercial multi-residential uses** must:
- (a) be separated from residential parking areas; and
 - (b) be located a minimum distance of 5.0 metres from a **parcel** designated as a **low density residential district** in the case of a surface parking area.

Division 11: Multi-Residential – Low Profile Support Commercial (M-X1) (M-X1d#) District

Purpose

668 The Multi-Residential – Low Profile Support Commercial District:

- (a) is intended to provide for **Multi-Residential Development** with support commercial *uses* in the *Developed Area* and the *Developing Area*;
- (b) has **Multi-Residential Developments** that will typically provide higher numbers of **Dwelling Units** and traffic generation than low density residential dwellings, and the M-G and M-CG Districts;
- (c) provides for **Multi-Residential Development** in a variety of forms;
- (d) includes a limited range of support *commercial multi-residential uses*, restricted in size and location within the *building*;
- (e) has **Multi-Residential Development** of low height and medium *density*;
- (f) is in close proximity to *low density residential development*;
- (g) requires that **Multi-Residential Development** achieves a minimum *density*;
- (h) provides outdoor space for social interaction; and
- (i) provides landscaping to complement the design of the *development* and to help screen and buffer elements of the *development* that may have impacts on residents or nearby *parcels*.

Permitted Uses

669 The following *uses* are *permitted uses* in the Multi-Residential – Low Profile Support Commercial 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;**
- (d.1) **Secondary Suite;** 33P2011
- (e) **Sign – Class A; and** 4P2012

- 4P2012 (f) *deleted*
- (g) **Utilities.**

34P2010

Discretionary Uses

392010, 7P2011

670 (1) The following *uses* are **discretionary uses** in the Multi-Residential – Low Profile Support Commercial District:

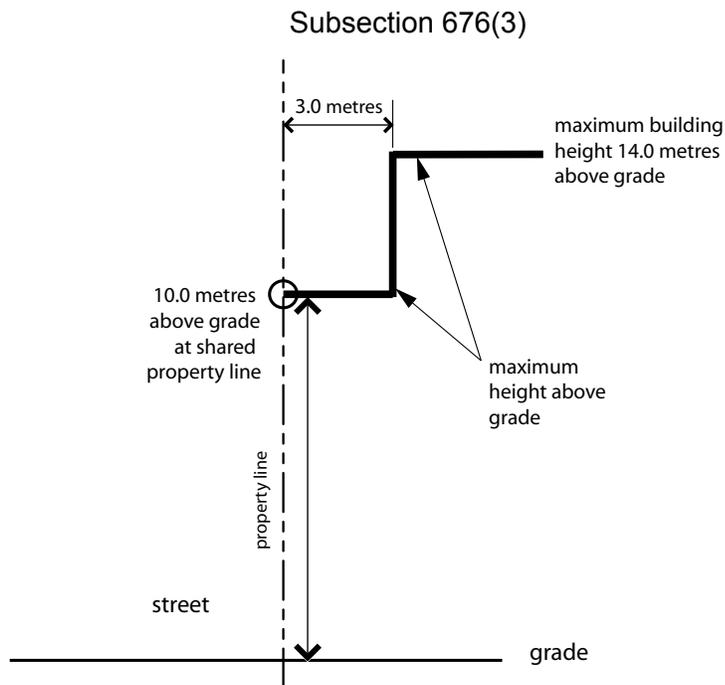
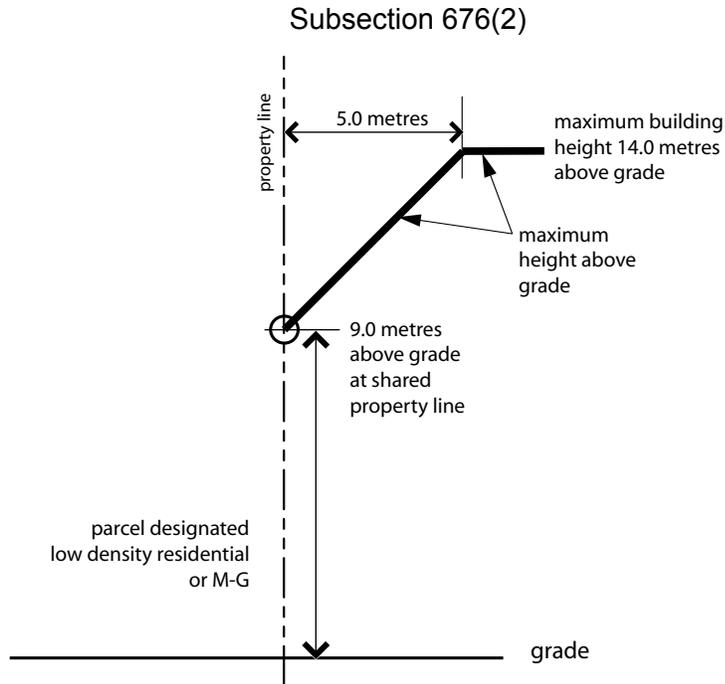
42P2019

- (a) **Addiction Treatment;**
- (a.1) **Artist’s Studio;**
- (b) **Assisted Living;**
- (c) **Child Care Service;**
- (d) **Community Entrance Feature;**
- (e) **Convenience Food Store;**
- (f) **Counselling Service;**
- (g) **Custodial Care;**
- (h) **Home Occupation – Class 2;**
- (i) **Information and Service Provider;**
- (j) **Live Work Unit;**
- (k) **Multi-Residential Development;**
- (l) **Office;**
- (m) **Outdoor Café;**
- (n) **Place of Worship – Medium;**
- (o) **Place of Worship – Small;**
- (p) **Power Generation Facility – Small;**
- (q) **Print Centre;**
- (r) **Residential Care;**
- (s) **Restaurant: Food Service Only;**
- (s.1) **Restaurant: Licensed;**
- (t) **Retail and Consumer Service;**
- (u) **Service Organization;**
- (v) **Sign – Class B;**
- (w) **Sign – Class C;**
- (x) **Sign – Class D;**
- (y) **Sign – Class E;**
- (z) **Specialty Food Store;**

27P2021

27P2021

Illustration 8:
Building Height in the Multi-Residential – Low Profile Support
Commercial (M-X1) District



Rules for Commercial Multi-Residential Uses

- 7P2011 **677 (1)** All **Multi-Residential Development** must have a minimum of 300.0 square metres to accommodate *commercial multi-residential uses*.
- 7P2011 **(2)** *Commercial multi-residential uses* must:
- 16P2018 (a) be located on the floor closest to *grade* of a *main residential building*;
- 16P2018 (b) be contained completely within the *building* with the exception of **Outdoor Café uses**;
- 16P2018 (c) not be located above any **Dwelling Unit**;
- 16P2018 (d) not share an internal hallway with **Dwelling Units**; and
- 16P2018 (e) have a separate exterior entrance from that of the **Dwelling Units**.
- 7P2011 **(3)** *deleted*
- 27P2021 **(4)** The maximum *use area* for each *commercial multi-residential use* is 325.0 square metres.
- 27P2021 **(4.1)** The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.
- 27P2021 **(5)** Parking areas for *commercial multi-residential uses* must:
- 27P2021 (a) be separated from residential parking areas;
- 27P2021 (b) provide pedestrian access to the *commercial multi-residential uses*; and
- 27P2021 (c) be located a minimum distance of 5.0 metres from a *parcel* designated as a *low density residential district* in the case of a surface parking area.

- (r) **Residential Care;**
 - (s) **Restaurant: Food Service Only;** 27P2021
 - (s.1) **Restaurant: Licensed;** 27P2021
 - (t) **Retail and Consumer Service;**
 - (u) **Service Organization;**
 - (v) **Sign – Class B;**
 - (w) **Sign – Class C;**
 - (x) **Sign – Class D;**
 - (y) **Sign – Class E;**
 - (z) **Specialty Food Store;**
 - (aa) **Take Out Food Service;**
 - (bb) **Temporary Residential Sales Centre;** 33P2019
 - (bb.1) **Urban Agriculture; and** 33P2019
 - (cc) **Utility Building.**
- (2) The following *uses* are additional *discretionary uses* in the Multi Residential – Medium Profile Support Commercial District if they are located on a *parcel* in the *developed area* that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling**:
- (a) **Backyard Suite;** 24P2014
 - (a.1) **Duplex Dwelling;** 24P2014
 - (b) *deleted* 33P2011
 - (c) *deleted* 24P2014
 - (d) *deleted* 24P2014
 - (e) **Semi-detached Dwelling; and**
 - (f) **Single Detached Dwelling.**

Rules

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

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

7P2011

Floor Area Ratio

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

Density

13P2008

- 683** (1) The minimum *density* for *parcels* designated M-X2 District is 60 *units* per hectare.
- (2) There is no maximum *density* for *parcels* designated M-X2 District, unless established as referenced in subsection (3).
- (3) The maximum *density* for *parcels* designated M-X2 District followed by the letter “d” and a number indicated on the Land Use District Maps:
- (a) is the number expressed in *units* per hectare; and
- (b) the number after the letter “d” must not be less than the minimum *density* referenced in subsection (1).

Setback Areas

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

Building Setbacks

51P2008

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

Landscaping

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

Rules for Commercial Multi-Residential Uses

- 688** (1) All **Multi-Residential Development** must have a minimum of 300.0 square metres to accommodate **commercial multi-residential uses**. 7P2011
- (2) **Commercial multi-residential uses** must:
- (a) be located on the floor closest to **grade** of a **main residential building**; 7P2011
 - (b) be contained completely within the **building** with the exception of **Outdoor Café uses**; 16P2018
 - (c) not be located above any **Dwelling Unit**;
 - (d) not share an internal hallway with **Dwelling Units**; and
 - (e) have a separate exterior entrance from that of the **Dwelling Units**.
- (3) *deleted* 7P2011
- (4) The maximum **use area** for each **commercial multi-residential use** is 325.0 square metres. 27P2021
- (4.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres. 27P2021
- (5) Parking areas for **commercial multi-residential uses** must:
- (a) be separated from residential parking areas;
 - (b) provide pedestrian access to the **commercial multi-residential uses**; and
 - (c) be located a minimum distance of 5.0 metres from a **parcel** designated as a **low density residential district** in the case of a surface parking area.

Minimum Required Motor Vehicle Parking Stalls

48P2020

694.1 The minimum number of required *motor vehicle parking stalls* are illustrated in Table 4.1:

Table 4.1

48P2020

| District | Minimum Required Motor Vehicle Parking Stalls |
|--|---|
| C-N1 where the <i>parcel</i> is 0.1 hectares or less | <p>For each Dwelling Unit is: 0.5 stalls per <i>unit</i> for resident parking; and Zero <i>visitor parking stalls</i></p> <p>For each Live Work Unit is: 0.5 stalls per <i>unit</i> for resident parking; and 0.5 <i>visitor parking stalls</i> per <i>unit</i></p> <p>For all other <i>uses</i>, is the minimum requirement referenced in Part 4.</p> |
| C-N1 where the <i>parcel</i> is greater than 0.1 hectares C-N2 C-C1 C-C2 C-COR1 where 0.4 hectares or more C-COR2 | <p>For each Dwelling Unit is: 0.75 stalls per <i>unit</i> for resident parking; and 0.1 <i>visitor parking stalls</i> per <i>unit</i></p> <p>For each Live Work Unit is: 1.0 stalls per <i>unit</i> for resident parking; and 0.5 <i>visitor parking stalls</i> per <i>unit</i></p> <p>For all other <i>uses</i>, is the minimum requirement referenced in Part 4</p> |
| C-COR1 where the <i>parcel</i> is 0.4 hectares or less | <p>For each Dwelling Unit is: 0.75 stalls per <i>unit</i> for resident parking; and 0.1 <i>visitor parking stalls</i></p> <p>For each Live Work Unit is: 0.5 stalls per <i>unit</i> for resident parking; and 0.5 <i>visitor parking stalls</i> per <i>unit</i></p> <p>For all other <i>uses</i>, is the minimum requirement referenced in Part 4.</p> |
| C-R2 | <p>For each Dwelling Unit is: 1.0 stalls per <i>unit</i> for resident parking; and 0.1 <i>visitor parking stalls</i> per <i>unit</i></p> <p>For each Live Work Unit is: 1.0 stalls per <i>unit</i> for resident parking; and 0.5 <i>visitor parking stalls</i> per <i>unit</i></p> <p>For all other <i>uses</i>, is the minimum requirement referenced in Part 4</p> |

Visibility Setback

695 *Buildings*, finished *grade* of a *parcel* and vegetation within a *corner visibility triangle* must not be located between 0.75 metres and 4.60 metres above the lowest elevation of the *street*.

Mechanical Screening

27P2021

696 Mechanical systems or equipment located outside of a *building* shall be positioned, camouflaged or screened from view of a *public space*, or from view of a *parcel* designated as a *residential district*, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above *grade*.

Division 2: Commercial – Neighbourhood 1 (C-N1) District

Purpose

- 701 (1)** The Commercial – Neighbourhood 1 District is intended to be characterized by:
- (a) small scale commercial developments;
 - (b) **buildings** that are close to each other, the **street** and the public sidewalk;
 - (c) storefront commercial **buildings** oriented towards the **street**;
 - (d) **lanes** for motor vehicle access to parking areas and **buildings**;
 - (e) **buildings** that are in keeping with the scale of nearby residential areas;
 - (f) **development** that has limited **use** sizes and types; and
 - (g) opportunities for residential **uses** to occur on the upper floors of **buildings** that contain commercial **uses**.
- (2)** Areas of land greater than 1.2 hectares should not be designated Commercial – Neighbourhood 1 District.

Permitted Uses

- 702 (1)** The following **uses** are **permitted uses** in the Commercial – Neighbourhood 1 District:
- (a) **Park**;
 - (b) **Sign – Class A**;
 - (c) **Sign – Class B**;
 - (d) **Sign – Class D**; and
 - (e) **Utilities**.
- (2)** The following **uses** are **permitted uses** in the Commercial – Neighbourhood 1 District if they are located within existing approved **buildings**:
- (a) **Accessory Food Service**;
 - (b) **Convenience Food Store**;
 - (c) *deleted*

39P2010,
17P2009,
32P2009

27P2021

- 27P2021 (d) **Financial Institution;**
- (e) **Fitness Centre;**
- (f) **Health Care Service;**
- (g) **Home Based Child Care – Class 1;**
- (h) **Home Occupation – Class 1;**
- 42P2019 (h.1) **Information and Service Provider;**
- (i) **Instructional Facility;**
- (j) **Library;**
- 27P2021 (k) *deleted*
- (l) **Office;**
- (m) **Pet Care Service;**
- (n) **Print Centre;**
- (o) **Protective and Emergency Service;**
- 27P2021 (p) **Restaurant: Food Service Only;**
- (q) **Retail and Consumer Service;**
- (r) **Specialty Food Store;** and
- (s) **Take Out Food Service.**

Discretionary Uses

- 703 (1)** *Uses* listed in subsection 702(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Neighbourhood 1 District.
- (2)** *Uses* listed in subsection 702(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 – Neighbourhood 1 District:
- (a) **Addiction Treatment;**
 - (b) **Artist’s Studio;**
 - 24P2011 (b.1) **Assisted Living;**
 - 22P2016 (b.2) **Brewery, Winery and Distillery;**
 - 25P2018, (b.3) *deleted*
 - 27P2021 (b.4) **Cannabis Store;**
 - 26P2018 (c) **Child Care Service;**

| | | |
|-------|---|---------------------|
| (d) | Computer Games Facility; | |
| (e) | Custodial Care; | |
| (f) | Drinking Establishment – Small; | |
| (g) | Dwelling Unit; | |
| (g.1) | Food Production; | 49P2017 |
| (h) | Home Occupation – Class 2; | |
| (i) | Liquor Store; | |
| (j) | Live Work Unit; | |
| (j.1) | <i>deleted</i> | 28P2016, 25P2018 |
| (j.2) | <i>deleted</i> | 42P2019, 27P2021 |
| (k) | Outdoor Café; | |
| (l) | Place of Worship – Small; | |
| (l.1) | Power Generation Facility – Small; | |
| (m) | Residential Care; | 68P2008 |
| (n) | <i>deleted;</i> | 27P2021 |
| (n.1) | Restaurant: Licensed; | 27P2021 |
| (o) | Service Organization; | |
| (p) | Sign – Class C; | |
| (q) | Sign – Class E; | |
| (r) | <i>deleted</i> | 4P2013 |
| (s) | Social Organization; | |
| (t) | Special Function – Class 2; | 33P2019 |
| (t.1) | <i>deleted</i> | 4P2012 |
| (t.2) | Urban Agriculture; and | 33P2019 |
| (u) | Utility Building. | 10P2009, 4P2012 |

Rules

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

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

Parcel Area

705 The maximum area of a *parcel* is 1.2 hectares.

Floor Area Ratio

706 The maximum *floor area ratio* for *buildings* is 1.0.

Building Height

707 The maximum *building height* is 10.0 metres.

Building Location and Orientation

- 708** (1) The *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

- 709** (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 area* referenced in sections 714 and 715 will not be included as part of the length of the *property line*.

Vehicle Access

- 710** (1) Unless otherwise referenced in subsections (2) and (3), where the *parcel* shares a *rear 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 or other similar physical impediment between the *parcel* and the *lane*, all vehicle access must be from a *street*.

Use Area

- 711** (1) Unless otherwise referenced in subsections (2) and (3), the maximum *use area* is 300.0 square metres.
- (2) The maximum *use area* of a **Convenience Food Store**, or a **Convenience Food Store** combined with any other *use*, is 465.0 square metres.
- (2.1) The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres. 27P2021
- (3) The following *uses* do not have a *use area* restriction:
- (a) **Addiction Treatment;**
 - (a.1) **Assisted Living;** 24P2011
 - (b) **Custodial Care;** and
 - (c) **Residential Care.**

Location of Uses within Buildings

- 712** (1) **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care** must not be located on the ground floor of a *building*. 24P2011
- (2) “Commercial Uses” and **Live Work Units**:
- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care**; and
 - (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** or **Residential Care**.
- (3) Where this section refers to “Commercial Uses,” it refers to the listed *uses* in sections 702 and 703, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit** and **Residential Care**.

Front Setback Area

- 713** There is no minimum requirement for a *front setback area*, but where a *front setback area* is provided, it must have a maximum depth of 3.0 metres.

Rear Setback Area

- 714** (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*;
 - (b) an *industrial district*, the *rear setback area* must have a minimum depth of 1.2 metres;

- (c) a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres; and
 - (d) 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 **street**, the **rear setback area** must have a maximum depth of 3.0 metres;
 - (b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres; and
 - (c) a **lane**, in all other cases, there is no requirement for a **rear setback area**.

Side Setback Area

- 715 (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**;
 - (b) a **residential district**, the **side setback area** must have a minimum depth of 3.0 metres;
 - (c) an **industrial district**, the **side setback area** must have a minimum depth of 1.2 metres; and
 - (d) 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 **street**, the **side setback area** must have a maximum depth of 3.0 metres;
 - (b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **side setback area** must have a minimum depth of 3.0 metres; and
 - (c) a **lane**, in all other cases, there is no requirement for a **side setback area**.

Landscaping In Setback Areas

- 716 (1) Where a **setback area** shares a **property line** with a **street**, the **setback area** must be a **hard surfaced 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 a **soft** or **hard surfaced landscaped area** for that **setback area**.

Division 3: Commercial – Neighbourhood 2 (C-N2) District

Purpose

- 721 (1)** The Commercial – Neighbourhood 2 District is intended to be characterized by:
- (a) small scale commercial developments;
 - (b) motor vehicle access to commercial uses;
 - (c) pedestrian connection from the public sidewalk to **buildings**;
 - (d) development that has limited **use** sizes and types;
 - (e) limited automotive uses;
 - (f) setbacks and landscaping that buffer **residential districts** from commercial developments;
 - (g) **buildings** that are in keeping with the scale of nearby residential areas; and
 - (h) opportunities for residential **uses** to occur on the upper floors of **buildings** that contain commercial **uses**.
- (2)** Areas of land greater than 1.2 hectares should not be designated Commercial – Neighbourhood 2 District.

Permitted Uses

- 722 (1)** The following **uses** are **permitted uses** in the Commercial – Neighbourhood 2 District:
- (a) **Park**;
 - (b) **Sign – Class A**;
 - (c) **Sign – Class B**;
 - (d) **Sign – Class D**; and
 - (e) **Utilities**.
- (2)** The following **uses** are **permitted uses** in the Commercial – Neighbourhood 2 District if they are located within existing approved **buildings**:
- (a) **Accessory Food Service**;
 - (b) **Catering Service – Minor**;

39P2010

- 27P2021 (c) **Convenience Food Store;**
- (d) *deleted*
- (e) **Financial Institution;**
- (f) **Fitness Centre;**
- 27P2021 (g) **Health Care Service;**
- (h) **Home Based Child Care – Class 1;**
- (i) **Home Occupation – Class 1;**
- (j) **Information and Service Provider;**
- (k) **Instructional Facility;**
- (l) **Library;**
- 27P2021 (m) *deleted*
- (n) **Office;**
- (o) **Pet Care Service;**
- (p) **Print Centre;**
- (q) **Protective and Emergency Service;**
- 27P2021 (r) **Restaurant: Food Service Only;**
- (s) **Retail and Consumer Service;**
- (t) **Specialty Food Store;**
- (u) **Take Out Food Service;** and
- (v) **Veterinary Clinic.**

Discretionary Uses

- 723 (1)** *Uses* listed in subsection 722(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Neighbourhood 2 District.
- (2)** *Uses* listed in subsection 722(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 – Neighbourhood 2 District:
- (a) **Addiction Treatment;**
 - (b) **Artist’s Studio;**
 - (b.1) **Assisted Living;** 24P2011
 - (c) **Auto Service – Minor;**
 - (c.1) **Brewery, Winery and Distillery;** 22P2016
 - (d) **Car Wash – Single Vehicle;**
 - (d.1) *deleted* 25P2018,
27P2021
 - (d.2) **Cannabis Store;** 26P2018
 - (e) **Child Care Service;**
 - (f) **Computer Games Facility;**
 - (g) **Custodial Care;**
 - (h) **Drinking Establishment – Small;**
 - (i) **Drive Through;**
 - (j) **Dwelling Unit;**
 - (j.1) **Food Production;** 49P2017
 - (k) **Gas Bar;**
 - (l) **Home Occupation – Class 2;**
 - (m) **Liquor Store;**
 - (n) **Live Work Unit;**
 - (n.1) *deleted* 28P2016,
25P2018
 - (n.2) *deleted* 42P2019,
27P2021
 - (o) **Outdoor Café;**
 - (o.1) **Payday Loan;** 43P2015
 - (p) **Place of Worship – Small;**
 - (q) **Power Generation Facility – Small;**
 - (r) **Residential Care;**
 - (s) *deleted* 27P2021
 - (s.1) **Restaurant: Licensed;** 27P2021
 - (t) **Seasonal Sales Area;**
 - (u) **Service Organization;**

- 4P2013
- (v) **Sign – Class C;**
- (w) **Sign – Class E;**
- (x) *deleted*
- (y) **Social Organization;**
- 4P2012
- (z) **Special Function – Class 2;**
- 10P2009, 4P2012
- (z.1) *deleted*
- 33P2019
- (z.2) **Urban Agriculture;**
- (aa) **Utility Building;** and
- (bb) **Vehicle Rental – Minor.**
- 22P2016
- (4) The following *uses* are additional discretionary *uses* on a *parcel* that has an existing *building* used as a **Place of Worship – Large or Place of Worship – Medium** provided any new *development* proposed does not result in the increase of any *assembly area*:
- (a) **Place of Worship – Large;** and
- (b) **Place of Worship – Medium.**

Rules

- 724** In addition to the rules in this District, all *uses* in this District must comply with:
- (a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Parcel Area

- 725** The maximum area of a *parcel* is 1.2 hectares.

Floor Area Ratio

- 726** The maximum *floor area ratio* for *buildings* is 1.0.

Building Height

- 727** The maximum *building height* is 10.0 metres.

Use Area

- 728 (1)** Unless otherwise referenced in subsections (2) and (3), the maximum *use area* in the Commercial – Neighbourhood 2 District is 300.0 square metres.

- (2) The maximum *use area* of a **Convenience Food Store**, or a **Convenience Food Store** combined with any other *use*, is 465.0 square metres.
- (2.1) The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres. 27P2021
- (3) The following *uses* do not have a *use area* restriction:
- (a) **Addiction Treatment**;
 - (a.1) **Assisted Living**; 24P2011
 - (b) **Custodial Care**; and
 - (c) **Residential Care**.

Location of Uses within Buildings

- 729 (1) **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care** must not be located on the ground floor of a *building*. 24P2011
- (2) “Commercial Uses” and **Live Work Units**:
- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care**; and
 - (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units or Residential Care**.
- (3) Where this section refers to “Commercial Uses,” it refers to the listed *uses* in sections 722 and 723, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit, and Residential Care**.

Front Setback Area

- 730 The *front setback area* must have a minimum depth of 3.0 metres.

Rear Setback Area

- 731 (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*;
 - (b) an *industrial district*, the *rear setback area* must have a minimum depth of 1.2 metres;
 - (c) a *residential district*, the *rear setback area* must have a minimum depth of 5.0 metres; and

- (d) 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 **lane**, **LRT corridor**, or **street**, the **rear setback area** must have a minimum depth of 3.0 metres.

Side Setback Area

- 732 (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**;
 - (b) an **industrial district**, the **side setback area** must have a minimum depth of 1.2 metres;
 - (c) a **residential district**, the **side setback area** must have a minimum depth of 5.0 metres; and
 - (d) 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 **lane**, **LRT corridor**, or **street**, the **side setback area** must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

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

Division 4: Commercial – Community 1 (C-C1) District

Purpose

- 738 (1)** The Commercial – Community 1 District is intended to be characterized by:
- (a) small to mid-scale commercial developments;
 - (b) developments located within a community or along a commercial **street**;
 - (c) one or more commercial **uses** within a **building**;
 - (d) motor vehicle access to sites;
 - (e) pedestrian connections from the public sidewalk to and between the **buildings**;
 - (f) **building** location, **setback areas** and **landscaping** that limit the effect of commercial **uses** on nearby **residential districts**; and
 - (g) opportunities for residential and office **uses** to be in the same **building** as commercial **uses**.
- (2)** Areas of land greater than 3.2 hectares should not be designated Commercial – Community 1 District.

Permitted Uses

- 739 (1)** The following **uses** are **permitted uses** in the Commercial – Community 1 District:
- (a) **Park**;
 - (b) **Sign – Class A**;
 - (c) **Sign – Class B**;
 - (d) **Sign – Class D**; and
 - (e) **Utilities**.
- (2)** The following **uses** are **permitted uses** in the Commercial – Community 1 District if they are located within existing approved **buildings**:
- (a) **Accessory Food Service**;
 - (b) **Catering Service – Minor**;

39P2010,
17P2009,
32P2009

- 27P2021 (c) **Convenience Food Store;**
- (d) *deleted*
- (e) **Financial Institution;**
- (f) **Fitness Centre;**
- 27P2021 (g) **Health Care Service;**
- (h) **Home Based Child Care – Class 1;**
- (i) **Home Occupation – Class 1;**
- (j) **Information and Service Provider;**
- (k) **Instructional Facility;**
- (l) **Library;**
- 27P2021 (m) *deleted*
- (n) **Museum;**
- (o) **Office;**
- (p) **Pet Care Service;**
- (q) **Print Centre;**
- (r) **Protective and Emergency Service;**
- (s) **Radio and Television Studio;**
- 27P2021 (t) *deleted*
- 27P2021 (u) **Restaurant: Food Service Only;**
- 27P2021 (u.1) *deleted*
- (v) **Retail and Consumer Service;**
- (w) **Specialty Food Store;**
- (x) **Supermarket;**
- (y) **Take Out Food Service;**
- (z) **Vehicle Rental – Minor; and**
- (aa) **Veterinary Clinic.**
- 27P2021 (3) Unless otherwise stated in subsection 740(2.1), the following **uses** are **permitted uses** in the Commercial – Community 1 District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less::
- (a) **Restaurant: Licensed;**

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.
- (1.1)** *Uses* listed in subsection 739(3) are **discretionary uses** in the Commercial – Community 1 District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres. 27P2021
- (1.2)** The following uses are **discretionary uses** in the Commercial – Community 1 District if they are located in proposed **buildings** or proposed additions to existing **buildings**: 27P2021
- (a) **Restaurant: Licensed.**
- (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.
- (2.1)** The following uses 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; 27P2021
- (a) **Restaurant: Licensed.**
- (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;** 24P2011
- (d) **Auto Service – Minor;**
- (d.1) *deleted* 37P2014, 16P2018
- (d.2) **Beverage Container Quick Drop Facility;** 37P2014
- (e) **Billiard Parlor;**
- (e.1) **Brewery, Winery and Distillery;** 22P2016
- (e.2) *deleted* 25P2018, 27P2021
- (e.3) **Cannabis Store;** 26P2018
- (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;**
- 49P2017 (m.1) **Food Production;**
- (n) **Gas Bar;**
- (o) **Home Occupation – Class 2;**
- (p) **Indoor Recreation Facility;**
- (q) **Liquor Store;**
- (r) **Live Work Unit;**
- 5P2013, 42P2019, 27P2021 (r.1) *deleted*
- 28P2016, 25P2018 (r.2) *deleted*
- (s) **Outdoor Café;**
- (t) **Parking Lot – Grade;**
- 43P2015 (t.1) **Payday Loan;**
- (u) **Place of Worship – Small;**
- (v) **Power Generation Facility – Small;**
- 16P2018 (v.1) **Recyclable Material Drop-Off Depot;**
- (w) **Residential Care;**
- 27P2021 (x) **Restaurant: Licensed;**
- 27P2021 (y) *deleted*
- (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*
- 33P2019 (ff.2) **Urban Agriculture;**
- (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.

Parcel Area

742 The maximum area of a *parcel* is 3.2 hectares.

Floor Area Ratio

743 The maximum *floor area ratio* for *buildings* is 1.0.

Building Height

744 The maximum *building height* is 10.0 metres.

Building Orientation

- 745** (1) When a *parcel* shares one or more *side property lines* and fronts on the same commercial *street* as a *parcel* designated C-N1 or C-COR1 Districts, the maximum *building setback* from the *property line* shared with a commercial *street* must not exceed 3.0 metres.
- (2) *Motor vehicle parking stalls* and *loading stalls* must not be located between the *building* and the commercial *street*.

Use Area

- 746** (1) Unless otherwise provided in subsections (2), (3), and (4), the maximum *use area* in the Commercial – Community 1 District is 1400.0 square metres.
- (2) The maximum *use area* for a **Supermarket**, or a **Supermarket** combined with any other *use*, is 5200.0 square metres.
- (3) The maximum *use area* for a **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other *use*, is 300.0 square metres.
- (3.1) The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres. 27P2021
- (4) The following *uses* do not have a *use area* restriction:
- (a) **Addiction Treatment;**
 - (a.1) **Assisted Living;** 24P2011

- (b) **Custodial Care**; and
- (c) **Residential Care**.

24P2011

Rules for Location of Uses within Buildings

- 747 (1)** **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care** must not be located on the ground floor of a *building*.
- (2)** “Commercial Uses” and **Live Work Units**:
- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care**; and
 - (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units or Residential Care**.
- (3)** Where this section refers to “Commercial Uses”, it refers to the listed *uses* in sections 739 and 740, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit and Residential Care**.

Front Setback Area

- 748 (1)** Unless otherwise referenced in subsection (2), the *front setback area* must have a minimum depth of 3.0 metres.
- (2)** Where the *parcel* shares one or more *side property lines* with, and fronts on the same commercial *street* as, a *parcel* designated Commercial – Neighbourhood 1 or Commercial – Corridor 1 District, the *front setback area* must not exceed a depth of 3.0 metres.

Rear Setback Area

- 749 (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*;
 - (b) an *industrial district*, the *rear setback area* must have a minimum depth of 1.2 metres;
 - (c) a *residential district*, the *rear setback area* must have a minimum depth of 5.0 metres; and
 - (d) 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 *lane, LRT corridor, or street*, the *rear setback area* must have a minimum depth of 3.0 metres.

Side Setback Area

- 750** (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*, unless otherwise referenced in subsection (2);
 - (b) an *industrial district*, the *side setback area* must have a minimum depth of 1.2 metres;
 - (c) a *residential district*, the *side setback area* must have a minimum depth of 5.0 metres; and
 - (d) 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, and fronts on the same commercial *street* as, a *parcel* designated Commercial – Neighbourhood 1 or Commercial – Corridor 1 District, the *side setback area* from that *property line* must not exceed a depth of 3.0 metres.
- (3) Where the *parcel* shares a *side property line* with a *lane*, *LRT corridor*, or *street*, the *side setback area* must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

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

Minimum Required Motor Vehicle Parking Stalls

48P2020

752 *deleted*

**Division 5: Commercial – Community 2 f##h#
(C-C2f##h#) District**

Purpose

- 757 (1)** The Commercial – Community 2 District is intended to be characterized by:
- (a) large commercial developments;
 - (b) developments that are on the boundary of several communities;
 - (c) developments that are comprehensively designed with several **buildings**;
 - (d) **development** that has a wide range of **use** sizes and types;
 - (e) **buildings** that are slightly higher than nearby low density residential areas;
 - (f) opportunities for commercial **uses** to be combined with office and residential **uses** in the same development;
 - (g) **building** locations, **setback areas** and landscaping that buffer **residential districts** from commercial developments;
 - (h) motor vehicle access to sites;
 - (i) pedestrian connections from public sidewalks, to and between **buildings**;
 - (j) varying **building** density established through maximum **floor area ratios** for individual **parcels**; and
 - (k) varying **building height** established through maximum **building height** for individual **parcels**.
- (2)** Areas of land greater than 12 hectares and less than 3.2 hectares should not be designated Commercial – Community 2 District.

Permitted Uses

- 758 (1)** The following **uses** are **permitted uses** in the Commercial – Community 2 District:
- (a) **Park**;
 - (b) **Sign – Class A**;
 - (c) **Sign – Class B**;

- (d) **Sign – Class D;** and
 - (e) **Utilities.**
- 71P2008, 17P2009
32P2009, 39P2010
- (2) The following *uses* are *permitted uses* in the Commercial – Community 2 District if they are located within existing approved *buildings*:
- (a) **Accessory Food Service;**
 - (b) **Amusement Arcade;**
 - 37P2014, 16P2018 (b.1) *deleted*
 - (c) **Catering Service – Minor;**
 - (d) **Computer Games Facility;**
 - (e) **Convenience Food Store;**
 - 27P2021 (f) *deleted*
 - (g) **Financial Institution;**
 - (h) **Fitness Centre;**
 - 27P2021 (i) **Health Care Service;**
 - (j) **Home Based Child Care – Class 1;**
 - (k) **Home Occupation – Class 1;**
 - (l) **Information and Service Provider;**
 - (m) **Instructional Facility;**
 - (n) **Library;**
 - 27P2021 (o) *deleted*
 - (p) **Museum;**
 - (q) **Office;**
 - (r) **Pawn Shop;**
 - (s) **Pet Care Service;**
 - (t) **Power Generation Facility – Small;**
 - (u) **Print Centre;**
 - (v) **Protective and Emergency Service;**
 - 16P2018 (v.1) **Recyclable Material Drop-Off Depot;**
 - 27P2021 (w) *deleted*
 - 27P2021 (x) *deleted*
 - 27P2021 (x.1) *deleted*
 - (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.**
- (3) Unless otherwise stated in subsection 759(2.1), the following **uses** are **permitted uses** in the Commercial – Community 2 District if they are located within existing approved **buildings** and if the **public area** is less than 300.0 square metres: 27P2021
- (a) **Restaurant: Food Service Only.**
- (4) Unless otherwise stated in subsection 759(2.1), the following **uses** are **permitted uses** in the Commercial – Community 2 District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less: 27P2021
- (a) **Restaurant: Licensed.**

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.
- (1.1) **Uses** listed in subsections 758(3) are **discretionary uses** in the Commercial – Community 2 District if they are located within existing approved **buildings** and if the **public area** is 300.0 square metres or greater. 27P2021
- (1.2) **Uses** listed in subsections 758(4) are **discretionary uses** in the Commercial – Community 2 District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres. 27P2021
- (1.3) The following uses are **discretionary uses** in the Commercial – Community 2 District if they are located in proposed **buildings** or proposed additions to existing **buildings**: 27P2021
- (a) **Restaurant: Food Service Only;** and
 - (b) **Restaurant: Licensed.**
- (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.

- 27P2021 (2.1) The following uses 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;
- (a) **Restaurant: Food Service Only**; and
 - (b) **Restaurant: Licensed.**
- (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**;
 - 37P2014 (c.1) **Beverage Container Quick Drop Facility**;
 - (d) **Billiard Parlour**;
 - 22P2016 (d.1) **Brewery, Winery and Distillery**;
 - 25P2018, 27P2021 (d.2) *deleted*
 - 26P2018 (d.3) **Cannabis Store**;
 - (e) **Car Wash – Multi Vehicle**;
 - (f) **Car Wash – Single Vehicle**;
 - (g) **Child Care Service**;
 - (h) **Cinema**;
 - 67P2008 (h.1) **Conference and Event Facility**;
 - (i) **Dinner Theatre**;
 - (j) **Drinking Establishment – Small**;
 - (k) **Drinking Establishment – Medium**;
 - (l) **Drive Through**;
 - (m) **Dwelling Unit**;
 - 49P2017 (m.1) **Food Production**;
 - (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) | <i>deleted</i> | 5P2013, 42P2019, 27P2021 |
| (t.2) | <i>deleted</i> | 28P2016, 25P2018 |
| (u) | Outdoor Café; | |
| (v) | Parking Lot – Grade; | |
| (w) | Parking Lot – Structure; | |
| (w.1) | Payday Loan; | 43P2015 |
| (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) | <i>deleted</i> | 27P2021 |
| (dd) | <i>deleted</i> | 27P2021 |
| (ee) | <i>deleted</i> | 27P2021 |
| (ff) | <i>deleted</i> | 27P2021 |
| (gg) | Seasonal Sales Area; | |
| (hh) | Sign – Class C; | |
| (ii) | Sign – Class E; | |
| (jj) | Social Organization; | |
| (kk) | Special Function – Class 2; | 4P2012 |
| (kk.1) | <i>deleted</i> | 10P2009, 4P2012 33P2019 |
| (kk.2) | Urban Agriculture; | |
| (ll) | Utility Building; and | |
| (mm) | Vehicle Rental – Major. | |

Rules

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

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

Parcel Area

761 The maximum area of a *parcel* is 12.0 hectares.

Floor Area Ratio

762 The maximum *floor area ratio* for *parcels* designated Commercial – Community 2 District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

763 The maximum *building height* for *parcels* designated Commercial – Community 2 District is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

Use Area

- 764** (1) Unless otherwise provided in subsections (2), (3), and (4), the maximum *use area* in the Commercial – Community 2 District is 6000.0 square metres.
- (2) The maximum *use area* for a **Supermarket** or a **Supermarket** combined with any other *use*, is 7500.0 square metres.
- (3) The maximum *use area* for a **Catering Service – Minor** or a **Catering Service – Minor** combined with any other *use*, is 300.0 square metres.
- (4) **Hotels** do not have a *use area* restriction.

Location of Uses within Buildings

- 765** (1) **Dwelling Units** and **Live Work Units** must not be located on the ground floor of a *building*.
- (2) “Commercial Uses” and **Live Work Units**:
- (a) may be located on the same floor as **Dwellings Units**; and
- (b) must not share an internal hallway with **Dwelling Units**.
- (3) Where this section refers to “Commercial Uses”, it refers to the listed *uses* in sections 758 and 759, other than **Dwelling Unit** and **Live Work Unit**.

Front Setback Area

766 The *front setback area* must have a minimum depth of 6.0 metres.

Rear Setback Area

- 767** (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**;
 - (b) an **industrial district**, the **rear setback area** must have a minimum depth of 3.0 metres;
 - (c) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
 - (d) a **special purpose district**, the **rear setback area** must have a minimum depth of 6.0 metres.
- (2) Where the **parcel** shares a **rear property line** with a **lane, LRT corridor** or **street**, the **rear setback area** must have a minimum depth of 6.0 metres.

Side Setback Area

- 768 (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**;
 - (b) an **industrial district**, the **side setback area** must have a minimum depth of 3.0 metres;
 - (c) a **residential district**, the **side setback area** must have a minimum depth of 6.0 metres; and
 - (d) a **special purpose district**, the **side setback area** must have a minimum depth of 6.0 metres.
- (2) Where the **parcel** shares a **side property line** with a **lane, LRT corridor** or **street**, the **side setback area** must have a minimum depth of 6.0 metres.

Landscaping In Setback Areas

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

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

Minimum Required Motor Vehicle Parking Stalls

48P2020

770 *deleted*

Reductions of Minimum Motor Vehicle Parking Requirement

48P2020

771 *deleted*

**Division 6: Commercial – Corridor 1 f#h#
(C-COR1f#h#) District**

Purpose

776 The Commercial – Corridor 1 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 each other, the **street** and the public sidewalk;
- (d) **lanes** for motor vehicle access to parking and **buildings**;
- (e) **building** location, **setback areas**, and **landscaping** that limit the effect of commercial **uses** on adjoining **residential districts**;
- (f) opportunities for commercial **uses** on the ground floor of **buildings** and residential and office **uses** on upper floors;
- (g) varying **building** density established through maximum **floor area ratios** for individual **parcels**; and
- (h) varying **building height** established through maximum **building height** for individual **parcels**.

Permitted Uses

777 (1) The following **uses** are **permitted uses** in the Commercial – Corridor 1 District:

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

- 39P2010, 17P2009 **(2)** The following *uses* are ***permitted uses*** in the Commercial – Corridor 1 District if they are located within existing approved ***buildings***:
- (a) **Accessory Food Service;**
 - (b) **Catering Service – Minor;**
 - (c) **Convenience Food Store;**
 - 27P2021 (d) ~~deleted~~
 - (e) **Financial Institution;**
 - (f) **Fitness Centre;**
 - 27P2021 (g) **Health Care Service;**
 - (h) **Home Based Child Care – Class 1;**
 - (i) **Home Occupation – Class 1;**
 - (j) **Information and Service Provider;**
 - (k) **Library;**
 - 27P2021 (l) ~~deleted~~
 - (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;**
 - 27P2021 (t) ~~deleted~~
 - 27P2021 (t.1) ~~deleted~~
 - (u) **Retail and Consumer Service;**
 - (v) **Service Organization;**
 - (w) **Specialty Food Store;**
 - (x) **Take Out Food Service; and**
 - (y) **Veterinary Clinic.**
- 27P2021 **(3)** Unless otherwise stated in subsection 778(2.1), the following *uses* are ***permitted uses*** in the Commercial – Corridor 1 District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less:
- (a) **Restaurant: Food Service Only; and**
 - (b) **Restaurant: Licensed.**

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.
- (1.1)** *Uses* listed in subsections 777(3) are **discretionary uses** in the Commercial – Corridor 1 District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres. 27P2021
- (1.2)** The following uses are **discretionary uses** in the Commercial – Corridor 1 District if they are located in proposed **buildings** or proposed additions to existing **buildings**: 27P2021
- (a) **Restaurant: Food Service Only**; and
- (b) **Restaurant: Licensed.**
- (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.
- (2.1)** The following *uses* 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; 27P2021
- (a) **Restaurant: Food Service Only**; and
- (b) **Restaurant: Licensed.**
- (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**; 24P2014
- (d) **Billiard Parlour**;
- (d.1) **Brewery, Winery and Distillery**; 22P2016
- (d.2) *deleted*; 25P2018, 27P2021
- (d.3) **Cannabis Store**; 26P2018
- (e) **Child Care Service**;
- (f) **Cinema**;
- (g) **Computer Games Facility**;
- (g.1) **Conference and Event Facility**; 67P2008

| | |
|-----------------------------|---|
| | (h) Custodial Care; |
| | (i) Drinking Establishment – Medium; |
| | (j) Drinking Establishment – Small; |
| | (k) Dwelling Unit; |
| 49P2017 | (k.1) Food Production; |
| | (l) Home Occupation – Class 2; |
| | (m) Hotel; |
| 32P2009 | (n) Indoor Recreation Facility; |
| | (o) Instructional Facility; |
| 46P2019 | (o.1) Kennel; |
| | (p) Liquor Store; |
| | (q) Live Work Unit; |
| 5P2013, 42P2019, 27P2021 | (q.1) <i>deleted</i> |
| 28P2016, 25P2018 | (q.2) <i>deleted</i> |
| | (r) Outdoor Café; |
| | (s) Parking Lot – Grade; |
| | (t) Parking Lot – Structure; |
| | (u) Pawn Shop; |
| 43P2015 | (u.1) Payday Loan; |
| | (v) Place of Worship – Small; |
| | (w) Post-secondary Learning Institution; |
| | (x) Residential Care; |
| 27P2021 | (y) <i>deleted</i> |
| 27P2021 | (z) <i>deleted</i> |
| 27P2021 | (aa) <i>deleted</i> |
| | (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) <i>deleted</i> |
| 33P2019 | (hh) Supermarket; |

- (hh.1) **Urban Agriculture**; 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.

27P2021

- (3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 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

24P2011,
24P2011,
32P2009,
27P2021

Location of Uses within Buildings

- 786** (1) The following **uses** must not be located on the ground floor of **buildings** where the **use** fronts a commercial street:
- (a) **Assisted Living**;
 - (b) **Catering Service - Minor**;
 - (c) **Child Care Service**;
 - (d) **Dwelling Unit**;
 - (e) **Health Care Service**;

- (f) **Instructional Facility;**
 - (g) **Live Work Unit;**
 - (h) **Office;**
 - (i) **Place of Worship – Small;**
 - (j) **Post-secondary Learning Institution;**
 - (k) **Residential Care;**
 - (l) **Social Organization;** and
 - (m) **Veterinary Clinic.**
- (2) A minimum of 20.0 per cent of the **gross floor area** of **buildings** in the Commercial – Corridor 1 District must contain “Commercial Uses”.
- (3) “Commercial Uses” and **Live Work Units:**
- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care;** and
 - (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** or **Residential Care.**
- (4) Where this section refers to “Commercial Uses”, it refers to the listed **uses** in sections 777 and 778, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit** and **Residential Care.**

54P2008,
24P201147P2008,
24P2011

Front Setback Area

787 There is no minimum requirement for a **front setback area**, but where a **front setback area** is provided, it must have a maximum depth of 3.0 metres.

Rear Setback Area

- 788** (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;**
 - (b) an **industrial district**, the **rear setback area** must have a minimum depth of 1.2 metres;
 - (c) a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres; and
 - (d) 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 *street*, the *rear setback area* must have a maximum depth of 3.0 metres;
- (b) a *lane* that separates the *parcel* from a *parcel* designated as a *residential district*, the *rear setback area* must have a minimum depth of 3.0 metres; and
- (c) a *lane*, in all other cases, there is no requirement for a *rear setback area*.

Side Setback Area

- 789** (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*;
 - (b) an *industrial district*, the *side setback area* must have a minimum depth of 1.2 metres;
 - (c) a *residential district*, the *side setback area* must have a minimum depth of 3.0 metres; and
 - (d) 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 *street*, the *side setback area* must have a maximum depth of 3.0 metres;
 - (b) a *lane* that separates the *parcel* from a *parcel* designated as a *residential district*, the *side setback area* must have a minimum depth of 3.0 metres; and
 - (c) a *lane*, in all other cases, there is no requirement for a *side setback area*.

Landscaping In Setback Areas

- 790** (1) Where a *setback area* shares a *property line* with a *street*, the *setback area* must be a *hard surfaced 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) provide a minimum of 1.0 trees and 2.0 shrubs:

**Division 7: Commercial – Corridor 2 f#h#
(C-COR2 f#h#) District**

Purpose

796 The Commercial – Corridor 2 District is intended to be characterized by:

- (a) commercial development on both sides of **streets**;
- (b) **buildings** located varying distances from **streets**;
- (c) limited automotive **uses**;
- (d) primary access for motor vehicles to **parcels** from **streets** and **lanes**;
- (e) parking located on any of the front, side or rear of **buildings**;
- (f) pedestrian connections from public sidewalks, to and between **buildings**;
- (g) opportunities for residential and office **uses** to be in the same **building**;
- (h) varying **building** density established through maximum **floor area ratios** for individual **parcels**; and
- (i) varying **building height** established through maximum **building height** for individual **parcels**.

Permitted Uses

797 (1) The following **uses** are **permitted uses** in the Commercial – Corridor 2 District:

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

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

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

39P2010,
71P2008,
17P2009

27P2021

- 27P2021 (g) **Fitness Centre;**
- 27P2021 (h) **Health Care Service;**
- (i) **Home Based Child Care – Class 1;**
- (j) **Home Occupation – Class 1;**
- (k) **Information and Service Provider;**
- (l) **Library;**
- 27P2021 (m) *deleted*
- (n) **Museum;**
- (o) **Office;**
- (p) **Pet Care Service;**
- (q) **Power Generation Facility – Small;**
- (r) **Print Centre;**
- (s) **Protective and Emergency Service;**
- (t) **Radio and Television Studio;**
- 27P2021 (u) **Restaurant: Food Service Only;**
- 27P2021 (v) *deleted*
- 27P2021 (w) *deleted*
- 27P2021 (w.1) *deleted*
- (x) **Retail and Consumer Service;**
- (y) **Service Organization;**
- (z) **Specialty Food Store;**
- (aa) **Take Out Food Service;** and
- (bb) **Veterinary Clinic.**
- 27P2021 (3) Unless otherwise stated in 798(2.1), the following **uses** are **permitted uses** in the Commercial – Corridor 2 District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
 - (a) **Restaurant: Licensed.**

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.
- (1.1)** The following *uses* are **discretionary uses** in the Commercial – Corridor 2 District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres: 27P2021
- (a) **Restaurant: Licensed.**
- (1.2)** The following *uses* are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings**: 27P2021
- (a) **Restaurant: Licensed.**
- (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.
- (2.1)** The following *uses* are **discretionary uses** in the Commercial – Corridor 2 District 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; 27P2021
- (a) **Restaurant: Licensed.**
- (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;**
- (f.1) **Brewery, Winery and Distillery;** 22P2016
- (f.2) *deleted* 25P2018,
27P2021
- (f.3) **Cannabis Store;** 26P2018
- (g) **Car Wash – Multi-Vehicle;**
- (h) **Car Wash – Single Vehicle;**
- (i) **Child Care Service;**
- (j) **Cinema;**
- (k) **Computer Games Facility;**

- 67P2008
 - (k.1) **Conference and Event Facility;**
 - (l) **Custodial Care;**
 - (m) **Dinner Theatre;**
 - (n) **Drinking Establishment – Medium;**
 - (o) **Drinking Establishment – Small;**
 - (p) **Drive Through;**
 - (q) **Dwelling Unit;**
- 49P2017
 - (q.1) **Food Production;**
 - (r) **Funeral Home;**
 - (s) **Gas Bar;**
 - (t) **Health Services Laboratory – without Clients;**
 - (u) **Home Occupation – Class 2;**
 - (v) **Hotel;**
 - (w) **Indoor Recreation Facility;**
- 32P2009
 - (x) **Instructional Facility;**
- 46P2019
 - (x.1) **Kennel;**
 - (y) **Liquor Store;**
 - (z) **Live Work Unit;**
- 5P2013, 42P2019,
27P2021
 - (z.1) *deleted*
- 28P2016, 25P2018
 - (z.2) *deleted*
 - (aa) **Outdoor Café;**
 - (bb) **Parking Lot – Grade;**
 - (cc) **Parking Lot – Structure;**
 - (dd) **Pawn Shop;**
- 43P2015
 - (dd.1) **Payday Loan;**
 - (ee) **Performing Arts Centre;**
 - (ff) **Place of Worship – Small;**
 - (gg) **Post-secondary Learning Institution;**
 - (hh) **Power Generation Facility – Medium;**
 - (ii) **Residential Care;**
- 27P2021
 - (jj) *deleted*
 - (kk) **Seasonal Sales Area;**

- (ll) **Sign – Class C;**
 - (mm) **Sign – Class E;**
 - (nn) **Sign – Class F;**
 - (oo) **Social Organization;**
 - (pp) **Special Function – Class 2;** 4P2012
 - (pp.1) *deleted* 10P2009,
4P2012
 - (qq) **Supermarket;**
 - (qq.1) **Urban Agriculture;** 33P2019
 - (rr) **Utility Building;**
 - (ss) **Vehicle Rental – Major;**
 - (tt) **Vehicle Rental – Minor;**
 - (uu) **Vehicle Sales – Major; and**
 - (vv) **Vehicle Sales – Minor.**
- (4) The following *uses* are additional discretionary *uses* on a *parcel* that has an existing *building* used as a **Place of Worship – Large or Place of Worship – Medium** provided any new *development* proposed does not result in the increase of any *assembly area*: 22P2016
- (a) **Place of Worship – Large; and**
 - (b) **Place of Worship – Medium.**

Rules

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

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

Parcel Area

800 The maximum area of a *parcel* is 3.2 hectares.

Floor Area Ratio

801 The maximum *floor area ratio* for *parcels* designated Commercial – Corridor 2 District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

- 802** The maximum *building height* for *parcels* designated Commercial – Corridor 2 District is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

Use Area

- 803** (1) Unless otherwise referenced in subsection (3), the maximum *use area* for *uses* on the ground floor of *buildings* is 930.0 square metres.
- (2) Unless otherwise referenced in subsection (3), there is no maximum *use area* for *uses* located on upper floors.
- (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 2500.0 square metres.
- 27P2021 (3.1) The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.
- (4) The following *uses* do not have a *use area* restriction:
- (a) **Addiction Treatment**;
 - 24P2011 (a.1) **Assisted Living**;
 - (b) **Custodial Care**;
 - (c) **Hotel**; and
 - (d) **Residential Care**.

Location of Uses within Buildings

- 804** (1) A minimum of 20.0 per cent of the *gross floor area* of *buildings* in the Commercial – Corridor 2 District must contain “Commercial Uses”.
- 24P2011 (2) **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care** must not be located in the same *building* as an automotive *use*.
- 24P2011 (3) **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care** must not be located on the ground floor of a *building*.
- 24P2011 (4) “Commercial Uses” and **Live Work Units**:
- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care**; and

- (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care**.
- (5) Where this section refers to “Commercial Uses”, it refers to the listed uses at sections 797 and 798, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, Live Work Units** and **Residential Care**.

47P2008, 24P2011

Front Setback Area

805 The *front setback area* must have a minimum depth of 3.0 metres.

Rear Setback Area

- 806** (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*;
 - (b) an *industrial district*, the *rear setback area* must have a minimum depth of 1.2 metres;
 - (c) a *residential district*, the *rear setback area* must have a minimum depth of 5.0 metres; and
 - (d) a *special purpose district*, the *rear setback area* must have a minimum depth of 5.0 metres.
- (2) Where the *parcel* shares a *rear property line* with a *lane, LRT corridor* or *street*, the *rear setback area* must have a minimum depth of 3.0 metres.

Side Setback Area

- 807** (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*;
 - (b) an *industrial district*, the *side setback area* must have a minimum depth of 1.2 metres;
 - (c) a *residential district*, the *side setback area* must have a minimum depth of 5.0 metres; and
 - (d) a *special purpose district*, the *side setback area* must have a minimum depth of 5.0 metres.
- (2) Where the *parcel* shares a *side property line* with a *lane, LRT corridor* or *street*, the *side setback area* must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

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

**Division 8: Commercial – Corridor 3 f#h#
(C-COR3 f#h#) District**

Purpose

813 The Commercial – Corridor 3 District is intended to be characterized by:

- (a) sites of various sizes;
- (b) locations along major roads;
- (c) locations in industrial areas to accommodate mid-scale retail, and medium to large eating and drinking uses;
- (d) motor vehicles having direct access from the road to the development;
- (e) perimeter *landscaping* that separates commercial activities from the road and surrounding development;
- (f) *uses* of various sizes;
- (g) limited large retail *uses* and no residential *uses*;
- (h) varying *building* density established through maximum *floor area ratio* for individual *parcels*; and
- (i) varying *building heights* established through maximum *building height* for individual *parcels*.

Permitted Uses

814 (1) The following *uses* are *permitted uses* in the Commercial – Corridor 3 District:

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

(2) The following *uses* are *permitted uses* in the Commercial Corridor – 3 District if they are located within existing approved *buildings*:

39P2010

- (a) **Accessory Food Service**;
- (b) **Accessory Liquor Service**;
- (b.1) **Artist’s Studio**;

42P2019

- (c) **Auction Market – Other Goods;**
- 37P2014, 16P2018 (c.1) *deleted*
- 37P2014 (c.2) **Beverage Container Quick Drop Facility;**
- (d) **Catering Service – Minor;**
- (e) **Convenience Food Store;**
- 27P2021 (f) *deleted*
- (g) **Financial Institution;**
- (h) **Fitness Centre;**
- 27P2021 (i) **Health Care Service;**
- (j) **Health Services Laboratory – Without Clients;**
- (k) **Information and Service Provider;**
- (l) **Instructional Facility;**
- 27P2021 (m) **Library;**
- (n) *deleted*
- (o) **Museum;**
- (p) **Office;**
- (q) **Pet Care Service;**
- (r) **Power Generation Facility – Small;**
- (s) **Print Centre;**
- (t) **Protective and Emergency Service;**
- (u) **Radio and Television Studio;**
- 16P2018 (u.1) **Recyclable Material Drop-Off Depot;**
- 27P2021 (v) *deleted*
- 27P2021 (w) *deleted*
- 27P2021 (x) *deleted*
- 27P2021 (y) *deleted*
- 21P2021 (y.1) *deleted*
- (z) **Retail and Consumer Service;**
- (aa) **Service Organization;**
- (bb) **Specialty Food Store;**

- (cc) **Supermarket;**
 - (dd) **Take Out Food Service;**
 - (ee) **Vehicle Rental – Minor;**
 - (ff) **Vehicle Sales – Minor;** and
 - (gg) **Veterinary Clinic.**
- (3) Unless otherwise stated in subsection 815(2.1), the following **uses** are **permitted uses** in the Commercial – Corridor 3 District if they are located within existing approved **buildings** and if the **public area** is less than 300.0 square metres: 27P2021
- (a) **Restaurant: Food Service Only;** and
 - (b) **Restaurant: Licensed.**

Discretionary Uses

- 815 (1) **Uses** listed in subsection 814(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Corridor 3 District.
- (1.1) The following **uses** are **discretionary uses** in the Commercial – Corridor 3 District if they are located within existing approved **buildings** and if the **public area** is 300.0 square metres or greater: 27P2021
- (a) **Restaurant: Food Service Only;** and
 - (b) **Restaurant: Licensed.**
- (1.2) The following **uses** are **discretionary uses** in the Commercial – Corridor 3 District if they are located in proposed **buildings** or proposed additions to existing **buildings**: 27P2021
- (a) **Restaurant: Food Service Only;** and
 - (b) **Restaurant: Licensed.**
- (2) **Uses** listed in subsection 814(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.
- (2.1) The following **uses** 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; 27P2021
- (a) **Restaurant: Food Service Only;** and
 - (b) **Restaurant: Licensed.**

(3) The following *uses* are *discretionary uses* in the Commercial – Corridor 3 District:

- (a) **Amusement Arcade;**
- (b) **Auto Body and Paint Shop;**
- (c) **Auto Service – Major;**
- (d) **Auto Service – Minor;**
- 37P2014 (e) *deleted*
- (f) **Billiard Parlour;**
- 22P2016 (f.1) **Brewery, Winery and Distillery;**
- 25P2018, (f.2) *deleted*
- 27P2021
- 26P2018, (f.3) **Cannabis Store;**
- (g) **Car Wash – Multi-Vehicle;**
- (h) **Car Wash – Single Vehicle;**
- (i) **Child Care Service;**
- (j) **Cinema;**
- (k) **Computer Games Facility;**
- 67P2008 (k.1) **Conference and Event Facility;**
- (l) **Dinner Theatre;**
- (m) **Drinking Establishment – Large;**
- (n) **Drinking Establishment – Medium;**
- (o) **Drinking Establishment – Small;**
- (p) **Drive Through;**
- 49P2017 (p.1) **Food Production;**
- (q) **Funeral Home;**
- (r) **Gaming Establishment – Bingo;**
- (s) **Gas Bar;**
- (t) **Hotel;**
- (u) **Indoor Recreation Facility;**
- 46P2019 (u.1) **Kennel;**
- 67P2008, 46P2019 (u.2) **Large Vehicle Sales;**
- (v) **Liquor Store;**

| | | |
|--------|--|------------------|
| (w) | <i>deleted</i> | 27P2021 |
| (w.1) | <i>deleted</i> | 28P2016, 25P2018 |
| (x) | Night Club; | |
| (y) | Outdoor Café; | |
| (z) | Parking Lot – Grade; | |
| (aa) | Parking Lot – Structure; | |
| (bb) | Pawn Shop; | |
| (bb.1) | Payday Loan; | 43P2015 |
| (cc) | Performing Arts Centre; | |
| (dd) | Place of Worship – Small; | |
| (ee) | Post-secondary Learning Institution; | 9P2012 |
| (ff) | Power Generation Facility – Medium; | 9P2012 |
| (gg) | Printing, Publishing and Distributing; | |
| (hh) | Recreational Vehicle Sales; | |
| (ii) | <i>deleted</i> | 27P2021 |
| (jj) | <i>deleted</i> | 27P2021 |
| (kk) | Seasonal Sales Area; | |
| (ll) | Sign – Class C; | |
| (mm) | Sign – Class E; | |
| (nn) | Sign – Class F; | |
| (nn.1) | Sign – Class G; | 30P2011 |
| (oo) | Social Organization; | |
| (pp) | Special Function – Class 2; | 4P2012 |
| (pp.1) | <i>deleted</i> | 10P2009, 4P2012 |
| (pp.2) | Urban Agriculture; | 33P2019 |
| (qq) | Utility Building; | |
| (rr) | Vehicle Rental – Major; | 38P2013 |
| (ss) | Vehicle Sales – Major; | 38P2013 |
| (tt) | Wind Energy Conversion System – Type 1; and | 38P2013 |
| (uu) | Wind Energy Conversion System – Type 2. | 38P2013 |

Rules

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

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

Parcel Area

817 The maximum area of a *parcel* is 3.2 hectares.

Floor Area Ratio

818 The maximum *floor area ratio* for *parcels* designated Commercial – Corridor 3 District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

819 The maximum *building height* for *parcels* designated Commercial – Corridor 3 District is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

Use Area

- 820** (1) Unless otherwise referenced in subsections (2) and (3), there is no *use area* restriction in the Commercial – Corridor 3 District.
- (2) The maximum *use area* of a **Retail and Consumer Service**, or a **Retail and Consumer Service**, combined with any other *use*, is 3600.0 square metres.
- (3) The maximum *use area* of a **Supermarket**, or a **Supermarket**, combined with any other *use*, is 3600.0 square metres.

39P2010

Front Setback Area

821 The *front setback area* must have a minimum depth of 6.0 metres.

Rear Setback Area

- 822** (1) Where the *parcel* shares a *rear property line* with a *parcel* designated as:
- (a) a *commercial district*, the *rear setback area* must have a minimum depth of 3.0 metres;
 - (b) an *industrial district*, the *rear setback area* must have a minimum depth of 1.2 metres;

- (c) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
 - (d) a **special purpose district**, the **rear setback area** must have a minimum depth of 6.0 metres.
- (2) Where the **parcel** shares a **rear property line** with:
- (a) an **LRT corridor** or **street**, the **rear setback area** must have a minimum depth of 6.0 metres; 67P2008
 - (b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
 - (c) a **lane**, in all other cases, the **rear setback area** must have a minimum depth of 3.0 metres.

Side Setback Area

- 823 (1) Where the **parcel** shares a **side property line** with a **parcel** designated as:
- (a) a **commercial district**, the **side setback area** must have a minimum depth of 3.0 metres;
 - (b) an **industrial district**, the **side setback area** must have a minimum depth of 1.2 metres;
 - (c) a **residential district**, the **side setback area** must have a minimum depth of 6.0 metres; and
 - (d) a **special purpose district**, the **side setback area** must have a minimum depth of 6.0 metres.
- (2) Where the **parcel** shares a **side property line** with:
- (a) an **LRT corridor** or **street**, the **side setback area** must have a minimum depth of 6.0 metres; 67P2008
 - (b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **side setback area** must have a minimum depth of 6.0 metres; and
 - (c) a **lane**, in all other cases, the **side setback area** must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

- 824 (1) Where a **setback area** shares a **property line** with an **LRT corridor** or **street**, the **setback area** must:
- (a) be a **soft surfaced landscaped area**; and
 - (b) provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or

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

Minimum Required Motor Vehicle Parking Stalls

48P2020

825 *deleted*

Reductions of Minimum Motor Vehicle Parking Requirement

48P2020

826 *deleted*

Division 9: Commercial – Office f#h# (C-O f#h#) District

Purpose

828 The Commercial – Office District is intended to be characterized by:

- (a) **buildings** containing select **uses** that contribute to locations of high employment;
- (b) a limited number of other **uses** that support **Offices**;
- (c) locations along or near major roads and transit facilities;
- (d) pedestrian connections;
- (e) varying **building** density established through maximum **floor area ratios** for individual **parcels**; and
- (f) varying **building height** established through maximum **building height** for individual **parcels**.

Permitted Uses

829 (1) The following **uses** are **permitted uses** in the Commercial – Office District:

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

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

- (a) *deleted* 27P2021
- (b) **Information and Service Provider**;
- (c) **Instructional Facility**; 32P2009
- (d) *deleted* 27P2021
- (e) **Office**; and
- (f) **Post-secondary Learning Institution**.

(3) The following **uses** are **permitted uses** in existing approved **buildings** in the Commercial – Office District if:

(a) a minimum of 90.0 per cent of the **building's gross floor area** contains those **uses** listed in subsection (2) (a) through (f) inclusive; and

39P2010

(b) they are located on or below the ground floor of the **building**:

(i) **Accessory Food Service**;

42P2019

(i.1) **Artist's Studio**;

(ii) **Computer Games Facility**;

(iii) **Convenience Food Store**;

(iv) **Financial Institution**;

(v) **Fitness Centre**;

27P2021

(vi) **Health Care Service**;

(vii) **Indoor Recreation Facility**;

(viii) **Library**;

(ix) **Pet Care Service**;

(x) **Power Generation Facility – Small**;

(xi) **Print Centre**;

(xii) **Protective and Emergency Service**;

(xiii) **Radio and Television Studio**;

27P2021

(xiv) *deleted*

27P2021

(xv) *deleted*

(xvi) **Retail and Consumer Service**;

42P2019

(xvi.1) **Specialty Food Store**; and

(xvii) **Take Out Food Service**.

27P2021

(4) The following **uses** are **permitted uses** in existing approved **buildings** in the Commercial – Office District if:

(a) a minimum of 90.0 per cent of the **buildings gross floor area** contains those **uses** listed in subsection (2)(a) through (f) inclusive;

(b) they are located on or below the ground floor of the **building**; and

(c) the **public area** is 150.0 square metres or less:

(i) **Restaurant: Food Service Only**; and

(ii) **Restaurant: Licensed**.

Discretionary Uses

- 830 (1)** *Uses* listed in subsection 829(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Office District.
- (1.1)** The following **uses** are **discretionary uses** in the Commercial – Office District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres: 27P2021
- (a) **Restaurant: Food Service Only**; and
 - (b) **Restaurant: Licensed.**
- (2)** *Uses* listed in subsection 829(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)** *Uses* listed in subsection 829(3) are **discretionary uses** in the Commercial – Office District if:
- (a) they are proposed for a new **building** or new addition to a **building**;
 - (b) they are located in a **building** where less than 90.0 per cent of the **building's gross floor area** is used for **uses** listed in subsection 829(2)(a) through (f) inclusive; or
 - (c) they are located above the ground floor of the **building**.
- (3.1)** The following **uses** are **discretionary uses** in the Commercial – Office District if: 27P2021
- (a) they are proposed for a new **building** or new addition to a **building**;
 - (b) they are located in a **building** where less than 90.0 per cent of the **building's** gross floor area is used for **uses** listed in subsection 829(2)(a) through (f) inclusive; or
 - (c) they are located above the ground floor of the **building**:
 - (i) **Restaurant: Food Service Only**; and
 - (ii) **Restaurant: Licensed.**
- (4)** The following **uses** are **discretionary uses** in the Commercial – Office District:
- (a) *deleted* 25P2018,
27P2021
 - (a.1) **Child Care Service**; 67P2008, 25P2018
 - (a.2) **Conference and Event Facility**; 25P2018
 - (b) **Drinking Establishment – Medium**;
 - (c) **Drinking Establishment – Small**;

| | |
|------------------------------|--|
| 49P2017 | (c.1) Food Production; |
| 28P2016, 49P2017, 25P2018 | (c.2) <i>deleted</i> |
| | (d) Outdoor Café; |
| 43P2015 | (d.1) Payday Loan; |
| | (e) Power Generation Facility – Medium; |
| 27P2021 | (f) <i>deleted</i> |
| 27P2021 | (g) <i>deleted</i> |
| 27P2021 | (g.1) <i>deleted</i> |
| | (h) Sign – Class C; |
| | (i) Sign – Class E; |
| | (j) Sign – Class F; |
| 30P2011 | (j.1) Sign – Class G; |
| 4P2012 | (k) Special Function – Class 2; |
| 10P2009,4P2012 | (k.1) <i>deleted</i> |
| 33P2019 | (k.2) Urban Agriculture; |
| 38P2013 | (l) Utility Building; |
| 38P2013 | (m) Veterinary Clinic; and |
| 39P2010 | (n) <i>deleted</i> |
| 38P2013 | (o) Wind Energy Conversion System – Type 1. |

Rules

831 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

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

Building Height

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

Use Area

- 834** (1) Unless otherwise referenced in subsection (2), there is no *use area* restriction for *uses* in the Commercial – Office District.
- (2) The maximum *use area* for a **Retail and Consumer Service**, or a **Retail and Consumer Service** combined with any other *use*, is 465.0 square metres. 39P2010
- (3) The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres. 27P2021

Front Setback Area

835 The *front setback area* must have a minimum depth of 6.0 metres.

Rear Setback Area

- 836** (1) Where the *parcel* shares a *rear property line* with a *parcel* designated as:
- (a) a *commercial district*, the *rear setback area* must have a minimum depth of 3.0 metres;
 - (b) an *industrial district*, the *rear setback area* must have a minimum depth of 3.0 metres;
 - (c) a *residential district*, the *rear setback area* must have a minimum depth of 6.0 metres; and
 - (d) a *special purpose district*, the *rear setback area* must have a minimum depth of 6.0 metres.
- (2) Where the *parcel* shares a *rear property line* with:
- (a) an *LRT corridor* or *street*, the *rear setback area* must have a minimum depth of 6.0 metres; 67P2008
 - (b) a *lane* that separates the *parcel* from a *parcel* designated as a *residential district*, the *rear setback area* must have a minimum depth of 6.0 metres; and
 - (c) a *lane*, in all other cases, the *rear setback area* must have a minimum depth of 3.0 metres.

Side Setback Area

- 837 (1) Where the *parcel* shares a *side property line* with a *parcel* designated as:
- (a) a **commercial district**, the *side setback area* must have a minimum depth of 3.0 metres;
 - (b) an **industrial district**, the *side setback area* must have a minimum depth of 3.0 metres;
 - (c) a **residential district**, the *side setback area* must have a minimum depth of 6.0 metres; and
 - (d) a **special purpose district**, the *side setback area* must have a minimum depth of 6.0 metres.
- (2) Where the *parcel* shares a *side property line* with:
- (a) an **LRT corridor** or **street**, the *side setback area* must have a minimum depth of 6.0 metres;
 - (b) a **lane** that separates the *parcel* from a *parcel* designated as a **residential district**, the *side setback area* must have a minimum depth of 6.0 metres; and
 - (c) a **lane**, in all other cases, the *side setback area* must have a minimum depth of 3.0 metres.

67P2008

Landscaping In Setback Areas

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

- (3) Where a **setback area** shares a **property line** with a **lane** or a **parcel** designated as a **commercial, industrial** or **special purpose district**, the **setback area**:
- (a) must be a **soft surfaced landscaped area**;
 - (b) may have a sidewalk along the length of the **building**; and
 - (c) 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**.

Employee Area

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

Reductions of Minimum Motor Vehicle Parking Requirement

840 *deleted*

48P2020

Excess Motor Vehicle Parking Stalls

841 Where the number of **motor vehicle parking stalls** provided for **uses** 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.

Required Bicycle Parking Stalls

- 842** (1) The **uses** listed in section 830 must provide 1.0 **bicycle parking stall – class 1** per 1000.0 square metres **gross usable floor area** of the **use**.
- (2) The **uses** listed in section 830 must provide 1.0 **bicycle parking stall – class 2** per 1000.0 square metres of **gross usable floor area** of the **use**.
- (3) The minimum required number of **bicycle parking stalls** for all other **uses** is the minimum requirement referenced in Part 4.

**Division 10: Commercial – Regional 1 f#
(C-R1 f#) District**

Purpose

- 843 (1)** The Commercial – Regional 1 District is intended to be characterized by:
- (a) large “big box” single entry, mostly single *use buildings*;
 - (b) large retail sales activities where the product is displayed outdoors;
 - (c) large building supply contractors and garden centres selling and keeping product outdoors that would not be appropriate in other commercial or industrial districts;
 - (d) locations on or near major roads or along major commercial corridors;
 - (e) locations in industrial areas;
 - (f) primary access by motor vehicles to *parcels* from *streets*;
 - (g) pedestrian connections from public sidewalks to and between *buildings*;
 - (h) *parcels* that, through *building* location, *setback areas* and landscaping, limit the effect of large *uses* on nearby residential areas;
 - (i) be compatible with Industrial Business, Industrial Edge and Industrial General Districts;
 - (j) higher standards of *building* and *parcel* design only where development is along major roads, gateways and in instances where visibility and aesthetics are identified as planning concerns; and
 - (k) varying *building* density established through maximum *floor area ratios* for individual *parcels*.
- (2)** Areas of land greater than 6.0 hectares should not be designated Commercial – Regional 1 District.

Permitted Uses

- 844** The following *uses* are *permitted uses* in the Commercial – Regional 1 District:
- (a) **Park;**
 - (b) **Power Generation Facility – Small;**
 - (c) **Sign – Class A;**

- (d) **Sign – Class B;**
- (e) **Sign – Class D;** and
- (f) **Utilities.**

Discretionary Uses

845 The following *uses* are *discretionary uses* in the Commercial – Regional 1 District:

- 42P2019
 - (a) **Artist’s Studio;**
 - (a.1) **Auction Market – Other Goods;**
 - (b) **Auction Market – Vehicles and Equipment;**
 - (c) **Auto Service – Major;**
 - (d) **Auto Service – Minor;**
- 26P2018
 - (d.1) **Cannabis Store;**
 - (e) **Car Wash – Multi-Vehicle;**
 - (f) **Car Wash – Single Vehicle;**
 - (g) **Convenience Food Store;**
 - (h) **Drinking Establishment – Medium;**
 - (i) **Drinking Establishment – Small;**
 - (j) **Drive Through;**
 - (k) **Fitness Centre;**
- 49P2017
 - (k.1) **Food Production;**
 - (l) **Gaming Establishment – Bingo;**
 - (m) **Gas Bar;**
 - (n) **Indoor Recreation Facility;**
- 42P2019
 - (n.1) **Information and Service Provider;**
 - (o) **Liquor Store;**
- 27P2021
 - (p) *deleted*
- 42P2019
 - (p.1) **Office;**
 - (q) **Outdoor Café;**
- 44P2013
 - (q.1) **Parking Lot – Grade;**
- 44P2013
 - (q.2) **Parking Lot – Structure;**
- 42P2019
 - (q.3) **Print Centre;**
- 27P2021
 - (r) **Restaurant: Food Service Only;**

| | | |
|--------|--|-----------------|
| (s) | <i>deleted</i> | 27P2021 |
| (t) | Restaurant: Licensed; | 27P2021 |
| (u) | <i>deleted</i> | 27P2021 |
| (u.1) | <i>deleted</i> | 27P2021 |
| (v) | Restored Building Products Sales Yard; | |
| (w) | Retail Garden Centre; | |
| (x) | Retail and Consumer Service; | 39P2010 |
| (y) | Seasonal Sales Area; | |
| (z) | Sign – Class C; | |
| (aa) | Sign – Class E; | |
| (bb) | Sign – Class F; | |
| (bb.1) | Sign – Class G; | 30P2011 |
| (cc) | Special Function – Class 2; | 4P2012 |
| (cc.1) | <i>deleted</i> | 10P2009, 4P2012 |
| (cc.2) | Specialty Food Store; | 42P2019 |
| (dd) | Supermarket; | |
| (dd.1) | Urban Agriculture; | 33P2019 |
| (ee) | Utility Building; | |
| (ff) | Vehicle Rental – Major; | |
| (gg) | Vehicle Rental – Minor; | |
| (hh) | Vehicle Sales – Major; | 38P2013 |
| (ii) | Vehicle Sales – Minor; | 38P2013 |
| (jj) | Wind Energy Conversion System – Type 1; and | 38P2013 |
| (kk) | Wind Energy Conversion System – Type 2. | 38P2013 |

Rules

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

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

Parcel Area

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

Floor Area Ratio

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

Building Height

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

Buildings

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

Use Area

42P2019

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

- (2) The maximum *use area* for an **Office** is 360.0 square metres.

27P2021

- (3) The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.

Building Entrance Features

- 852** The *public entrances* must be accentuated by a minimum of one example of three or more of the following features:

- (a) arcades;
- (b) arches;
- (c) awnings;
- (d) pitched or raised cornice roof forms;
- (e) porticoes;
- (f) recesses or projections; or
- (g) windows.

Division 11: Commercial – Regional 2 # (C-R2 #) District

Purpose

- 861 (1)** The Commercial – Regional 2 District is intended to be characterized by:
- (a) enclosed malls;
 - (b) multiple **buildings** comprehensively designed on a **parcel**;
 - (c) **parcels** that are located along major roads and transit facilities;
 - (d) access by motor vehicles and public transit;
 - (e) pedestrian connections from public transit to and between **buildings** and from parking areas to **buildings**;
 - (f) **building** location, **setback areas** and **landscaping** that buffer the effect of commercial **uses** on nearby residential districts; and
 - (g) varying **building density** established through maximum **floor area ratios** for individual **parcels**.
- (2)** Areas of land less than 4.0 hectares should not be designated Commercial – Regional 2 District.

Permitted Uses

- 862 (1)** The following **uses** are **permitted uses** in the Commercial – Regional 2 District:
- (a) **Park**;
 - (b) **Sign – Class A**;
 - (c) **Sign – Class B**;
 - (d) **Sign – Class D**; and
 - (e) **Utilities**.
- (2)** The following **uses** are **permitted uses** in the Commercial – Regional 2 District if they are located within existing approved **buildings**:
- (a) **Accessory Food Service**;
 - (b) **Accessory Liquor Service**;

71P2008,
17P2009,
32P2009,
39P2010

- 37P2014, 42P2019
- (c) **Amusement Arcade;**
 - (c.1) **Artist's Studio;**
 - (c.2) **Beverage Container Quick Drop Facility;**
 - (d) **Billiard Parlour;**
 - (e) **Catering Service – Minor;**
 - (f) **Cinema;**
 - (g) **Computer Games Facility;**
 - (h) **Convenience Food Store;**

27P2021

 - (i) *deleted*
 - (j) **Dinner Theatre;**
 - (k) **Financial Institution;**
 - (l) **Fitness Centre;**
 - (m) **Funeral Home;**

27P2021

 - (n) **Health Care Service;**
 - (o) **Home Based Child Care – Class 1;**
 - (p) **Home Occupation – Class 1;**
 - (q) **Indoor Recreation Facility;**
 - (r) **Information and Service Provider;**
 - (s) **Instructional Facility;**
 - (t) **Library;**

27P2021

 - (u) *deleted*
 - (v) **Museum;**
 - (w) **Office;**
 - (x) **Pawn Shop;**
 - (y) **Performing Arts Centre;**
 - (z) **Pet Care Service;**
 - (aa) **Power Generation Facility – Small;**
 - (bb) **Print Centre;**
 - (cc) **Protective and Emergency Service;**

- (dd) **Restaurant: Food Service Only;** 27P2021
- (ee) *deleted* 27P2021
- (ff) *deleted* 27P2021
- (gg) *deleted* 27P2021
- (hh) *deleted* 27P2021
- (hh.1) *deleted* 27P2021
- (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.**
- (3) Unless otherwise stated in subsection 863(2.1), the following **uses** are **permitted uses** in the Commercial – Regional 2 District if they are located within existing approved **buildings** and if the **public area** is less than 300.0 square metres: 27P2021
- (a) **Restaurant: Licensed.**

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.
- (1.1) The following **uses** are **discretionary uses** in the Commercial – Regional 2 District if they are located within existing approved **buildings** and if the **public area** is 300.0 square metres or greater: 27P2021
- (a) **Restaurant: Licensed.**
- (1.2) The following **uses** are **discretionary uses** in the Commercial – Regional 2 District if they are located in proposed **buildings** or proposed additions to existing **buildings**: 27P2021
- (a) **Restaurant: Licensed.**
- (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.

- 27P2021 (2.1) The following **uses** 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;
- (a) **Restaurant: Licensed.**
- (3) The following **uses** are **discretionary uses** in the Commercial – Regional 2 District:
- (a) **Auto Service – Major;**
- (b) **Auto Service – Minor;**
- 16P2018 (c) *deleted*
- 22P2016 (c.1) **Brewery, Winery and Distillery;**
- 25P2018, (c.2) *deleted*
- 27P2021 (c.3) **Cannabis Store;**
- 26P2018 (d) **Car Wash – Multi Vehicle;**
- (e) **Car Wash – Single Vehicle;**
- (f) **Child Care Service;**
- 67P2008 (f.1) **Conference and Event Facility;**
- (g) **Drinking Establishment – Large;**
- (h) **Drinking Establishment – Medium;**
- (i) **Drinking Establishment – Small;**
- (j) **Drive Through;**
- (k) **Dwelling Unit;**
- 49P2017 (k.1) **Food Production;**
- (l) **Gaming Establishment – Bingo;**
- (m) **Gas Bar;**
- (n) **Home Occupation – Class 2;**
- (o) **Hotel;**
- (p) **Liquor Store;**
- (q) **Live Work Unit;**
- 5P2013, 42P2019, (q.1) *deleted*
- 27P2021 (q.2) *deleted*
- 28P2016, 25P2018 (r) **Night Club;**
- (s) **Outdoor Café;**
- (t) **Parking Lot – Grade;**

- (u) **Parking Lot – Structure;**
- (u.1) **Payday Loan;** 43P2015
- (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;**
- (z.1) **Recyclable Material Drop-Off Depot;** 16P2018
- (aa) *deleted* 27P2021
- (bb) **Seasonal Sales Area;**
- (cc) **Sign – Class C;**
- (dd) **Sign – Class E;**
- (ee) **Special Function – Class 2;** 4P2012
- (ee.1) *deleted* 10P2009, 4P2012
- (ee.2) **Urban Agriculture;** 33P2019
- (ff) **Utility Building;**
- (gg) **Vehicle Rental – Major; and**
- (hh) **Vehicle Sales – Major.**

Rules

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

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

Parcel Area

865 The minimum area of a *parcel* is 4.0 hectares.

Buildings

866 (1) Every *parcel* must have at least one *building* that contains an “Enclosed Mall” that:

- (a) is not less than 40,000.0 square metres;
- (b) contains a number of separate *uses*; and
- (c) has an internal hallway for customers.

- (2) **Parcels** may have **buildings**, in addition to the **building** required by section (1), providing the combined **gross floor area** of all **use areas** in those **buildings** does not exceed 20.0 per cent of the **gross floor area** of the “Enclosed Mall” **building** located on the **parcel**.
- (3) In this section, “Enclosed Mall” means a **building** containing two or more retail **uses** accessible by an enclosed common corridor.

Floor Area Ratio

867 The maximum **floor area ratio** for **parcels** designated Commercial – Regional 2 District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

868 The maximum **building height** is 46.0 metres.

Location of Uses within Buildings

- 869**
- (1) **Dwelling Units** and **Live Work Units** must not be located on the ground floor of a **building**.
 - (2) “Commercial Uses” and **Live Work Units**:
 - (a) may be located on the same floor as **Dwellings Units**; and
 - (b) must not share an internal hallway with **Dwelling Units**.
 - (3) Where this section refers to “Commercial Uses”, it refers to the listed **uses** at sections 862 and 863, other than **Dwelling Unit** and **Live Work Unit**.

Front Setback Area

870 The **front setback area** must have a minimum depth of 6.0 metres.

Rear Setback Area

- 871**
- (1) Where the **parcel** shares a **rear property line** with a **parcel** that is designated as a Commercial – Regional 1 District, there is no requirement for a **rear setback area**.
 - (2) In all other cases, the **rear setback area** must have a minimum depth of 6.0 metres.

Side Setback Area

- 872**
- (1) Where the **parcel** shares a **side property line** with a **parcel** that is designated as a Commercial – Regional 1 District, there is no requirement for a **side setback area**.

- (2) In all other cases, the **side setback area** must have a minimum depth of 6.0 metres.

Landscaping In Setback Areas

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

Minimum Required Motor Vehicle Parking Stalls

874 *deleted*

48P2020

Reductions of Minimum Motor Vehicle Parking Requirement

48P2020

875 *deleted*

Excess Motor Vehicle Parking Stalls

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

Exclusive Use of Motor Vehicle Parking Stalls

48P2020

877 *deleted*

Division 12: Commercial – Regional 3 f##h# (C-R3 f##h#) District**Purpose**

- 880 (1)** The Commercial – Regional 3 District is intended to be characterized by:
- (a) comprehensively planned and designed subdivision and **development** with multiple **buildings** on multiple **parcels**;
 - (b) orderly phased subdivision and **development** of large tracts of land over time;
 - (c) opportunities for a variety of **building** sizes and **use areas**;
 - (d) **parcels** that are created and designed to support efficient access to the **uses** intended for those and nearby **parcels**;
 - (e) **buildings, uses**, vehicle access and pedestrian features on a site that link with each other and **adjacent parcels**;
 - (f) pedestrian access from public transit, to and between **buildings** and pedestrian amenities;
 - (g) flexibility regarding a **building's** density, established through individual **floor area ratios** for individual **parcels**; and
 - (h) varying **building height** established through maximum **building heights** for individual **parcels**.
- (2)** Areas of land less than 6.0 hectares should not be designated Commercial – Regional 3 District.

Permitted Uses

- 881 (1)** The following **uses** are **permitted uses** in the Commercial – Regional 3 District:
- (a) **Park**;
 - (b) **Sign – Class A**;
 - (c) **Sign – Class B**;
 - (d) **Sign – Class D**; and
 - (e) **Utilities**.

71P2008, 32P2009,
39P2010

(2) The following *uses* are **permitted uses** in the Commercial Regional – 3 District if they are located within existing approved **buildings**:

(a) **Accessory Food Service;**

(b) **Accessory Liquor Service;**

(c) **Amusement Arcade;**

37P2014, 16P2018

(c.1) *deleted*

37P2014

(c.2) **Beverage Container Quick Drop Facility;**

(d) **Catering Service – Minor;**

(e) **Computer Games Facility;**

(f) **Convenience Food Store;**

27P2021

(g) *deleted*

(h) **Dinner Theatre;**

(i) **Financial Institution;**

(j) **Fitness Centre;**

(k) **Funeral Home;**

27P2021

(l) **Health Care Service;**

(m) **Indoor Recreation Facility;**

(n) **Information and Service Provider;**

(o) **Instructional Facility;**

(p) **Library;**

27P2021

(q) *deleted*

(r) **Museum;**

(s) **Office;**

(t) **Pawn Shop;**

(u) **Performing Arts Centre;**

(v) **Pet Care Service;**

(w) **Power Generation Facility – Small;**

(x) **Print Centre;**

(y) **Protective and Emergency Service;**

(z) **Radio and Television Studio;**

16P2018

(z.1) **Recyclable Material Drop-Off Depot;**

27P2021

(aa) *deleted*

27P2021

(bb) *deleted*

- (cc) *deleted* 27P2021
- (dd) *deleted* 27P2021
- (dd.1) *deleted* 27P2021
- (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.**
- (3) Unless otherwise stated in subsection 882(2.1), the following **uses** are **permitted uses** in the Commercial – Regional 3 District if they are located within existing approved **buildings** and if the **public area** is less than 300.0 square metres: 27P2021
- (a) **Restaurant: Food Service Only; and**
- (b) **Restaurant: Licensed.**

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.
- (1.1) The following **uses** are **discretionary uses** in the Commercial – Regional 3 District if they are located within existing approved **buildings** and if the **public area** is 300.0 square metres or greater: 27P2021
- (a) **Restaurant: Food Service Only; and**
- (b) **Restaurant: Licensed.**
- (1.2) The following **uses** are **discretionary uses** in the Commercial – Regional 3 District if they are located in proposed **buildings** or proposed additions to existing **buildings**: 27P2021
- (a) **Restaurant: Food Service Only; and**
- (b) **Restaurant: Licensed.**
- (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.

- 27P2021 (2.1) The following **uses** 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;
- (a) **Restaurant: Food Service Only**; and
 - (b) **Restaurant: Licensed.**
- (3) The following **uses** are **discretionary uses** in the Commercial – Regional 3 District:
- 42P2019 (a) **Artist’s Studio**;
- (a.1) **Auto Service – Major**;
 - (b) **Auto Service – Minor**;
- 37P2014 (c) *deleted*
- (d) **Billiard Parlour**;
- 22P2016 (d.1) **Brewery, Winery and Distillery**;
- 25P2018, 27P2021 (d.2) *deleted*
- 26P2018 (d.3) **Cannabis Store**;
- (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**;
- 49P2017 (l.1) **Food Production**;
- (m) **Gaming Establishment – Bingo**;
 - (n) **Gas Bar**;
 - (o) **Hotel**;
 - (p) **Liquor Store**;
- 5P2013, 42P2019, 27P2021 (p.1) *deleted*
- 28P2016, 25P2018 (p.2) *deleted*
- (q) **Night Club**;
 - (r) **Outdoor Café**;

- (s) **Parking Lot – Grade;**
- (t) **Parking Lot – Structure;**
- (t.1) **Payday Loan;** 43P2015
- (u) **Place of Worship – Medium;**
- (v) **Place of Worship – Small;**
- (w) **Post-secondary Learning Institution;**
- (x) **Power Generation Facility – Medium;**
- (y) *deleted* 27P2021
- (z) *deleted* 27P2021
- (aa) **Seasonal Sales Area;**
- (bb) **Sign – Class C;**
- (cc) **Sign – Class E;**
- (dd) **Social Organization;**
- (ee) **Special Function – Class 2;** 4P2012
- (ee.1) *deleted* 10P2009, 4P2012
- (ee.2) **Urban Agriculture;** 33P2019
- (ff) **Utility Building;**
- (gg) **Vehicle Rental – Major;** 38P2013
- (hh) **Vehicle Sales – Major;** 38P2013
- (ii) **Wind Energy Conversion System – Type 1; and** 38P2013
- (jj) **Wind Energy Conversion System – Type 2.** 38P2013

Rules

883 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

884 The maximum *floor area ratio* for *parcels* designated Commercial – Regional 3 District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

885 The maximum *building height* for *parcels* designated Commercial – Regional 3 District is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

Transportation

886 All *developments* in the Commercial – Regional 3 District must have:

- (a) road networks within *parcels* and motor vehicle access connections to existing or anticipated *streets*;
- (b) direct motor vehicle connections through *parcels* to provide access to *adjacent parcels*; and
- (c) motor vehicle connections between parking areas and the road networks.

Building Orientation and Design

- 887** (1) The main *public entrance* of *buildings* must be identifiable and accessible.
- (2) *Public entrances* must be accentuated by a minimum of one example of three or more of the following features:
- (a) arcades;
 - (b) arches;
 - (c) awnings;
 - (d) pitched or raised cornice roof forms;
 - (e) porticoes;
 - (f) recesses or projections; and
 - (g) windows.
- (3) The finishing materials and design of the façade where the main *public entrance* is located must be used on the other façades of the *building*.

Front Setback Area

888 The *front setback area* must have a minimum depth of 6.0 metres.

Rear Setback Area

- 889** (1) Where the *parcel* shares a *rear property line* with a *parcel* designated as:
- (a) Commercial – Regional 3 District, there is no requirement for a *rear setback area*;

- (b) any other **commercial district**, the **rear setback area** must have a minimum depth of 3.0 metres;
 - (c) an **industrial district**, the **rear setback area** must have a minimum depth of 3.0 metres;
 - (d) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
 - (e) a **special purpose district**, the **rear setback area** must have a minimum depth of 6.0 metres.
- (2) Where the **parcel** shares a **rear property line** with an **LRT corridor** or **street**, the **rear setback area** must have a minimum depth of 6.0 metres.
- (3) Where the **parcel** shares a **rear property line** with a **lane** and the **lane** separates the **parcel** from a **parcel** designated as:
- (a) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
 - (b) a District, other than a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres.

Side Setback Area

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

Landscaping In Setback Areas

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

Minimum Required Motor Vehicle Parking Stalls

48P2020

892 *deleted*

Reductions of Minimum Motor Vehicle Parking Requirement

48P2020

893 *deleted*

PART 8: INDUSTRIAL DISTRICTS

Division 1: General Rules for Industrial Land Use Districts

Projections Into Setback Areas

- 897 (1) Unless otherwise referenced in subsections (2), (3) and (4), **buildings** must not be located in any **setback area**.
- (2) Eaves of a **building** may project into any **setback area** a maximum of 0.6 metres.
- (3) Portions of a **building** below the surface of the ground may extend into any **setback area** only when those portions are used as a parking structure.
- (4) **Signs** may be located in any **setback area**, and where so located must be in accordance with Part 3, Division 5.

General Landscaped Area Rules

- 898 (1) **Landscaped areas** must be provided in accordance with a landscape plan approved by a **Development Authority**.
- (2) A landscape plan for the entire **development** must be submitted as part of each **development permit** application, where changes are proposed to the **building** or **parcel**, and must show at least the following:
- (a) the existing and proposed topography;
 - (b) the existing vegetation and indicate whether it is to be retained or removed;
 - (c) the layout of berms, open space systems, pedestrian circulation, **retaining walls**, **screening**, slope of the land, **soft surfaced landscaped areas** and **hard surfaced landscaped areas**;
 - (d) the species, sizes and numbers of plant material and the types of **landscaped areas**; and
 - (e) details of the irrigation system.
- (3) The **landscaped areas** shown on the landscape plan approved by the **Development Authority** must be maintained on the **parcel** for so long as the **development** exists.
- (4) All **soft surfaced landscaped areas** must be irrigated by an underground irrigation system, unless otherwise provided by a **low water irrigation system**.

- (5) For the purpose of determining the minimum number of trees and shrubs in a **setback area**, portions of **setback areas** that are paved for sidewalks and vehicle access, utility rights of way or any other purpose allowed by the **Development Authority**, must be included in the calculation of the required area, even though trees and shrubs are not capable of growing in that area.
- (6) If the minimum **setback area** is not capable of growing trees and shrubs, additional area on the **parcel** adjoining the **setback area** must be provided for the trees and shrubs.

Planting Requirements

- 899
- (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.
 - (2) A minimum of 25.0 per cent of all trees required must be coniferous.
 - (3) Deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting.
 - (4) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must be a minimum of 3.0 metres in height at the time of planting.
 - (5) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
 - (6) **Soft surfaced landscaped areas** may include **Urban Agriculture**.

33P2019

Low Water Irrigation System

- 900
- (1) When a **low water irrigation system** is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.
 - (2) When a **low water irrigation system** is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

Visibility Setback

- 901
- Within a **corner visibility triangle**, **buildings**, **fences**, finished **grade** of a **parcel**, and vegetation must not be located more than 0.75 metres above the lowest elevation of the **street**.

Mechanical Screening

- 902
- Unless otherwise referenced in a District, mechanical systems or equipment located outside of a **building** shall be positioned, camouflaged or screened from view of a **public space**, or from view of a **parcel** designated as a **residential district**, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above **grade**.

27P2021

Discretionary Uses

32P2009

908 (1) *Uses* listed in subsection 907(2) are **discretionary uses** if they are located:

- (a) in proposed **buildings**, or proposed additions to existing **buildings**, that are located on a **parcel** that is **adjacent** to a **major street** or expressway; or
- (b) on a **parcel** that does not have both sewer and water systems provided by the **City**.

(2) The following *uses* are **discretionary uses** in the Industrial – General District:

- (a) **Auction Market – Other Goods;**
- (b) **Auction Market – Vehicles and Equipment;**
- (b.1) *deleted* 22P2016, 49P2017
- (c) **Building Supply Centre;**
- (d) **Bulk Fuel Sales Depot;**
- (d.1) **Cannabis Facility;** 25P2018
- (e) **Child Care Service;**
- (f) **Convenience Food Store;**
- (g) **Custodial Quarters;**
- (h) **Drive Through;**
- (i) **Equipment Yard;**
- (j) **Gas Bar;**
- (k) **Instructional Facility;**
- (l) **Kennel;**
- (m) **Large Vehicle and Equipment Sales;** 9P2012
- (m.1) *deleted* 7P2014, 25P2018
- (n) **Office;**
- (o) **Outdoor Café;**
- (p) **Pet Care Service;**
- (p.1) **Place of Worship – Large;** 36P2011
- (q) **Print Centre;**
- (r) **Restaurant: Food Service Only;** 27P2021
- (s) *deleted* 27P2021
- (t) **Restaurant: Licensed;** 27P2021

- 27P2021 (u) *deleted*
- (v) **Restored Building Product Sales Yard;**
- (w) **Salvage Yard;**
- (x) **Self Storage Facility;**
- (y) **Storage Yard;**
- (z) **Sign – Class E;**
- 30P2011 (aa) **Sign – Class F;**
- 4P2012 (aa.1) **Sign – Class G;**
- 4P2012 (bb) **Special Function – Class 2;**
- (cc) *deleted*
- 38P2013 (dd) **Take Out Food Service;**
- 33P2019 (dd.1) **Urban Agriculture;**
- 38P2013 (ee) **Vehicle Sales – Minor;**
- 38P2013 (ff) **Veterinary Clinic;**
- 38P2013 (gg) **Wind Energy Conversion System – Type 1; and**
- (hh) **Wind Energy Conversion System – Type 2.**
- 26P2018 (3) The following *uses* are **discretionary uses** in the Industrial – General (I-G) District on a *parcel* with a **Cannabis Facility**:
- (a) **Cannabis Store.**

Rules

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

- (a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Building Size

910 The maximum **gross floor area** of all **buildings** on a *parcel* that is not serviced by **City** water and sewer, is 1600.0 square metres.

27P2021

Use Area

910.1 (1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.

Floor Area Ratio

911 The maximum **floor area ratio** for **buildings** on a *parcel* that is serviced by **City** water and sewer is 1.0.

Building Height

912 The maximum *building height* is 16.0 metres.

Building Setback

913 The minimum *building setback* from a *property line* shared with the Headworks Canal operated by the Western Irrigation District is 15.0 metres.

Storage of Goods, Materials and Supplies

- 913.1 (1)** A *use* may have an outdoor area for the storage of goods, materials or supplies provided the storage area is: 32P2009
- (a) not located in a *setback area*; and 16P2018
 - (b) not located between a *building* and a *major street* or *expressway*. 16P2018
 - (c) *deleted* 16P2018
- (2)** Goods, materials or supplies stored outside of a *building* within 5.0 metres of a *property line* have a maximum height of 5.0 metres.
- (3)** The height of goods, materials or supplies is measured from *grade* and includes any pallets, supports or other things on which the goods, materials or supplies are stacked.

Screening

32P2009

- 914** Loading docks, outdoor activities and equipment located outside of a *building* must be *screened* from view of:
- (a) an *adjacent expressway*, *major street*, *LRT corridor* or regional pathway; and
 - (b) a *street* or *lane* where the *street* or *lane* separates the *parcel* from a *residential district* or *special purpose district*.

Gross Floor Area for Offices and Administration Areas67P2008, 10P2009,
32P2009

- 914.1 (1)** Unless otherwise referenced in subsection (2), the cumulative *gross floor area* of *Office uses* in a *building* must not exceed 50.0 per cent of the *gross floor area* of the *building*.
- (2)** Areas in a *building* used for administration or to provide work space to employees of a *use* will not be included when determining compliance with subsection (1) provided:
- (a) the administration or work space area is located in the same *use area* as the *use* that it serves; and
 - (b) the principal *use* is not an **Office**.
- (3)** The *Development Authority* may consider a relaxation of subsection (1) where an **Office** is proposed in a *building*:
- (a) that was legally existing or approved prior to the effective date of this Bylaw; and

- (b) where the floor area proposed for the **Office** has already been constructed to accommodate an administrative or office function.

Front Setback Area

915 Where the *parcel* shares a *front property line* with:

- (a) an *expressway* or *major street*, the *front setback area* must have a minimum depth of 6.0 metres; and
- (b) any *street*, other than an *expressway* or *major street*, the *front setback area* must have a minimum depth of 4.0 metres.

Rear Setback Area

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

- (a) a *commercial district*, the *rear setback area* must have a minimum depth of 1.2 metres;
- (b) an *industrial district*:
 - (i) the *rear setback area* must have a minimum depth of 1.2 metres; or
 - (ii) in the case where walls facing the *rear property line* are constructed of materials that do not require maintenance, there is no requirement for a *rear setback area*; or
 - (iii) in the case where the *parcel* is *adjacent* to a rail line that terminates and there is no need for a spur line or the spur line is incorporated within the *building*, there is no requirement for a *rear setback area*;
- (c) a *residential district*, the *rear setback area* must have a minimum depth of 6.0 metres; and
- (d) a *special purpose district*, the *rear setback area* must have a minimum depth of 6.0 metres.

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

- (a) an *expressway* or *major street*, the *rear setback area* must have a minimum depth of 6.0 metres;
- (b) the Headworks Canal operated by the Western Irrigation District, the *rear setback area* must have a minimum depth of 7.5 metres;
- (c) a *lane*, there is no requirement for a *rear setback area*; and
- (d) an *LRT corridor* or *street*, not including an *expressway* or *major street*, the *rear setback area* must have a minimum depth of 4.0 metres.

Division 3: Industrial – Business f#h# (I-B f#h#) District

Purpose

922 The Industrial – Business District is intended to be characterized by:

- (a) prestige, high quality, manufacturing, research and office *developments*; 32P2009
- (b) *parcels* in desirable locations that contribute to employment centres or locations that are visible from *expressways* and *major streets*;
- (c) activities contained within *buildings*;
- (d) a limited range of small *uses* that provide services to the office and industrial *uses* within the immediate area;
- (e) pedestrian pathway connections to and between *buildings* and to transit;
- (f) flexibility in *building* density established through *floor area ratios* for individual *parcels*; and
- (g) varying *building heights* established through maximum *building height* for individual *parcels*.

Permitted Uses

923 (1) The following *uses* are *permitted uses* in the Industrial – Business District:

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

(2) The following *uses* are *permitted uses* in the Industrial – Business District if they are located within existing approved *buildings*: 32P2009

- (a) **Catering Service – Minor**;
- (b) **Computer Games Facility**;
- (c) **Convenience Food Store**;
- (d) *deleted* 27P2021
- (e) **Financial Institution**;

39P2010,
27P2021

- (f) **Health Care Service;**
- (g) **Information and Service Provider;**
- (h) **Library;**
- (i) **Instructional Facility;**
- (j) **Office;**

39P2010

- (k) *deleted*
- (l) **Power Generation Facility – Small;**
- (m) **Print Centre;**
- (n) **Protective and Emergency Service;**
- (o) **Radio and Television Studio; and**
- (p) **Specialized Industrial.**

Discretionary Uses

924 (1) *Uses* listed in subsection 923(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Industrial – Business District.

32P2009, 39P2010

(2) The following *uses* are **discretionary uses** in the Industrial – Business District:

25P2018, 42P2019,
27P2021

(a) **Artist’s Studio; and**

27P2021

(a.1) *deleted*

25P2018

(a.2) **Child Care Service;**

(b) **Conference and Event Facility;**

(c) **Drinking Establishment – Small;**

(d) **Drive Through;**

(e) **Fitness Centre;**

(f) **Gas Bar;**

27P2021

(g) *deleted*

(h) **Hotel;**

(i) **Indoor Recreation Facility;**

27P2021

(j) *deleted*

28P2016, 25P2018

(j.1) *deleted*

(k) **Motion Picture Production Facility;**

(l) **Outdoor Café;**

(m) **Parking Lot – Grade;**

- (n) **Parking Lot – Structure;**
- (n.1) **Payday Loan;** 43P2015
- (o) **Post-secondary Learning Institution;**
- (p) **Power Generation Facility – Medium;**
- (q) **Printing, Publishing and Distributing;**
- (r) *deleted* 27P2021
- (s) *deleted* 27P2021
- (t) **Retail and Consumer Service;**
- (u) **Self Storage Facility;**
- (v) **Sign – Class C;**
- (w) **Sign – Class E;**
- (x) **Sign – Class F;**
- (x.1) **Sign – Class G;** 30P2011
- (y) **Special Function – Class 2;** 4P2012
- (z) *deleted* 4P2012
- (aa) **Specialty Food Store;**
- (bb) **Take Out Food Service;**
- (bb.1) **Urban Agriculture;** 33P2019
- (cc) **Utility Building;** 38P2013
- (dd) **Vehicle Rental – Minor; and** 32P2009, 38P2013
- (ee) **Wind Energy Conversion System – Type 1.** 38P2013
- (2.1) The following **uses** are **discretionary uses** in the Industrial – Business District if the **public area** is 150.0 square metres or less: 27P2021
- (a) **Restaurant: Food Service Only; and**
- (b) **Restaurant: Licensed.**
- (3) The following **uses** are **discretionary uses** in the Industrial – Business District if they are located within a **building** containing at least one **use** listed in subsection 923(2):
- (a) **Brewery, Winery and Distillery;** 22P2016
- (a.1) **Drinking Establishment – Medium;** 22P2016
- (b) *deleted* 27P2021
- (c) *deleted* 27P2021

27P2021

(3.1) The following **uses** are **discretionary uses** in the Industrial – Business District if they are located within a **building** containing at least one use listed in subsection 923(2), and the **public area** is greater than 150.0 square metres:

- (a) **Restaurant: Food Service Only**; and
- (b) **Restaurant: Licensed**.

Rules

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

- (a) the General Rules for Industrial Land Use Districts referenced in Part 8, 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

926 The maximum **floor area ratio** for **parcels** designated Industrial – Business District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height

57P2008

927 The maximum **building height** for **parcels** designated Industrial – Business District is:

- (a) 12.0 metres; or
- (b) the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.

Use Area

928 (1) Unless otherwise referenced in subsection (2), there is no **use area** requirement for **uses** in the Industrial – Business District.

32P2009, 39P2010

(2) The maximum **use area** for a **Retail and Consumer Service** and any **use** combined with them is 465.0 square metres.

27P2021

(3) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.

32P2009

Storage of Goods, Materials and Supplies

928.1 All goods, materials and supplies associated with a **use** must be contained within a **building**.

Front Setback Area

929 The **front setback area** must have a minimum depth of 6.0 metres.

Rear Setback Area

- 930** (1) Where the *parcel* shares a *rear property line* with a *parcel* designated as:
- (a) a *commercial district*, the *rear setback area* must have a minimum depth of 1.2 metres;
 - (b) an *industrial district*, the *rear setback area* must have a minimum depth of 1.2 metres;
 - (c) a *residential district*, the *rear setback area* must have a minimum depth of 6.0 metres; and
 - (d) a *special purpose district*, the *rear setback area* must have a minimum depth of 6.0 metres.
- (2) Where the *parcel* shares a *rear property line* with:
- (a) an *LRT corridor* or *street*, the *rear setback area* must have a minimum depth of 6.0 metres;
 - (b) a *lane* that separates the *parcel* from a *parcel* designated as a *residential district*, the *rear setback area* must have a minimum depth of 3.0 metres; and
 - (c) a *lane*, in all other cases, the *rear setback area* must have a minimum depth of 1.2 metres.

Side Setback Area

- 931** (1) Where the *parcel* shares a *side property line* with a *parcel* designated as:
- (a) a *commercial district*, the *side setback area* must have a minimum depth of 1.2 metres;
 - (b) an *industrial district*, the *side setback area* must have a minimum depth of 1.2 metres;
 - (c) a *residential district*, the *side setback area* must have a minimum depth of 6.0 metres; and
 - (d) a *special purpose district*, the *side setback area* must have a minimum depth of 6.0 metres.
- (2) Where the *parcel* shares a *side property line* with:
- (a) an *LRT corridor* or *street*, the *side setback area* must have a minimum depth of 6.0 metres;
 - (b) a *lane* that separates the *parcel* from a *parcel* designated as a *residential district*, the *side setback area* must have a minimum depth of 3.0 metres; and
 - (c) a *lane*, in all other cases, the *side setback area* must have a minimum depth of 1.2 metres.

Landscaping In Setback Areas

- 932 (1)** Where a **setback area** shares a **property line** with a **street**, the **setback area** must:
- (a) be a **soft surfaced landscaped area**; and
 - (b) provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.
- (2)** Where a **setback area** shares a **property line** with a **lane** that does not separate the **parcel** from a **parcel** designated as a **residential district**, there is no requirement for a **soft surfaced landscaped area** or **hard surfaced landscaped area**.
- (3)** Where a **setback area** shares a **property line** with a **parcel** designated as a **residential district** or a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **setback area** must:
- (a) be a **soft surfaced landscaped area**;
 - (b) provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 30.0 square metres; or
 - (ii) for every 35.0 square metres, where irrigation is provided by a **low water irrigation system**; and
 - (c) provide trees and shrubs planted in a linear arrangement along the length of the **setback area**.
- (4)** Where a **setback area** shares a **property line** with an **LRT corridor** or **parcel** designated as a **commercial, industrial** or **special purpose district**, the **setback area**:
- (a) must be a **soft surfaced landscaped area**;
 - (b) may provide a sidewalk in the **setback area** along the length of the **building**; and
 - (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.

Division 4: Industrial – Edge (I-E) District

Purpose

937 The Industrial – Edge District is intended to be characterized by:

- (a) locations on the perimeter of industrial areas where the industrial *parcel* shares a *property line* with a *residential district*, local *street* or *lane* abutting a *residential district*;
- (b) a limited range and size of *uses*; and
- (c) limitations on outside activities, vehicular access, and parking and loading, aimed at mitigating the impact of *uses* on nearby non – industrial *parcels*.

Permitted Uses

938 (1) The following *uses* are *permitted uses* in the Industrial – Edge District:

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

(2) The following *uses* are *permitted uses* in the Industrial – Edge District if they are located within existing approved *buildings*:

32P2009,
39P2010

- (a) **Catering Service – Minor**;
- (b) **Computer Games Facility**;
- (c) **Convenience Food Store**;
- (d) *deleted*
- (e) **Financial Institution**;
- (e.1) **Health Care Service**;
- (f) **Information and Service Provider**;
- (g) **Instructional Facility**;
- (h) **Office**;
- (i) **Pawn Shop**;

27P2021

27P2021

- 27P2021
- (j) **Pet Care Service;**
 - (k) **Power Generation Facility – Small;**
 - (l) **Print Centre;**
 - (m) **Protective and Emergency Service;**
 - (n) **Radio and Television Studio;**
 - (o) **Restaurant: Food Service Only;**
 - (p) **Retail and Consumer Service;** and
 - (q) **Veterinary Clinic.**

Discretionary Uses

- 939 (1) *Uses* listed in subsection 938(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Industrial – Edge District.
- 32P2009 (2) The following *uses* are **discretionary uses** in the Industrial – Edge District:
- 22P2016 (a) **Artist’s Studio;**
 - 9P2012, 22P2016 (a.1) **Auto Service – Minor;**
 - 9P2012, 37P2014, 22P2016 (a.2) **Beverage Container Quick Drop Facility;**
 - 37P2014, 22P2016 (a.3) **Brewery, Winery and Distillery;**
 - 22P2016, 25P2018, 27P2021 (a.4) *deleted*
 - 26P2018 (a.5) **Cannabis Store;**
 - 25P2018 (a.6) **Car Wash – Single Vehicle;**
 - (b) **Child Care Service;**
 - (c) **Custodial Quarters;**
 - (d) **Drinking Establishment – Small;**
 - (e) **Fitness Centre;**
 - (f) **General Industrial – Light;**
 - 27P2021 (g) *deleted*
 - (h) **Indoor Recreation Facility;**
 - (i) **Liquor Store;**
 - 27P2021 (j) *deleted*
 - 28P2016, 25P2018 (j.1) *deleted*

| | | |
|--------|--|-----------------|
| (k) | Outdoor Café; | |
| (k.1) | Place of Worship – Large; | 36P2011 |
| (k.01) | Payday Loan; | 43P2015 |
| (l) | Power Generation Facility – Medium; | |
| (m) | Restaurant: Licensed; | 27P2021 |
| (n) | <i>deleted</i> | 39P2010 |
| (o) | Self Storage Facility; | |
| (p) | Sign – Class C; | |
| (q) | Sign – Class E; | |
| (r) | Sign – Class F; | |
| (r.1) | <i>deleted</i> | 30P2011, 4P2013 |
| (s) | Special Function – Class 2; | 4P2012 |
| (t) | <i>deleted</i> | 4P2012 |
| (u) | Specialty Food Store; | |
| (v) | Take Out Food Service; | 38P2013 |
| (v.1) | Urban Agriculture; | 33P2019 |
| (w) | Utility Building; and | 38P2013 |
| (x) | Wind Energy Conversion System – Type 1. | 38P2013 |

Rules

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

- (a) the General Rules for Industrial Land Use Districts referenced in Part 8, 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

941 The maximum *floor area ratio* for *buildings* is 1.0.

Building Height

942 The maximum *building height* is 12.0 metres.

Activities and Objects Prohibited

- 943** (1) Where a *parcel* shares a *street* or *lane* with a *residential district* or Special Purpose – Community Institution District, the area between any *buildings* on that *parcel* and that *street* or *lane* must not contain:
- (a) entrances to the *parcel*;
 - (b) garbage enclosures;
 - (c) loading areas; or
 - (d) outside activities.
- (2) Where a *parcel* shares a *street* or *lane* with a *residential district* or Special Purpose – Community Institution District, there must not be any vehicle entrance or overhead doors on the façade of the *building* facing those Districts, *lanes* or *streets*.

Use Area

- 944** (1) Unless otherwise referenced in subsection (2), the maximum *use area* is 300.0 square metres.
- 32P2009 (2) The following *uses* do not have a *use area* restriction:
- (a) **Convenience Food Store**;
 - (b) **General Industrial – Light**;
 - (c) **Self Storage Facility**; and
 - (d) **Specialty Food Store**;
- 27P2021 (3) The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.

32P2009

Storage of Goods, Materials and Supplies

- 945** All goods, materials and supplies associated with a *use* must be contained within a *building*.

Front Setback Area

- 946** The *front setback area* must have a minimum depth of 3.0 metres.

Rear Setback Area

- 947** (1) Where the *parcel* shares a *rear property line* with a *parcel* designated as:
- (a) a *commercial district*, the *rear setback area* must have a minimum depth of 1.2 metres;
 - (b) an *industrial district*, the *rear setback area* must have a minimum depth of 1.2 metres;

Division 5: Industrial – Commercial (I-C) District

Purpose

32P2009

- 953** The Industrial – Commercial District is intended to be characterized by:
- (a) locations on the perimeter of industrial areas, along *major streets* and *expressways*;
 - (b) light industrial *uses* that are unlimited in size;
 - (c) small scale commercial *uses* that are compatible with and complement light industrial *uses*;
 - (d) controls to ensure that *developments* provide a transition between other land use districts and the Industrial – General District or between highly visible industrial *parcels* and the Industrial – General District;
 - (e) setbacks, *screening*, landscaping and *building* design that addresses aesthetic concerns associated with highly visible locations; and
 - (f) *parcels* located within 200.0 metres of a *major street* or *expressway*.

Permitted Uses

- 954 (1)** The following *uses* are *permitted uses* in the Industrial – Commercial District:

- (a) **Park;**
- (b) **Power Generation Facility – Small;**
- (c) **Sign – Class A;**
- (d) **Sign – Class B;**
- (e) **Sign – Class D; and**
- (f) **Utilities.**

- (2)** The following *uses* are *permitted uses* in the Industrial – Commercial District if they are located within existing approved *buildings*:

- (a) **Artist’s Studio;**
- (b) *deleted*
- (b.1) **Beverage Container Quick Drop Facility;**
- (c) **Building Supply Centre;**
- (d) *deleted*
- (e) **Dry-cleaning and Fabric Care Plant;**
- (f) **Financial Institution;**

32P2009,
39P2010

16P2018

37P2014

27P2021

- 27P2021 (g) **Fitness Centre;**
- 27P2021 (h) **General Industrial – Light;**
- 27P2021 (i) **Health Care Service;**
- 27P2021 (j) **Indoor Recreation Facility;**
- 27P2021 (k) **Information and Service Provider;**
- 27P2021 (l) **Instructional Facility;**
- 27P2021 (m) *deleted*
- 27P2021 (n) **Office;**
- 27P2021 (o) **Pawn Shop;**
- 27P2021 (p) **Pet Care Service;**
- 27P2021 (q) **Print Centre;**
- 29P2016 (q.1) **Protective and Emergency Service;**
- 29P2016 (r) **Radio and Television Studio;**
- 16P2018 (r.1) **Recyclable Material Drop-Off Depot;**
- 27P2021 (s) **Restaurant: Food Service Only;**
- 27P2021 (t) *deleted*
- 27P2021 (u) **Retail and Consumer Service;**
- 27P2021 (v) **Service Organization;**
- 27P2021 (w) **Specialty Food Store;**
- 27P2021 (x) **Take Out Food Service;**
- 27P2021 (y) **Vehicle Rental – Minor;**
- 27P2021 (z) **Vehicle Sales – Minor; and**
- 27P2021 (aa) **Veterinary Clinic.**

Discretionary Uses

- 955 (1)** *Uses* listed in subsection 954(2) are **discretionary uses** if they are located in new **buildings** or new additions to existing **buildings** in the Industrial – Commercial District.
- (2)** The following *uses* are **discretionary uses** in the Industrial – Commercial District: 32P2009
- (a) **Auction Market – Other Goods;**
 - (b) **Auction Market – Vehicles and Equipment;**
 - (c) **Auto Body and Paint Shop;**
 - (d) **Auto Service – Major;**
 - (e) **Auto Service – Minor;**
 - (e.1) **Brewery, Winery and Distillery;** 22P2016
 - (e.2) *deleted* 25P2018,
27P2021
 - (e.3) **Cannabis Store;** 26P2018
 - (f) **Car Wash – Multi-Vehicle;**
 - (g) **Car Wash – Single Vehicle;**
 - (h) **Child Care Service;**
 - (i) **Convenience Food Store;**
 - (j) **Custodial Quarters;**
 - (k) **Drinking Establishment – Small;**
 - (l) **Drive Through;**
 - (m) **Gas Bar;**
 - (n) **Large Vehicle and Equipment Sales;** 9P2012
 - (o) **Large Vehicle Service;**
 - (p) **Large Vehicle Wash;**
 - (q) **Liquor Store;**
 - (q.1) *deleted* 28P2016, 25P2018
 - (r) **Outdoor Café;**
 - (r.1) **Payday Loan;** 43P2015
 - (s) **Power Generation Facility – Medium;**
 - (t) **Recreational Vehicle Sales;**
 - (t.1) **Recreational Vehicle Service;** 9P2012
 - (u) **Restaurant: Licensed;** 27P2021
 - (v) *deleted* 27P2021
 - (w) **Restored Building Product Sales Yard;**

- 30P2011 (x) **Self Storage Facility;**
- 4P2012 (y) **Sign – Class C;**
- 33P2019 (z) **Sign – Class E;**
- 4P2012 (aa) **Sign – Class F;**
- (aa.1) **Sign – Class G;**
- (bb) **Special Function – Class 2;**
- 33P2019 (bb.1) **Urban Agriculture;**
- 4P2012 (cc) *deleted*
- (dd) **Utility Building;**
- 38P2013 (ee) **Vehicle Rental – Major;**
- 38P2013 (ff) **Vehicle Sales – Major; and**
- 38P2013 (gg) **Wind Energy Conversion System – Type 1.**

Rules

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

- (a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Parcel Location

32P2013 **957** *deleted*

Floor Area Ratio

958 The maximum **floor area ratio** for **buildings** is 1.0.

Building Height

959 The maximum **building height** is 12.0 metres.

Use Area

- 960 (1)** Unless otherwise provided in subsection (2), there is no **use area** requirement in the Industrial – Commercial District.
- 32P2009, 39P2010 **(2)** The maximum **use area** for a **Retail and Consumer Service** is 930.0 square metres.
- 27P2021 **(3)** The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.

| | | |
|--------|--|---------|
| (h) | Drive Through; | |
| (i) | Equipment Yard; | |
| (j) | Fleet Service; | |
| (k) | Information and Service Provider; | |
| (l) | Instructional Facility; | |
| (m) | Kennel; | |
| (n) | Large Vehicle and Equipment Sales; | 9P2012 |
| (o) | Office; | |
| (p) | Outdoor Café; | |
| (p.1) | Payday Loan; | 43P2015 |
| (q) | Pet Care Service; | |
| (r) | Print Centre; | |
| (s) | Recreational Vehicle Sales; | |
| (t) | Restaurant: Food Service Only; | 27P2021 |
| (u) | Restaurant: Licensed; | 27P2021 |
| (v) | Restored Building Product Sales Yard; | |
| (w) | Salvage Yard; | |
| (x) | Self Storage Facility; | |
| (y) | Service Organization; | |
| (z) | Storage Yard; | |
| (aa) | Sign – Class C; | |
| (bb) | Sign – Class E; | |
| (cc) | Sign – Class F; | |
| (cc.1) | Sign – Class G; | |
| (dd) | Special Function – Class 2; | 30P2011 |
| (ee) | <i>deleted</i> | 4P2012 |
| (ff) | Take Out Food Service; | 4P2012 |
| (ff.1) | Urban Agriculture; | 33P2019 |
| (gg) | Vehicle Sales – Minor; | 38P2013 |
| (hh) | Veterinary Clinic; | 38P2013 |
| (ii) | Wind Energy Conversion System – Type 1; and | 38P2013 |
| (jj) | Wind Energy Conversion System – Type 2. | 38P2013 |

Rules

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

- (a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses And Use Rules referenced in Part 4.

Building Size

971 The maximum **gross floor area** of all **buildings** on a **parcel** that is not serviced by **City** water and sewer is 1600.0 square metres.

Floor Area Ratio

972 The maximum **floor area ratio** for **buildings** on a **parcel** that is serviced by **City** water and sewer is 1.0.

Building Height

973 The maximum **building height** is 16.0 metres.

27P2021

Use area

973.1 The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.

Screening

32P2009

- 974** (1) Loading docks and mechanical equipment that are part of a **building** must be **screened** from view of an **adjacent expressway** or **major street**.
- (2) Where a **use** has outdoor activities or equipment located outside of a **building**, those activities or equipment must be **screened** from view of:
- (a) an **adjacent expressway, major street, LRT corridor** or regional pathway; or
 - (b) a **street** or **lane** where the **street** or **lane** separates the **parcel** from a **residential district** or **special purpose district**.

Building Setback

32P2009

974.1 The minimum **building setback** from a **property line** shared with the Headworks Canal operated by the Western Irrigation District is 15.0 metres.

Front Setback Area

- 975** Where the **parcel** shares a **front property line** with a **street** and the length of that **front property line** is:
- (a) less than 45.0 metres, there is no requirement for a **front setback area**;
 - (b) 45.0 metres or more but less than 60.0 metres, the **front setback area** must have a minimum depth of 1.0 metre;

- (c) 60.0 metres or more but less than 90.0 metres, the **front setback area** must have a minimum depth of 2.0 metres; and
- (d) 90.0 metres or more, the **front setback area** must have a minimum depth of 4.0 metres.

Rear Setback Area

- 976 (1)** Where the *parcel* shares a **rear property line** with a *parcel* designated as:
- (a) a **commercial district**, the **rear setback area** must have a minimum depth of 1.2 metres;
 - (b) an **industrial district** or a **lane**:
 - (i) the **rear setback area** must have a minimum depth of 1.2 metres; or
 - (ii) in the case where walls facing the **rear property line** are constructed of materials that do not require maintenance, there is no requirement for a **rear setback area**; or
 - (iii) in the case where the *parcel* is **adjacent** to a rail line that terminates and there is no need for a spur line or the spur line is incorporated within the **building**, there is no requirement for a **rear setback area**;
 - (c) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
 - (d) a **special purpose district**, the **rear setback area** must have a minimum depth of 6.0 metres.
- (2)** Where the *parcel* shares a **rear property line** with:
- (a) an **expressway** or **major street**, the **rear setback area** must have a minimum depth of 6.0 metres;
 - (b) an **LRT corridor** or **street**, not including an **expressway** or **major street**, the **rear setback area** must have a minimum depth of 4.0 metres;
 - (c) with the Headworks Canal operated by the Western Irrigation District, the **rear setback area** must have a minimum depth of 7.5 metres; and
 - (d) a **lane**, there is no requirement for a **rear setback area**.

Side Setback Area

- 977 (1)** Where the *parcel* shares a **side property line** with a *parcel* designated as:
- (a) a **commercial district**, the **side setback area** must have a minimum depth of 1.2 metres;

13P2008

- (b) an **industrial district** or a **lane**:
 - (i) the **side setback area** must have a minimum depth of 1.2 metres; or
 - (ii) in the case where walls facing the **side property line** are constructed of materials that do not require maintenance, there is no requirement for a **side setback area**; or
 - (iii) in the case where the **parcel** is **adjacent** to a rail line that terminates and there is no need for a spur line or the spur line is incorporated within the **building**, there is no requirement for a **side setback area**;
 - (c) a **residential district**, the **side setback area** must have a minimum depth of 6.0 metres; and
 - (d) a **special purpose district**, the **side setback area** must have a minimum depth of 6.0 metres.
- (2) Where the **parcel** shares a **side property line** with:
- (a) an **expressway**, **LRT corridor** or **major street**, the **side setback area** must have a minimum depth of 6.0 metres;
 - (b) with the Headworks Canal operated by the Western Irrigation District, the **side setback area** must have a minimum depth of 7.5 metres;
 - (c) a **lane**, there is no requirement for a **side setback area**; and
 - (d) with a **street**, other than an **expressway** or **major street**, and the length of that **side property line** is:
 - (i) less than 45.0 metres, there is no requirement for a **side setback area**;
 - (ii) 45.0 metres or more but less than 60.0 metres, the **side setback area** must have a minimum depth of 1.0 metre;
 - (iii) 60.0 metres or more but less than 90.0 metres, the **side setback area** must have a minimum depth of 2.0 metres; and
 - (iv) 90.0 metres or more, the **side setback area** must have a minimum depth of 4.0 metres.

Landscaping In Setback Areas

- 978 (1) Where a **setback area** shares a **property line** with an **expressway**, Headworks Canal operated by the Western Irrigation District, **major street**, or **street**, the **setback area** must:
- (a) be a **soft surfaced landscaped area**; and

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

13P2008

Additional Landscaping Requirements

- 979** (1) Unless otherwise referenced in this District, all **setback areas** on a **parcel**, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the **Development Authority**, must be a **soft surfaced landscaped area**.
- (2) Every **building** on a **parcel** must have at least one sidewalk connecting the **public entrance** to a public sidewalk, or in the case where there is no public sidewalk, to the nearest **street**.

- (3) A sidewalk must be provided along the entire length of the front of a **building**, not including any portion of the **building** where loading docks are located.
- (4) Every sidewalk required must:
 - (a) be a **hard surfaced landscaped area**;
 - (b) have different surfacing than the surfacing of the parking area;
 - (c) be a minimum width of 2.0 metres; and
 - (d) be raised above the surface of the parking area, when located in a parking area.

32P2009

Storage of Goods, Materials and Supplies

979.1 (1) A **use** may have an outdoor area for the storage of goods, materials or supplies provided the storage area is:

16P2018

(a) not located in a **setback area**; and

16P2018

(b) not located between a **building** and a **major street** or **expressway**.

16P2018

(c) *deleted*

- (2) Goods, materials or supplies stored outside of a **building** within 5.0 metres of a **property line** have a maximum height of 5.0 metres.
- (3) The height of goods, materials or supplies is measured from **grade** and includes any pallets, supports or other things on which the goods, materials or supplies are stacked.

Employee Area

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

Outside Product Display Areas

32P2009

981 *deleted*

Low Water Irrigation System

- 1016 (1)** When a *low water irrigation system* is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.
- (2)** When a *low water irrigation system* is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

Visibility Setback

- 1017** Within a *corner visibility triangle*, *buildings*, *fences*, finished *grade* of a *parcel*, and vegetation must not be located more than 0.75 metres above the lowest elevation of the *street*.

Mechanical Screening

- 1018** Mechanical systems or equipment located outside of a *building* shall be positioned, camouflaged or screened from view of a *public space*, or from view of a *parcel* designated as a *residential district*, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above *grade*.

27P2021

Garbage

- 1019 (1)** Garbage containers and waste material must be stored either:
- (a) inside a *building*; or
 - (b) in a garbage container enclosure approved by the *Development Authority*.
- (2)** Garbage container enclosures must not be located in any *setback area*.

Solar Collectors

68P2008

- 1019.1 (1)** A *solar collector* may only be located on the wall or roof of a *building*.
- (2)** A *solar collector* mounted on a roof with a pitch of less than a 4:12, may project a maximum of 2.0 metres from the surface of the roof.
- (3)** A *solar collector* mounted on a roof with a pitch of 4:12 or greater:
- (a) may project a maximum of 1.3 metres from the surface of the roof; and
 - (b) must not extend beyond the outermost edge of the roof.
- (4)** A *solar collector* that is mounted on a wall:
- (a) must be located a minimum of 2.4 metres above *grade*; and
 - (b) may project a maximum of 0.6 metres from the surface of that wall.

38P2013

Wind Energy Conversion System**1019.2 (1) A Wind Energy Conversion System – Type 1 or a Wind Energy Conversion System – Type 2 must:**

- (a) be located a minimum distance equal to the ***total Wind Energy Conversion System height*** from a ***property line***, measured from the base;
 - (b) be painted a single, neutral, non-reflective, non-glossy colour;
 - (c) have a self-supporting tubular tower or monopole, not including lattice or pylon towers, if not mounted to a ***building***;
 - (d) be equipped with manual and automatic over speed controls;
 - (e) be repaired or removed from the ***parcel*** upon disrepair, abandonment, or termination of the **Wind Energy Conversion System - Type 1 or Wind Energy Conversion System - Type 2 use** for a period of 6 months or greater;
 - (f) not be located in the ***actual front setback area, actual side setback area*** or the ***rear setback area*** when the corresponding ***property line*** is ***adjacent*** to a ***residential district***;
 - (g) not contain any ***signs*** or other non-system related objects, which are visible from a ***residential*** or ***special purpose district***, other than **Directional Signs**;
 - (h) not contain any ***accent lighting***, or be indirectly illuminated or artificially lit, except as required for navigational safety or **Directional Signs**;
 - (i) not contain guy wires or other similar structural support devices, excluding those that may be required to fasten the Wind Energy Conversion System to a ***building***;
 - (j) not be within 100.0 metres of any permanent or temporary wetland or water body;
 - (k) not have a tower-climbing apparatus or ***blade*** tips closer than 4.6 metres from ***grade*** unless enclosed by a minimum 1.8 metre high ***fence***; and
 - (l) not have a total power generation capacity greater than 100 kilowatts.
- (2) A Wind Energy Conversion System – Type 1:**
- (a) must not be located within 60.0 metres from a ***residential district***; and

Division 5: Special Purpose – Recreation (S-R) District

Purpose

- 1041 (1)** The Special Purpose – Recreation District is intended to:
- (a) accommodate a range of indoor and outdoor recreation uses;
 - (b) provide for complementary *uses* located within *buildings* occupied by indoor and outdoor recreation *uses*; and
 - (c) be applied to *parcels* of various sizes with a greater range of *use* intensities.
- (2)** The Special Purpose – Recreation District should not be applied to land dedicated as reserve pursuant to the *Municipal Government Act* or its predecessors.

Permitted Uses

1042 The following *uses* are *permitted uses* in the Special Purpose – Recreation District:

- (a) **Natural Area;**
- (b) **Park;**
- (c) **Park Maintenance Facility – Small;**
- (d) **Power Generation Facility – Small;**
- (e) **Sign – Class A; and** 4P2012
- (f) *deleted* 4P2012
- (g) **Utilities.**

Discretionary Uses

1043 (1) The following *uses* are *discretionary uses* in the Special Purpose – Recreation District:

- (a) **Community Entrance Feature;**
- (b) **Community Recreation Facility;**
- (c) **Food Kiosk;**
- (d) **Indoor Recreation Facility;**
- (e) **Library;**
- (f) **Museum;**
- (g) **Outdoor Café;**
- (h) **Outdoor Recreation Area;**

- (i) **Park Maintenance Facility – Large;**
- (j) **Performing Arts Centre;**
- (k) **Power Generation Facility – Medium;**
- (l) **Protective and Emergency Service;**
- (m) **Service Organization;**
- (n) **Sign – Class B;**
- (o) **Sign – Class C;**
- (p) **Sign – Class D;**
- (q) **Sign – Class E;**
- 71P2008 (q.1) **Sign – Class F;**
- 4P2012 (q.2) **Special Function – Class 2;**
- 13P2013, 38P2013 (r) **Spectator Sports Facility;**
- 33P2019 (r.1) **Urban Agriculture;**
- 14P2010, 38P2013 (s) **Utility Building;**
- 38P2013 (t) **Wind Energy Conversion System – Type 1; and**
- 38P2013 (u) **Wind Energy Conversion System – Type 2.**

67P2008, 39P2010 (2) The following *uses* are **discretionary uses** in the Special Purpose – Recreation District when they occur within a **building** used for an **Indoor Recreation Facility, Library, Museum, Performing Arts Centre or Spectator Sports Facility**:

- (a) **Accessory Liquor Service;**
- (b) **Child Care Service;**
- (c) **Conference and Event Facility;**
- 27P2021 (d) *deleted*
- 27P2021 (e) **Restaurant: Food Service Only;**
- 27P2021 (f) *deleted*
- 27P2021 (g) **Restaurant: Licensed; and**
- 27P2021 (h) *deleted*
- (i) **Retail and Consumer Service.**

67P2008, 39P2010 (3) The following *uses* are **discretionary uses** in the Special Purpose – Recreation District when they occur on a **parcel** used for a **Park**:

- 27P2021 (a) **Restaurant: Food Service Only;**
- 27P2021 (b) **Restaurant: Licensed; and**
- (c) **Retail and Consumer Service.**

- (4) The following *uses* are **discretionary uses** in the Special Purpose – Recreation District when they occur in a *building* approved as a **Community Recreation Facility**: 67P2008
 - (a) **Child Care Service.**
- (5) The following *uses* are **discretionary uses** in the Special Purpose – Recreation District when they occur in a *building* approved as part of an **Outdoor Recreation Area**: 67P2008,
39P2010
 - (a) **Child Care Service**;
 - (b) **Conference and Event Facility**;
 - (c) **Drinking Establishment – Large**;
 - (d) **Drinking Establishment – Medium**;
 - (e) **Drinking Establishment – Small**;
 - (f) **Restaurant: Food Service Only**; 27P2021
 - (g) *deleted* 27P2021
 - (h) *deleted* 27P2021
 - (i) **Restaurant: Licensed**; and 27P2021
 - (j) *deleted* 27P2021
 - (k) *deleted* 27P2021
 - (l) **Retail and Consumer Service.**

Rules

1044 In addition to the rules in this District, all *uses* in this District must comply with:

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

Retail and Consumer Service Restrictions 39P2010

1044.1 Retail and Consumer Service must only operate in conjunction with, and sell products related to, an **Indoor Recreation Facility, Outdoor Recreation Area, Park, Museum, Library or Spectator Sports Facility**.

Use Area

- 1045 (1)** Unless otherwise referenced in subsections (2), there is no *use area* requirement in the Special Purpose – Recreation District.
- (2)** The maximum cumulative *use area* for all: 39P2010
 - (a) **Health Care Services** is 1000.0 square metres; 27P2021
 - (b) **Child Care Services** is 1000.0 square metres.

- 27P2021 (3) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** when they occur within a **building** used for an **Indoor Recreation Facility, Library, Museum, Performing Arts Centre** or **Spectator Sports Facility** is 300.0 square metres.
- 27P2021 (4) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** when they occur on a **parcel** used for a **Park** is 150.0 square metres.

Front Setback Area

1046 The **front setback area** must have a minimum depth of 3.0 metres.

Rear Setback Area

- 1047** (1) Where the **parcel** shares a **rear property line** with a **parcel** designated as:
- (a) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and
 - (b) any other 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 **lane, LRT corridor** or **street**, the **rear setback area** must have a minimum depth of 3.0 metres.

Side Setback Area

- 1048** (1) Where the **parcel** shares a **side property line** with a **parcel** designated as:
- (a) a **residential district**, the **side setback area** must have a minimum depth of 6.0 metres; and
 - (b) any other 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 **lane, LRT corridor**, or **street**, the **side setback area** must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

- 1049** (1) All **setback areas** on a **parcel**, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the **Development Authority**, must be a **soft surfaced landscaped area**.
- (2) Where a **setback area** shares a **property line** with an **LRT corridor, street** or **parcel** designated as a **residential district**, the **setback area** must provide a minimum of:
- (a) 1.0 trees and 2.0 shrubs for every 30.0 square metres; or

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

Additional Landscaping Requirements

- 1050** (1) All areas of a **parcel** must be a **soft surfaced landscaped area** unless specifically allowed by the **Development Authority**.
- (2) Every **building** on a **parcel** must have at least one sidewalk connecting the **public entrance** to a public sidewalk, or in the case where there is no public sidewalk, to the nearest **street**.
- (3) Where a **building** contains more than one **use**, every **use** that has an exterior **public entrance** must either:
- (a) have a sidewalk connecting the **public entrance** to the sidewalk referenced in subsection (2); or
 - (b) have a sidewalk connecting that **public entrance** to a public sidewalk or to the nearest **street**.
- (4) Every **building** on a **parcel** must have at least one sidewalk connecting the parking area to the **public entrances** to the **building**.
- (5) Every sidewalk provided must:
- (a) be a **hard surfaced landscaped area**;
 - (b) be a minimum width of 2.0 metres;
 - (c) have a different surfacing than the surfacing of parking areas on the **parcel**; and
 - (d) be raised above the surface of the parking area when located in a parking area.

Landscaping for Large Parking Area

- 1051** (1) Landscaping is required in a parking area when the total surface area containing the required drive aisles, **motor vehicle parking stalls** and vehicular access for a **development** is equal to or greater than 5000.0 square metres.
- (2) **Landscaped areas** in the parking area:
- (a) must be provided at a ratio of 0.15 square metres for every 1.0 square metres of the total surface area referenced in subsection (1); and

- (b) must be provided as a combination of **hard surfaced landscaped area** and **soft surfaced landscaped area** in the form of islands and strips.
- (3) Islands provided in the parking area must:
- (a) be provided at the beginning and end of every row of **motor vehicle parking stalls**;
 - (b) be provided for every 20 **motor vehicle parking stalls** in a row with no more than 20 stalls between islands;
 - (c) be a minimum area of 12.0 square metres with at least one side of the island being a minimum length of 2.0 metres;
 - (d) provide a minimum of 1.0 trees and 2.0 shrubs; and
 - (e) be surrounded by a concrete curb.
- (4) Strips provided in the parking area must:
- (a) be provided for every four (4) rows of **motor vehicle parking stalls** with no more than four (4) rows between strips;
 - (b) be perpendicular to the **motor vehicle parking stalls** for the full length of the parking stall row;
 - (c) be a minimum depth of 2.0 metres;
 - (d) provide a minimum of 1.0 trees every 15.0 metres of the length of the strip; and
 - (e) be surrounded by a concrete curb.
- (5) If the application of these rules results in an island or a strip being contiguous with a **setback area**, that island or strip is not required at that location on the **parcel**.
- (6) Sidewalks connecting the **public entrance** to a public sidewalk and sidewalks connecting the parking area to the **public entrance** may be included in determining whether the **development** satisfies the requirement of this section.

13P2008

Reductions to Minimum Required Motor Vehicles Parking Stalls

1052 *deleted*

48P2020

Division 8: Special Purpose – University Research Park (S-URP) District

Purpose

1074 The Special Purpose – University Research Park District is intended to:

- (a) accommodate a limited range of **uses** engaged in scientific research, research and development, and technology commercialization in association with the University of Calgary, the Province of Alberta or the Government of Canada; and
- (b) accommodate a limited range of complementary support **uses**.

Permitted Uses

1075 (1) The following **uses** are **permitted uses** in the Special Purpose – University Research Park District:

- (a) **Natural Area;**
- (b) **Park;**
- (c) **Power Generation Facility – Small;**
- (d) **Sign – Class A;** and 4P2012
- (e) *deleted* 4P2012
- (f) **Utilities.**

(2) The following **uses** are **permitted uses** in the Special Purpose – University Research Park District if they are located within existing **buildings**:

- (a) **Health Care Service;** and 27P2021
- (b) **Office.**

Discretionary Uses

1076 (1) **Uses** listed in section 1075(2) are **discretionary uses** if they are located in new **buildings** or new additions to existing **buildings** in the Special Purpose – University Research Park District.

(2) The following **uses** are always **discretionary uses** in the Special Purpose – University Research Park District:

- (a) *deleted* 16P2018
- (b) **Child Care Service;**
- (c) **Convenience Food Store;**
- (d) **Fitness Centre;**
- (e) *deleted* 32P2009
- (f) **Indoor Recreation Facility;**

- 32P2009 (g) *deleted*
- (h) **Information and Service Provider;**
- 32P2009 (i) **Instructional Facility;**
- (j) **Outdoor Café;**
- (k) **Power Generation Facility – Medium;**
- (l) **Protective and Emergency Service;**
- 16P2018 (l.1) **Recyclable Material Drop-Off Depot;**
- 27P2021 (m) **Restaurant: Food Service Only;**
- 27P2021 (n) **Restaurant: Licensed;**
- (o) **Sign – Class B;**
- (p) **Sign – Class C;**
- (q) **Sign – Class D;**
- 32P2009 (r) **Sign – Class E;**
- 32P2009, 38P2013 (r.1) **Specialized Industrial;**
- 33P2019 (r.2) **Urban Agriculture;**
- 38P2013 (s) **Utility Building;**
- 38P2013 (t) **Wind Energy Conversion System – Type 1; and**
- 38P2013 (u) **Wind Energy Conversion System – Type 2.**

Rules

1077 In addition to the rules in this District, all *uses* in this District must comply with:

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

Building Height

1078 The maximum *building height* is 25.0 metres.

27P2021

Use Area

1078.1 The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.

Front Setback Area

1079 The *front setback area* must have a minimum depth of 15.0 metres.

Rear Setback Area

- 1080** (1) Where the *parcel* shares a *rear property line* with a *parcel* designated as:
- (a) a *residential district*, the *rear setback area* must have a minimum depth of 15.0 metres; and
 - (b) any other District, the *rear setback area* must have a minimum depth of 6.0 metres.
- (2) Where the *parcel* shares a rear *property line* with a *street*, the *rear setback area* must have a minimum depth of 15.0 metres.

Side Setback Area

- 1081** (1) Where the *parcel* shares a *side property line* with a *parcel* designated as:
- (a) a *residential district*, the *side setback area* must have a minimum depth of 15.0 metres; and
 - (b) any other District, the *side setback area* must have a minimum depth of 6.0 metres.
- (2) Where the *parcel* shares a *side property line* with a *street*, the *side setback area* must have a minimum depth of 15.0 metres.

Landscaping In Setback Areas

- 1082** (1) All *setback areas* on a *parcel*, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the *Development Authority*, must be a *soft surfaced landscaped area*.
- (2) All *setback areas* must provide a minimum of:
- (a) 1.0 trees and 2.0 shrubs for every 45.0 square metres; or
 - (b) 1.0 trees and 2.0 shrubs for every 60.0 square metres, where irrigation is provided by a *low water irrigation system*.

Employee Area

- 1083** All *developments* must have an outdoor area, for the use of employees, that is a minimum of 10.0 square metres.

Reductions to Minimum Required Motor Vehicle Parking Stalls

1084 *deleted*

48P2020

Garbage

1115 Garbage containers and waste material must be stored inside the *main residential building*.

Recycling Facilities

1116 Recycling facilities must be provided for every **Multi-Residential Development**.

Mechanical Screening

1117 Mechanical systems or equipment located outside of a *building* shall be positioned, camouflaged or screened from view of a *public space*, or from view of a *parcel* designated as a *residential district*, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above *grade*.

27P2021

Visibility Setback

1118 Within a *corner visibility triangle*, *buildings*, *fences*, finished *grade* of a *parcel* and vegetation must not be located between 0.75 metres and 4.60 metres above the lowest elevation of the *street*.

Retaining Walls

- 1119** (1) A *retaining wall* must be less than 1.2 metres in height when measured from the lowest *grade* at any point *adjacent* to the *retaining wall* to the highest *grade* retained by the *retaining wall*.
- (2) A minimum horizontal separation of 1.0 metres must be maintained between *retaining walls* on a *parcel*.

16P2018

Fences

- 1120** The height of a *fence* above *grade* at any point along a *fence* line must not exceed:
- (a) 1.2 metres for that portion of the *fence* extending beyond the foremost portion of all *buildings* on the *parcel*;
 - (b) 2.0 metres for that portion of the *fence* that does not extend beyond the foremost portion of all *buildings* on the *parcel*; and
 - (c) 2.5 metres to the highest point of a gateway provided that the gateway does not exceed more than 2.5 metres in length.

Single detached, Semi-Detached, Duplex Dwellings and Secondary Suites

34P2010, 24P2014

1120.1 Any of the following uses must comply with the rules of the R-CG District that apply to such *development*:

- (a) **Accessory Residential Building** that is not combined with a **Multi-Residential Development**;

- (b) **Backyard Suite;**
- (c) **Duplex Dwelling;**
- (d) **Secondary Suite;**
- (e) **Semi-detached Dwelling; or**
- (f) **Single Detached Dwelling.**

Parcel Access

1121 All *developments* must comply with the Controlled Streets Bylaw.

Division 3: Centre City Multi-Residential High Rise Support Commercial District (CC-MHX)

Purpose

1132 The Centre City Multi-Residential High Rise Support Commercial 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; and
- (f) is primarily residential with a limited range of *uses* in the Care and Health Group, the Culture and Leisure Group and a limited range of support commercial *uses*, restricted in size and location within the *building*.

Permitted Uses

1133 (1) The following *uses* are *permitted uses* in the Centre City Multi-Residential High Rise Support Commercial 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;**
- (f) **Sign – Class B; and** 4P2012
- (f.1) *deleted* 10P2009,
4P2012
- (g) **Utilities.**

(2) The following *uses* are *permitted uses* in the Centre City Multi-Residential High Rise Support Commercial District if they are within existing approved buildings: 39P2010

- (a) **Artist’s Studio;**
- (b) **Convenience Food Store;**

- 27P2021 (c) *deleted*
- 42P2019,
27P2021 (d) **Fitness Centre;**
- 27P2021 (d.1) **Health Care Service;**
- (d.2) **Information and Service Provider;**
- (e) **Instructional Facility;**
- (f) **Library;**
- 27P2021 (g) *deleted*
- (h) **Office;**
- (i) **Power Generation Facility – Small;**
- (j) **Print Centre;**
- (k) **Retail and Consumer Service;**
- (l) **Service Organization;**
- (m) **Specialty Food Store; and**
- (n) **Take Out Food Service.**
- (3) The following *uses* are *permitted 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) **School Authority – School; and**
- (b) **School Authority Purpose – Minor.**

Discretionary Uses

- 1134 (1) *Uses* listed in subsection 1133(2) are *discretionary uses* if they are located in proposed *buildings* or proposed additions to *buildings* in the Centre City Multi-Residential High Rise Support Commercial District.
- (2) *Uses* listed in subsection 1133(2) are *discretionary uses* if they are proposed in a *building* which, at the time the application is made, had a *use* not listed in this District.
- (3) The following *uses* are *discretionary uses* in the Centre City Multi-Residential High Rise Support Commercial District:
- (a) **Addiction Treatment;**
- (b) **Assisted Living;**
- 25P2018,
27P2021 (b.1) *deleted*
- (c) **Child Care Service;**
- (d) **Community Entrance Feature;**
- 9P2012 (e) **Community Recreation Facility;**

- (f) **Custodial Care;**
 - (g) **Drinking Establishment – Small;**
 - (h) **Dwelling Unit;**
 - (i) **Home Occupation - Class 2;**
 - (j) **Hotel;**
 - (k) **Live Work Unit;**
 - (k.1) *deleted* 28P2016, 25P2018
 - (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;** 27P2021
 - (r) **Restaurant Licensed;** 27P2021
 - (r.1) **Sign – Class C;** 5P2013
 - (s) **Sign – Class D;**
 - (s.1) **Sign – Class E;** 4P2013
 - (t) *deleted* 10P2009
 - (u) **Temporary Residential Sales Centre;** 33P2019
 - (u.1) **Urban Agriculture;** and 33P2019
 - (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**:

- 44P2013
- (a) **Community Recreation Facility**;
 - (b) **Food Kiosk**;
 - (c) **Indoor Recreation Facility**;
 - (d) **Outdoor Recreation Area**;
 - (e) **Park Maintenance Facility - Large**; and
 - (f) **Park Maintenance Facility – Small**.
- 34P2010
- (6) The following **uses** are additional **discretionary uses** in the Centre City Multi-Residential High Rise Support Commercial District if they are located on a **parcel** that is used or was previously used as **Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling**:
- 24P2014
- (a) **Backyard Suite**;
- 24P2014
- (a.1) **Duplex Dwelling**;
 - (b) **Secondary Suite**;
- 24P2014
- (c) *deleted*
- 24P2014
- (d) *deleted*
 - (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
 - (d) 16 Avenue SW.
- (2)** The **building setback** from a **property line** shared with all other **streets** is a minimum of 3.0 metres and a maximum of 6.0 metres.
- (3)** The minimum **building setback** from a **property line** shared with a **lane** or another **parcel** is zero metres.

Floor Plate Restrictions

- 1139** Each floor of a **building** located partially or wholly above 25.0 metres above **grade** has a maximum:
- (a) **floor plate area** of 650.0 square metres; and
 - (b) horizontal dimension of 37.0 metres.

Building Height

- 1140** There is no maximum **building height**.

Landscaping

- 1141** A minimum of 30 per cent of the area of the **parcel** must be a **landscaped area**.

Use Area

- 1142 (1)** Unless otherwise referenced in subsection (3) and (4), the maximum **use area** for **uses** on the ground floor of **buildings** in the Centre City Multi-Residential High Rise Support Commercial District is 300.0 square metres.
- (2)** Unless otherwise referenced in subsection (3), there is no maximum **use area** requirement for **uses** located on upper floors in the Centre City Multi-Residential High Rise Support Commercial District.
- (3)** The total of all **use areas** for **Health Care Service** within a **building** must not exceed 600.0 square metres. 27P2021
- (3.1)** The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres. 27P2021
- (4)** The following **uses** do not have a ground floor **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.**

Location of Uses Within Buildings

27P2021

- 1143 (1) Health Care Service, Instructional Facility – Inside, Office, and Service Organization uses** must not be located on the ground floor of *buildings*.
- (2) “Commercial Uses” and Live Work Units:**
- (a) must be located on the first 2 floors only, with the exception of **Hotel uses**;
 - (b) may be located on the same floor as **Addiction Treatment, Custodial Care, Dwelling Units, Hotel and Residential Care**;
 - (c) must not share an internal hallway with **Addiction Treatment, Custodial Care, Dwelling Units, Hotel and Residential Care**;
 - (d) must have a separate exterior entrance from that of the **Dwelling Units**; and
 - (e) must not be located above any **Dwelling Unit**.
- (3)** Where this section refers to “Commercial Uses”, it refers to the listed *permitted* and *discretionary uses* in section 1133 and 1134, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, Home Occupation - Class 1, Home Occupation - Class 2, Multi-Residential Development, Hotel, Live Work Unit, Place of Worship – Small, Place of Worship – Medium, Protective and Emergency Service, Residential Care and Utility Building uses**.
- (4)** A minimum of 80 per cent of the *gross floor area* of *buildings* in the Centre City Multi-Residential High Rise Support Commercial District must contain **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, Hotel, Live Work Units, Place of Worship – Small, Place of Worship – Medium, Protective and Emergency Service, Residential Care or Utility Building uses**.
- (5) Outdoor Café uses** must:

- (3) Every **building** on a **parcel** must have at least one sidewalk connecting the **public entrance** to a public sidewalk, or in the case where there is no public sidewalk, to the nearest **street**.
- (4) Where a **building** contains more than one **use**, every **use** that has an exterior **public entrance** must either:
 - (a) have a sidewalk connecting the **public entrance** to the sidewalk required by subsection (3); or
 - (b) have a sidewalk connecting that **public entrance** to a public sidewalk.
- (5) Every **building** on a **parcel** must have at least one sidewalk connecting the parking area to the **public entrances** of the **building**.
- (6) Where a sidewalk provided in satisfaction of this section is next to a portion of a **building**, the sidewalk must extend along the entire length of that side of the **building**.
- (7) Every sidewalk provided must:
 - (a) be a **hard surfaced landscaped area**;
 - (b) be a minimum width of 2.0 metres;
 - (c) have different surfacing than the surfacing of the parking areas on the **parcel**; and
 - (d) be raised above the surface of the parking area when located in a parking area.

Residential Amenity Space

- 1151 (1) A **patio** may be located in a **setback area** between a **multi-residential building** and a **property line** shared with a **street**.
- (2) **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.
- (3) The required minimum **amenity space** is 5.0 square metres per **unit**.
- (4) When the **private amenity space** provided is 5.0 square metres or less per **unit**, that specific area will be included to satisfy the **amenity space** requirement.
- (5) When the **private amenity space** exceeds 5.0 square metres per **unit**, only 5.0 square metres per **unit** must be included to satisfy the **amenity space** requirement.
- (6) Where a **patio** is located within 4.0 metres of a **lane** or another **parcel**, it must be **screened**.
- (7) **Private amenity space** must:
 - (a) be in the form of a **balcony**, **deck** or **patio**; and
 - (b) have no minimum dimensions of less than 2.0 metres.

- (8) **Common amenity space:**
- (a) may be provided as **common amenity space – indoors** and as **common amenity space – outdoors**;
 - (b) must be accessible from all the **units**;
 - (c) must have a contiguous area of not less than 50.0 square metres with no dimension less than 6.0 metres;
 - (d) must not be located in a required **setback area**; and
 - (e) may be located at or above **grade**.
- (9) A maximum of 50.0 per cent of the required **amenity space** may be provided as **common amenity space – indoors**.
- (10) **Common amenity space – outdoors:**
- (a) must provide a **balcony, deck** or **patio** and at least one of the following as permanent features:
 - (i) a barbeque; or
 - (ii) seating; and
 - (b) must be used in the calculation of the required **landscaped area** when located below 25 metres above **grade**.

Visibility Setback

1152 **Buildings**, finished **grade** of a **parcel** and vegetation within a **corner visibility triangle** must not be located between 0.75 metres and 4.6 metres above the lowest elevation of the **street**.

Mechanical Screening

27P2021

1153 Mechanical systems or equipment located outside of a **building** shall be positioned, camouflaged or screened from view of a **public space**, or from view of a **parcel** designated as a **residential district**, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above **grade**.

Garbage

1154 Garbage containers and waste material must be stored inside a **building** that contains another approved **use**.

Recycling Facilities

1155 Recycling facilities must be provided for every building containing **Dwelling Units** or **Office uses**.

Screening

1156 When a **parcel** shares a **property line** with a **lane**, or a **parcel** designated as a **residential district**, a **fence** with a maximum height of 2.0 metres must be provided for **screening** along the **property line**.

Division 5: Centre City Mixed Use District (CC-X)

Purpose

1162 The Centre City Mixed Use District:

- (a) is intended to provide for a mix of commercial, residential and a limited range of light industrial *uses* on sites within the Centre City area; 75P2008
- (b) is intended for mixed *uses* that are sensitive to adjacent districts that allow residential *uses*;
- (c) provides intense *development* where intensity is measured by *floor area ratio*;
- (d) provides a *building* form that is street oriented at *grade*; and
- (e) has a maximum base density with the opportunity for a density bonus over and above base density to achieve commercial-residential mixed use, public benefit and amenities within the same community.

Permitted Uses

1163 (1) The following *uses* are *permitted uses* in the Centre City Mixed Use District:

- (a) **Park**;
- (b) **Sign – Class A**;
- (c) **Sign – Class B**;
- (d) **Sign – Class D**; and 4P2012
- (d.1) *deleted* 10P2009, 4P2012
- (e) **Utilities**.

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

- (a) **Accessory Food Service**;
- (b) **Catering Service – Minor**;
- (c) **Convenience Food Store**;
- (d) *deleted* 27P2021
- (e) **Fitness Centre**;
- (f) **Health Care Service**; 27P2021
- (g) **Home Based Child Care – Class 1**;
- (h) **Home Occupation – Class 1**;
- (i) **Information and Service Provider**;
- (j) **Library**;

- 27P2021 (k) *deleted*
- (l) **Office;**
- (m) **Pet Care Service;**
- (n) **Power Generation Facility– Small;**
- (o) **Print Centre;**
- (p) **Protective and Emergency Service;**
- (q) **Radio and Television Studio;**
- 27P2021 (r) *deleted*
- (s) **Retail and Consumer Service;**
- (t) **Service Organization;**
- (u) **Specialty Food Store;**
- (v) **Take Out Food Service;** and
- (w) **Temporary Residential Sales Centre.**

- 27P2021 (3) Unless otherwise stated in subsection 1164(2.1), the following **uses** are **permitted uses** in the Centre City Mixed Use District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
- (a) **Restaurant: Food Service Only.**

Discretionary Uses

1164 (1) **Uses** listed in subsection 1163(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City Mixed Use District.

- 27P2021 (1.1) The following **uses** are **discretionary uses** in the Centre City Mixed Use District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:

(a) **Restaurant: Food Service Only.**

- 27P2021 (1.2) The following **uses** are **discretionary uses** in the Centre City Mixed Use District if they are located in proposed **buildings** or proposed additions to existing **buildings**:

(a) **Restaurant: Food Service Only.**

(2) **Uses** listed in subsection 1163(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.

- 27P2021 (2.1) The following **uses** 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;

(a) **Restaurant: Food Service Only.**

- (3) The following *uses* are *discretionary uses* in the Centre City Mixed Use District: 32P2009
- (a) **Accessory Liquor Service;**
 - (b) **Addiction Treatment;**
 - (c) **Artist's Studio;**
 - (c.1) **Assisted Living;** 24P2011
 - (c.2) **Beverage Container Quick Drop Facility;** 37P2014
 - (d) **Billiard Parlour;**
 - (d.1) **Brewery, Winery and Distillery;** 22P2016
 - (d.2) *deleted* 25P2018, 27P2021
 - (d.3) **Cannabis Store;** 26P2018
 - (e) **Child Care Service;**
 - (f) **Cinema;**
 - (f.1) **Community Recreation Facility;** 2P2012
 - (g) **Computer Games Facility;**
 - (g.1) **Conference and Event Facility;** 46P2019
 - (h) **Custodial Care;**
 - (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;**
 - (r.1) **Kennel;** 46P2019
 - (s) **Liquor Store;**
 - (t) **Live Work Unit;**
 - (t.1) *deleted* 5P2013, 42P2019, 27P2021
 - (t.2) *deleted* 28P2016, 25P2018

- (u) **Multi-Residential Development;**
- (v) **Night Club;**
- (w) **Outdoor Café;**
- (x) **Parking Lot – Grade (Temporary);**
- (y) **Parking Lot – Structure;**
- (z) **Pawn Shop;**
- 43P2015 (z.1) **Payday Loan**
- (aa) **Performing Arts Centre;**
- (bb) **Place of Worship – Small;**
- (cc) **Place of Worship – Medium;**
- (dd) **Post-secondary Learning Institution;**
- (ee) **Residential Care;**
- 27P2021 (ff) *deleted*
- 35P2019, (gg) **Restaurant: Licensed;**
- 27P2021 (hh) *deleted*
- 35P2019, 2P2012, (hh.1) *deleted*
- 27P2021 (hh.2) **School – Private;**
- 35P2019, 16P2018 (hh.3) **School Authority – School;**
- 35P2019 (ii) **Seasonal Sales Area;**
- (jj) **Sign – Class C;**
- (kk) **Sign – Class E;**
- (ll) **Sign – Class F;**
- 30P2011, 4P2013 (ll.1) *deleted*
- (mm) **Social Organization;**
- 4P2012 (nn) **Special Function – Class 2;**
- (oo) **Supermarket;**
- 33P2019 (oo.1) **Urban Agriculture;**
- (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.

Floor Area Ratio

2P2012

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:

35P2019

- (a) 7.0 for the *parcels* SW-14-24-1-5 and Plan 0716155 Area B;

- (b) for *parcels* between the CPR tracks and 11 Avenue and Olympic Way and 6 Street SE:

- (i) 5.0 for *uses* referenced in sections 1163 and 1164; 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**; and

- (c) 5.0 for all other *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*:

- (a) 2 Street SW;
- (b) 3 Street SE;
- (c) 5 Street SE;
- (d) 5 Street SW;
- (e) 6 Street SE;
- (f) 6 Street SW;

2P2012

- (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* where the *use* fronts a commercial street:
- (a) **Catering Service – Minor;**
 - (b) **Community Recreation Facility;**
 - (c) **Health Care Service;**
 - (d) **Indoor Recreation Facility**
 - (e) **Instructional Facility;**
 - (f) **Place of Worship – Small;**
 - (g) **Radio and Television Studio; and**
 - (h) **Service Organization.**

9P2012 ,
32P2009
27P2021

(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**.

32P2020

(4) *deleted*

(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.

32P2009

(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.

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:

16P2018

(a) **Night Club** is 300.0 square metres; and

(b) **Supermarket**, or a **Supermarket** combined with any other **use**, is 5200.0 square metres.

27P2021

(3.1) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 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**.

Motor Vehicle Parking Stall Requirements

38P2009

- 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, and Restaurant: Licensed**; 27P2021
 - (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**; 39P2010
 - (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**: 13P2018
 - (i) a maximum of 100 per cent of the minimum required *motor vehicle parking stalls* may be provided for *developments*; and
 - (ii) the *development authority* may consider a relaxation of the minimum number of required *motor vehicle parking stalls* for *developments* of up to 25 per cent only where:
 - (A) an off-site transportation improvements in lieu of parking fee is paid, calculated at the rate per *motor vehicle parking stall* established

by **Council** in effect at the time the payment is made; and

(B) the rules in section 124 are met.

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) *deleted*
- (e) **Financial Institution**;
- (f) **Fitness Centre**;

27P2021

- 27P2021 (g) **Health Care Service;**
 (h) **Home Based Child Care – Class 1;**
 (i) **Home Occupation – Class 1;**
 (j) **Information and Service Provider;;**
 (k) **Library;**
- 27P2021 (l) *deleted*
 (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;**
- 27P2021 (t) *deleted*
 (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.**
- 27P2021 (3) Unless otherwise stated in subsection 1181(2.1), the following **uses** are **permitted uses** in the Centre City Commercial Corridor District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
- (a) **Restaurant: Food Service Only.**

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.
- 27P2021 (1.1) The following **uses** are **discretionary uses** in the Centre City Commercial Corridor District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:
- (a) **Restaurant: Food Service Only.**

- (1.2) The following **uses** are **discretionary uses** in the Centre City Commercial Corridor District if they are located in proposed **buildings** or proposed additions to existing **buildings**: 27P2021
- (a) **Restaurant: Food Service Only.**
- (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.
- (2.1) The following **uses** 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; 27P2021
- (a) **Restaurant: Food Service Only.**
- (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;**
- (d.1) **Brewery, Winery and Distillery;** 22P2016
- (d.2) *deleted* 25P2018,
27P2021
- (d.3) **Cannabis Store;** 26P2018
- (e) **Child Care Service;**
- (f) **Cinema;**
- (g) **Computer Games Facility;**
- (g.1) **Conference and Event Facility;** 46P2019
- (h) **Custodial Care;**
- (i) **Drinking Establishment – Medium;**
- (j) **Drinking Establishment – Small;**
- (k) **Dwelling Unit;**
- (k.1) **Food Production;** 49P2017
- (l) **Home Occupation – Class 2;**
- (m) **Hotel;**
- (n) **Indoor Recreation Facility;** 32P2009, 9P2012
- (o) **Instructional Facility;**

| | |
|-----------------------------|---|
| 46P2019 | (o.1) Kennel; |
| | (p) Liquor Store; |
| | (q) Live Work Unit; |
| 5P2013, 42P2019, 27P2021 | (q.1) <i>deleted</i> |
| 28P2016, 25P2018 | (q.2) <i>deleted</i> |
| | (r) Outdoor Café; |
| | (s) Parking Lot – Grade; |
| | (t) Parking Lot – Structure; |
| | (u) Pawn Shop; |
| 43P2015 | (u.1) Payday Loan; |
| | (v) Place of Worship – Small; |
| | (w) Post-secondary Learning Institution; |
| | (x) Residential Care; |
| 27P2021 | (y) <i>deleted</i> |
| 27P2021 | (z) Restaurant: Licensed; |
| 27P2021 | (aa) <i>deleted</i> |
| | (bb) Seasonal Sales Area; |
| | (cc) Sign – Class C; |
| | (dd) Sign – Class E; |
| | (ee) Sign – Class F; |
| 30P2011, 4P2013 | (ee.1) <i>deleted;</i> |
| | (ff) Social Organization; |
| 4P2012 | (gg) Special Function – Class 2; |
| 33P2019 | (hh) Supermarket; |
| 33P2019 | (hh.1) Urban Agriculture; 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**.

Building Façade

- 1186** (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 1191 and 1192 will not be included as part of the length of the **property line**.

Vehicle Access

- 1187 (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 the *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

- 1188 (1)** Unless otherwise referenced in subsection (3), the maximum *use area* for *uses* on the ground floor of *buildings* in the Centre City Commercial Corridor 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 Centre City Commercial Corridor 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.
- (3.1)** The maximum *public area* for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.
- (4)** 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 – Small**;
 - (f)** **Protective and Emergency Service**;
 - (g)** **Residential Care**; and
 - (h)** **Utility Building**.

27P2021

Location of Uses within Buildings24P2011, 39P2010,
9P2012, 27P2021

1189 (1) The following *uses* must not be located on the ground floor of *buildings* where the *use* fronts a commercial street:

- (a) **Assisted Living;**
- (b) **Catering Service - Minor;**
- (c) **Child Care Service;**
- (d) **Dwelling Unit;**
- (e) **Health Care Service;**
- (f) **Instructional Facility;**
- (g) **Live Work Unit;**
- (h) **Office;**
- (i) **Place of Worship – Small;**
- (j) **Post-secondary Learning Institution;**
- (k) **Residential Care;**
- (l) **Social Organization;** and
- (m) **Veterinary Clinic.**

(2) “Commercial Uses” and **Live Work Units:**

24P2011

- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care;** and
- (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care.**

(3) Where this section refers to “Commercial Uses”, it refers to the listed permitted and discretionary uses of this District, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, Home Occupation - Class 1, Home Occupation - Class 2, Multi-Residential Development, Hotel, Place of Worship – Small, and Residential Care.**

Front Setback Area

1190 (1) The *front setback area* has no minimum depth requirement and must have a maximum depth of 3.0 metres for *parcels* located on the following *streets*:

- (a) 1 Street SW; and
- (b) 17 Avenue SW.

(2) 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; and
 - (c) 12 Avenue.
- (3) 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) 14 Street SW.
- (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**:
- (a) 13 Avenue SW;
 - (b) 14 Avenue SW;
 - (c) 15 Avenue SW; and
 - (d) 16 Avenue SW.

Rear Setback Area

- 1191 (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**;
 - (b) an **industrial district**, the **rear setback area** must have a minimum depth of 1.2 metres;
 - (c) a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres; and
 - (d) 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**, the **rear setback area** must have a maximum depth of 3.0 metres;
 - (b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential 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 as referenced in section 1190 applies.

Side Setback Area

- 1192 (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*;
 - (b) an *industrial district*, the *side setback area* must have a minimum depth of 1.2 metres;
 - (c) a *residential district*, the *side setback area* must have a minimum depth of 3.0 metres; and
 - (d) 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*, the *side setback area* must have a maximum depth of 3.0 metres;
 - (b) a *lane* that separates the *parcel* from a *parcel* designated as a *residential 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 as referenced in section 1190 applies.

Floor Plate Restrictions

- 1193** Each floor 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 In Setback Areas

- 1194 (1)** Where a *setback area* shares a *property line* with a *street*, the *setback area* must be a *hard surfaced 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 **soft surfaced landscaped area**;
 - (b) may have a sidewalk along the length of the **building**; and
 - (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres where irrigation is provided by a **low water irrigation system**.
- (5) Where a **setback area** shares a **property line** with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district** and there is no access from the **lane**, the **setback area**:
- (a) must be a **soft surfaced landscaped area**;
 - (b) may have a sidewalk along the length of the **building**; and
 - (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres where irrigation is provided by a **low water irrigation system**.

Parking

38P2009

1194.1 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.

Motor Vehicle Parking Stall Requirements

1233 (1) Except as otherwise provided in a district, for **development** containing **Dwelling Units** or **Live Work Units**, the minimum **motor vehicle parking stall** requirement:

- (a) for each **Dwelling Unit** or **Live Work Unit** is 0.75 stalls for resident parking;
- (b) for each **Dwelling Unit** is 0.1 **visitor parking stalls** per **unit**, and
- (c) for each **Live Work Unit** is 0.5 **visitor parking stalls** per **unit**.

(2) Except as otherwise provided in a district, for **development** on **parcels** 0.4 hectares or less, the minimum **motor vehicle parking** stall requirement:

- (a) for an **Office**, when located on floors above the ground floor is:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
 - (ii) the cumulative number of stalls referenced in subsection (i) must be reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;

(b) for a **Computer Games Facility, Convenience Food Store, Drinking Establishment – Medium, Drinking Establishment – Small, Information and Service Provider, Liquor Store, Outdoor Café, Pet Care Service, Print Centre, Restaurant: Food Service Only, Restaurant: Licensed** or **Retail and Consumer Service** when located on the ground floor of a **building** is:

27P2021

- (i) 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; or
- (ii) 0.0 **motor vehicle parking stalls** where:
 - (A) the **building** contains a **Dwelling Unit, Hotel, Live Work Unit**, or **Office** above the ground floor; or
 - (B) the **use area** of a **use** on the ground floor is 465.0 square metres or less; and

(c) for all other **uses** is the requirement referenced in Part 4.

- (3) Except as otherwise provided in a district, for **development on parcels** greater than 0.4 hectares, the minimum **motor vehicle parking stall** requirement:
- (a) for an **Office**, when located on floors above the ground floor, is:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
 - (ii) the cumulative number of stalls referenced in subsection (i) must be reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
 - (b) for a **Retail and Consumer Service** is 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
 - (c) for a **Computer Games Facility, Convenience Food Store, Drinking Establishment – Medium, Drinking Establishment – Small, Information and Service Provider, Liquor Store, Outdoor Café, Restaurant: Food Service Only, Restaurant: Licensed** or **Retail and Consumer Service** when located on the ground floor of a **building** is:
 - (i) 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; or
 - (ii) 0.0 **motor vehicle parking stalls** where:
 - (A) the building contains a **Dwelling Unit, Hotel, or Office** above the ground floor; or
 - (B) the **use area** of a **use** on the ground floor is 465.0 square metres or less; and
 - (d) for all other **uses** is 3.5 stalls per 100.0 square metres of **gross usable floor area**.

27P2021

Additional Motor Vehicle Parking Stall Requirements

- 1234 (1)** **Motor vehicle parking stalls** and **loading stalls** must not be located between a **building** and a **street**.
- (2)** A **Parking Lot – Grade** may only be allowed for short-stay parking of not more than four consecutive hours.

13P2017

1235 *deleted*

Required Bicycle Parking Stalls

- 1236 (1)** The minimum number of *bicycle parking stalls – class 1* for:
- (a) each **Dwelling Unit** and **Live Work Unit** is:
 - (i) no requirement where the number of *units* is less than 20.0; and
 - (ii) 0.5 stalls per *unit* where the total number of *units* is 20.0 or more; and
 - (b) all other *uses* is the minimum requirement referenced in Part 4.
- (2)** There is no requirement for *bicycle parking stalls – class 2* for any *use*.

Sunlight Preservation

- 1237 (1)** The following sunlight protection areas must not be placed in greater shadow by a *development* as measured on September 21, at the times and locations indicated for each area, than were already existing or approved on the date the *development permit* was applied for:
- (a) The Riverbank as measured 20.0 metres wide throughout abutting the top of the south bank of the Bow River, from 10:00 a.m. to 4:00 p.m., Mountain Daylight Time; and
 - (b) Fort Calgary as measured from the road right of way abutting 6 Street SE to 40.0 metres into the park from 10:00 a.m. to 3:00 p.m. Mountain Daylight Time and as measured from the road right of way abutting 9 Avenue SE to 20.0 metres into the park from 10:00 a.m. to 4:00 p.m. Mountain Daylight Time.

Visibility Setback

- 1238** *Buildings*, finished *grade* of a *parcel* and vegetation within a *corner visibility triangle* must not be located between 0.75 metres and 4.6 metres above the lowest elevation of the *street*.

Mechanical Screening

- 1239** Mechanical systems or equipment located outside of a *building* shall be positioned, camouflaged or screened from view of a *public space*, or from view of a *parcel* designated as a *residential district*, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above *grade*.

27P2021

Garbage

- 1240** Garbage containers and waste material must be stored inside a *building* that contains another approved *use*.

Recycling Facilities

1241 Recycling facilities must be provided for every *building* containing **Dwelling Units** or **Office uses**.

Storage of Goods, Materials and Supplies

1242 All goods, materials and supplies associated with a *use* must be contained within a *building*.

Division 2: Centre City East Village Transition District (CC-ET)

Purpose

1243 The Centre City East Village Transition District is intended to provide for:

- (a) an important transition between the higher **density** commercial and **Office uses** of the downtown core and the more residential character of East Village;
- (b) a mix of **uses** within the transition zone between Downtown and East Village;
- (c) **development** of higher **density** and larger **building** massing than the rest of the East Village Districts;
- (d) a greater variety of **Office**, discretionary commercial, institutional and residential **uses**; and
- (e) a **building** form that is **street** oriented at **grade**.

Permitted Uses

1244 (1) The following **uses** are **permitted uses** in the Centre City East Village Transition 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
- (g) **Utilities.**

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

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

- 27P2021
- (j) **Pet Care Service;**
 - (k) **Power Generation Facility – Small;**
 - (l) **Print Centre;**
 - (m) **Radio and Television Studio;**
 - (n) *deleted*
 - (o) **Retail and Consumer Service;**
 - (p) **Specialty Food Store;** and
 - (q) **Take Out Food Service.**
- 27P2021
- (3) The following **uses** are **permitted uses** in the Centre City East Village Transition District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
- (a) **Restaurant: Food Service Only.**

Discretionary Uses

- 1245 (1) The following **uses** are **discretionary uses** in the Centre City East Village Transition 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 1244(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Transition District.
- 27P2021
- (2.1) The following **uses** are **discretionary uses** in the Centre City East Village Transition District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:
- (a) **Restaurant: Food Service Only.**
- 27P2021
- (2.2) The following **uses** are **discretionary uses** in the Centre City East Village Transition District if they are located in proposed **buildings** or proposed additions to existing **buildings**:
- (a) **Restaurant: Food Service Only.**
- (3) The following **uses** are **discretionary uses** in the Centre City East Village Transition District:
- (a) **Amusement Arcade;**
 - (b) **Artist’s Studio;**
 - (c) **Assisted Living;**
 - (d) **Billiard Parlour;**
 - (e) **Brewery, Winery and Distillery;**
 - (e.1) *deleted*
- 25P2018,
27P2021

| | | |
|-------|---|---------|
| (e.2) | Cannabis Store; | 26P2018 |
| (f) | Child Care Service; | |
| (g) | Cinema; | |
| (h) | Community Entrance Feature; | |
| (i) | Community Recreation Facility; | |
| (j) | Computer Games Facility; | |
| (k) | Conference and Event Facility; | |
| (l) | <i>deleted</i> | 27P2021 |
| (m) | Drinking Establishment – Large; | |
| (n) | Drinking Establishment – Medium; | |
| (o) | Drinking Establishment – Small; | |
| (p) | Dwelling Unit; | |
| (q) | Food Kiosk; | |
| (q.1) | Food Production; | 49P2017 |
| (r) | General Industrial – Light; | |
| (s) | Health Care Service; | 27P2021 |
| (t) | Home Occupation – Class 2; | |
| (u) | Hotel; | |
| (v) | Indoor Recreation Facility; | |
| (v.1) | Kennel; | 46P2019 |
| (w) | Library; | |
| (x) | Liquor Store; | |
| (y) | Live Work Unit; | |
| (z) | <i>deleted</i> | 27P2021 |
| (aa) | <i>deleted</i> | 42P2019 |
| (bb) | <i>deleted</i> | 27P2021 |
| (cc) | <i>deleted</i> | 25P2018 |
| (dd) | Office; | |
| (ee) | Outdoor Café; | |
| (ff) | Parking Lot – Grade (temporary); | |
| (gg) | Parking Lot – Structure; | |
| (hh) | Performing Arts Centre; | |
| (ii) | Place of Worship – Small; | |

- (jj) **Post-secondary Learning Institution;**
- (kk) **Residential Care;**
- 27P2021 (ll) *deleted*
- 27P2021 (mm) *deleted*
- 27P2021 (nn) **Restaurant: Licensed;**
- 27P2021 (oo) *deleted*
- 27P2021 (pp) *deleted*
- 27P2021, 46P2019, 27P2021 (pp.1) *deleted*
- (qq) **School – Private;**
- (rr) **School Authority – School;**
- (ss) **Seasonal Sales Area;**
- (tt) **Service Organization;**
- (uu) **Sign – Class B;**
- (vv) **Sign – Class C;**
- (ww) **Sign – Class D;**
- (xx) **Sign – Class E;**
- (yy) **Social Organization;**
- (zz) **Special Function – Class 2;**
- (aaa) **Supermarket;**
- 33P2019 (aaa.1) **Urban Agriculture;**
- (bbb) **Utility Building; and**
- (ccc) **Veterinary Clinic.**

Rules

1246 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

1247 (1) The maximum *floor area ratio* is 7.0.

(2) In this section, for the purpose of calculating *floor area ratio*:

- (a) the **gross floor area** for the following **uses** must be excluded from the calculation to a maximum cumulative **floor area ratio** of 1.0:
- (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) **Place of Worship – Small;**
 - (ix) **Protective and Emergency Service;**
 - (x) **School – Private;**
 - (xi) **School Authority – School;**
 - (xii) **Service Organization;**
 - (xiii) **Social Organization;** and
 - (xiv) **Utilities;** and
- (b) the following must be excluded from the calculation of **floor area ratio**:
- (i) the total **gross floor area** of a **Post-secondary Learning Institution**, to a maximum of 3.0 **floor area ratio**; and
 - (ii) the total **gross floor area** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* to a maximum of 3.0 **floor area ratio**.

Use Area

- 1248 (1)** Unless otherwise referenced in subsections (2), (3), (4) and (5), the maximum **use area** for **uses** on the ground floor of a **building** is 1200.0 square metres.
- (2)** The maximum **use area** for **uses** on the ground floor is 465.0 square metres for the following **uses**:
- (a) **Drinking Establishment – Large;**
 - (b) **Restaurant: Food Service Only;** and
 - (c) **Restaurant: Licensed.**

27P2021

27P2021

- 27P2021 (3) The maximum *use area* for *uses* on the ground floor of a *building* is 200.0 square metres for the following *uses*:
- 27P2021 (a) **Health Care Service**; and
- (b) *deleted*
- (4) There is no maximum *use area* requirement for the following *uses*:
- (a) **Supermarket**; and
- (b) **Retail and Consumer Service.**
- (5) There is no maximum *use area* for *uses* located within *buildings* designated as a Municipal Historic Resource pursuant to the *Historical Resources Act*.

Motor Vehicle Parking Stalls

- 1249 (1) The following *uses* do not require *motor vehicle parking stalls*:
- 27P2021 (a) **Cinema**;
- 27P2021 (b) **Drinking Establishment – Large**;
- 27P2021 (c) **Drinking Establishment – Medium**;
- 27P2021 (d) **Drinking Establishment – Small**;
- 27P2021 (e) **Restaurant: Food Service Only**;
- 27P2021 (f) *deleted*
- 27P2021 (g) *deleted*
- 27P2021 (h) **Restaurant: Licensed**; and
- 27P2021 (i) *deleted*
- 27P2021 (j) *deleted*
- 27P2021 (k) *deleted*
- (l) **Performing Arts Centre.**
- (2) The minimum number of required *motor vehicle parking stalls* for **Office** is 1.0 stall per 150.0 square metres of *gross usable floor area*.
- (3) For **Dwelling Units** or **Live Work Units**:
- (a) the minimum *motor vehicle parking stall* requirement is 0.5 stalls per *unit*;
- (b) the maximum *motor vehicle parking stall* that may be provided is 1.0 stalls per *unit*; and

- (c) the **visitor parking stall** requirement is 0.1 stall per **unit**.
- (4) For all other **uses** is the requirement referenced in Part 4.

Restricted Parking Area

1250 The **development authority** may consider a relaxation of the minimum number of required **motor vehicle parking stalls** referenced in Section 1249 for **developments** within the Restricted Parking Area illustrated on Map 13, of up to 50 per cent only where:

13P2018

- (a) the relaxation is for **uses** other than **Assisted Living, Dwelling Unit or Live Work Units**, including associated visitor parking, and parking required for **Hotel** guest rooms;
- (b) an off-site transportation improvements in lieu of parking fee is paid, calculated at the rate per **motor vehicle parking stall** established by **Council** in effect at the time the payment is made; and
- (c) the rules in section 124 are met.

Short Stay Parking Stalls

1251 (1) The number of **motor vehicle parking stalls** allowed for in Section 1249 or 1250, whichever applies, may be increased to provide **parking area – short stay** stalls under one of the following options when the **parcel** is located in an area identified in Map 14:

- (a) up to a total of 10.0 additional **motor vehicle parking stalls** where such stalls are:
 - (i) located in a portion of the **development** approved for use as a **parking area – short stay**;
 - (ii) included in a parking area which is operated as part of a **scramble parking** arrangement that is open to the public; and
 - (iii) prominently signed at the **street** level indicating the availability and conditions of **use** of such stalls; or
- (b) more than 10.0 additional **motor vehicle parking stalls**, to a maximum of 25.0 per cent of the number of stalls required in section 1249 or 125.0 stalls, whichever is less, where such stalls are:
 - (i) located in a portion of the **development** approved for use as a **parking area – short stay**;
 - (ii) identified through appropriate signage, as **parking area – short stay** stalls;
 - (iii) prominently signed at the **street** level indicating the availability and conditions of **use** of such stalls; and

- (iv) adjacent to a road network that the **Development Authority** has determined is capable of handling the added vehicle movements associated with the additional stalls.
- (2) When approving a **development permit** incorporating **parking area – short stay** stalls provided for in subsection (1)(b), the **Development Authority** must impose conditions, including, but not limited to, requiring the applicant to enter into a Special Development Agreement with The City which must include provision for:
- (a) the mechanism by which the **development** will be managed to ensure the operation of stalls as **parking area – short stay** stalls available to the public, at minimum, from 7.00 a.m. until 11:00 p.m. Mountain Standard Time seven days a week; and
 - (b) an operating arrangement with the Calgary Parking Authority for the purpose of ensuring unrestricted public access to the stalls and establishing a mechanism to monitor and enforce the operation of the stalls as **parking area – short stay**.

Parking Stall Transfer from Municipal Historic Resource Sites

- 1252 (1) A **transferring parcel** within the Restricted Parking Area as identified in Map 13 may transfer to a **receiving parcel** in the Restricted Parking Area **motor vehicle parking stalls** which have not already been provided on the **transferring parcel**, where:
- (a) the **transferring parcel** is designated as a Municipal Historic Resource pursuant to the Historical Resources Act by a Bylaw approved by **Council**;
 - (b) the additional stalls being transferred do not exceed 20.0 per cent of the number of stalls the **development** is allowed on the **receiving parcel** in Section 1249; and
 - (c) the additional stalls provided on the **receiving parcel** are adjacent to a road network that the **Development Authority** has determined is capable of handling the added vehicle movements associated with the additional stalls.
- (2) A maximum of 100.0 per cent of the potential **motor vehicle parking stalls** available on the **transferring parcel**, as determined in Section 1252(4), may be transferred to a **receiving parcel**.
- (3) **Motor vehicle parking stalls** transferred to a **receiving parcel** under this section must not be provided on the **transferring parcel**.
- (4) The number of **motor vehicle parking stalls** which may be transferred to a **receiving parcel** in accordance with subsection (1) is determined by:

-
- (a) calculating the amount of **gross usable floor area** that could be built on the **transferring parcel** designated as Municipal Historic Resource at a **floor area ratio** of 7.0;
 - (b) using the **gross usable floor area** in subsection (a), calculate the potential number of **motor vehicle parking stalls** on the **transferring parcel** at a rate of 0.7 stalls per 100 square metres of **gross usable floor area**;
 - (c) using the potential number of **motor vehicle parking stalls** in subsection (b), apply one of the following percentages based on the categorization of the **transferring parcel** on the **City's** Inventory of Evaluated Historic Resources;
 - (i) City-Wide Historic Resource – 50.0 per cent;
 - (ii) Community Historic Resource – 25.0 per cent; and
 - (d) subtracting from the resulting number of **motor vehicle parking stalls** in subsection (b) the number of **motor vehicle parking stalls** that currently exist on the **transferring parcel**.

Division 3: Centre City East Village Integrated Residential District (CC-EIR)

Purpose

1253 The Centre City East Village Integrated Residential District is intended to provide for:

- (a) a mixed *use* area that integrates residential *uses* with a broad range of commercial, cultural and entertainment *uses*;
- (b) commercial *uses* located on the ground floor; and
- (c) a *building* form that is *street* oriented at *grade*.

Permitted Uses

1254 (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**
- (g) **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*:

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Convenience Food Store;**
- (d) **Financial Institution;**
- (e) **Fitness Centre;**
- (f) **Information and Service Provider;**
- (g) **Instructional Facility;**
- (h) **Museum;**
- (i) **Pet Care Service;**
- (j) **Power Generation Facility – Small;**
- (k) **Print Centre;**
- (l) **Radio and Television Studio;**

- 27P2021 (m) *deleted*
- (n) **Retail and Consumer Service;**
- (o) **Specialty Food Store;** and
- (p) **Take Out Food Service.**
- 27P2021 (3) The following *uses* are **permitted uses** in the Centre City East Village Integrated Residential District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
- (a) **Restaurant: Food Service Only.**

Discretionary Uses

- 1255 (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 1254(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.
- 27P2021 (2.1) The following *uses* are **discretionary uses** in the Centre City East Village Integrated Residential District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:
- (a) **Restaurant: Food Service Only.**
- 27P2021 (2.2) The following *uses* are **discretionary uses** in the Centre City East Village Integrated Residential District if they are located in proposed **buildings** or proposed additions to existing **buildings**:
- (a) **Restaurant: Food Service Only.**
- (3) The following *uses* are **discretionary uses** in the Centre City East Village Integrated Residential District:
- (a) **Amusement Arcade;**
- (b) **Artist’s Studio;**
- (c) **Assisted Living;**
- (d) **Billiard Parlour;**
- (e) **Brewery, Winery and Distillery;**
- 25P2018,
27P2021 (e.1) *deleted*
- 26P2018 (e.2) **Cannabis Store;**
- (f) **Child Care Service;**

- (g) **Cinema;**
- (h) **Community Entrance Feature;**
- (i) **Community Recreation Facility;**
- (j) **Conference and Event Facility;**
- (k) *deleted* 27P2021
- (l) **Dinner Theatre;**
- (m) **Drinking Establishment – Large;**
- (n) **Drinking Establishment – Medium;**
- (o) **Drinking Establishment – Small;**
- (p) **Dwelling Unit;**
- (q) **Food Kiosk;**
- (q.1) **Food Production;** 49P2017
- (r) **Health Care Service;** 27P2021
- (s) **Home Occupation – Class 2;**
- (t) **Hotel;**
- (u) **Indoor Recreation Facility;**
- (v) **Library;**
- (w) **Liquor Store;**
- (x) **Live Work Unit;**
- (y) *deleted* 42P2019,
27P2021
- (z) *deleted* 27P2021
- (aa) *deleted* 25P2018
- (bb) **Night Club;**
- (cc) **Office;**
- (dd) **Outdoor Café;**
- (ee) **Parking Lot – Grade (Temporary);**
- (ff) **Parking Lot – Structure;**
- (gg) **Performing Arts Centre;**
- (hh) **Place of Worship – Small;**
- (ii) **Post-secondary Learning Institution;**
- (jj) **Residential Care;**
- (kk) *deleted* 27P2021

- 27P2021 (ll) *deleted*
- 27P2021 (mm) **Restaurant: Licensed;**
- 27P2021 (nn) *deleted*
- 27P2021 (oo) *deleted*
- 27P2021 (pp) *deleted*
- (qq) **Seasonal Sales Area;**
- (rr) **Service Organization;**
- (ss) **School - Private;**
- (tt) **School Authority – School;**
- (uu) **Sign – Class B;**
- (vv) **Sign – Class C;**
- (ww) **Sign – Class D;**
- (xx) **Sign – Class E;**
- (yy) **Social Organization;**
- (zz) **Special Function – Class 2;**
- 33P2019 (aaa) **Supermarket;**
- 33P2019 (aaa.1) **Urban Agriculture;** and
- (bbb) **Utility Building.**

Rules

1256 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

1257 (1) The maximum *floor area ratio* for development is 7.0.

(2) In this section, for the purpose of calculating *floor area ratio*:

- (a) the following *uses* must be excluded from the calculation to a maximum cumulative *floor area ratio* of 1.0:
 - (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) **Place of Worship – Small;**
 - (ix) **Protective and Emergency Service;**
 - (x) **School – Private;**
 - (xi) **School Authority – School;**
 - (xii) **Service Organization;**
 - (xiii) **Social Organization;** and
 - (xiv) **Utilities;** and
- (b) the following must be excluded from the calculation of **floor area ratio**:
- (i) the total **gross floor area** of a **Post-secondary Learning Institution** to a maximum of 3.0 **floor area ratio**; and
 - (ii) the total **gross floor area** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* to a maximum of 3.0 **floor area ratio**.

Use Area

- 1258 (1)** Unless otherwise referenced in subsection (2) and (3) the maximum **use area** for **uses** on the ground floor of a **building** is 465.0 square metres.
- (2)** The maximum **use area** for **uses** on the ground floor of a **building** is 200.0 square metres for the following **uses**:
- (a) **Health Care Service;** and
 - (b) *deleted*
- (3)** The maximum **use area** of a **Night Club** is 300.0 square metres where located on the ground floor of a **building**.

27P2021

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Division 4: Centre City East Village Mixed Use District (CC-EMU)

Purpose

1259 The Centre City East Village Mixed Use District is intended to provide for:

- (a) a mixed-use area that integrates residential *uses* with a range of commercial *uses*, local services and amenities; and
- (b) a *building* form that is *street* oriented at *grade*.

Permitted Uses

1260 (1) The following *uses* are *permitted uses* in the Centre City East Village Mixed Use 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**
- (g) **Utilities.**

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

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Convenience Food Store;**
- (d) **Financial Institution;**
- (e) **Fitness Centre;**
- (f) **Information and Service Provider;**
- (g) **Instructional Facility;**
- (h) **Museum;**
- (i) **Pet Care Service;**
- (j) **Power Generation Facility – Small;**
- (k) **Print Centre;**
- (l) *deleted*
- (m) **Retail and Consumer Service;**

27P2021

- (n) **Specialty Food Store**; and
- (o) **Take Out Food Service.**

27P2021

- (3) The following **uses** are **permitted uses** in the Centre City East Village Mixed Use District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
 - (a) **Restaurant: Food Service Only.**

Discretionary Uses

- 1261 (1) The following **uses** are **discretionary uses** in the Centre City East Village Mixed Use 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 1260(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Mixed Use District.

27P2021

- (2.1) The following **uses** are **discretionary uses** in the Centre City East Village Mixed Use District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:

- (a) **Restaurant: Food Service Only.**

27P2021

- (2.2) The following **uses** are **discretionary uses** in the Centre City East Village Mixed Use District if they are located in proposed **buildings** or proposed additions to existing **buildings**:

- (a) **Restaurant: Food Service Only.**

- (3) The following **uses** are **discretionary uses** in the Centre City East Village Mixed Use District:

- (a) **Artist's Studio**;
- (b) **Assisted Living**;
- (c) **Brewery, Winery and Distillery**;

25P2018,
27P2021

- (c.1) *deleted*

26P2018

- (c.2) **Cannabis Store**;

- (d) **Child Care Service**;
- (e) **Community Entrance Feature**;
- (f) **Community Recreation Facility**;

27P2021

- (g) *deleted*
- (h) **Drinking Establishment – Medium**;
- (i) **Drinking Establishment – Small**;
- (j) **Dwelling Unit**;

| | | |
|--------|---|---------------------|
| (j.1) | Food Production; | 49P2017 |
| (k) | Home Occupation – Class 2; | |
| (l) | Hotel; | |
| (m) | Indoor Recreation Facility; | |
| (m.1) | Kennel; | 46P2019 |
| (n) | Liquor Store; | |
| (o) | Live Work Unit; | |
| (p) | <i>deleted</i> | 42P2019, 27P2021 |
| (q) | <i>deleted</i> | 27P2021 |
| (r) | <i>deleted</i> | 25P2018 |
| (s) | Office; | |
| (t) | Outdoor Café; | |
| (u) | Place of Worship – Small; | |
| (v) | Post-secondary Learning Institution; | |
| (w) | Residential Care; | |
| (x) | <i>deleted</i> | 27P2021 |
| (y) | Restaurant: Licensed; | 27P2021 |
| (z) | <i>deleted</i> | 27P2021 |
| (aa) | <i>deleted</i> | 27P2021 |
| (bb) | School – Private; | |
| (cc) | School Authority – School; | |
| (dd) | Seasonal Sales Area; | |
| (ee) | Service Organization; | |
| (ff) | Sign – Class B; | |
| (gg) | Sign – Class C; | |
| (hh) | Sign – Class D; | |
| (ii) | Sign – Class E; | |
| (jj) | Social Organization; | |
| (kk) | Special Function – Class 2; | |
| (kk.1) | Urban Agriculture; | 33P2019 |
| (ll) | Utility Building; and | |
| (mm) | Veterinary Clinic. | |

(4) The following *uses* are additional **discretionary uses** when located within **buildings** designated as a Municipal Historic Resource pursuant to the *Historical Resources Act*:

27P2021

(a) **Restaurant: Food Service Only**; and

27P2021

(b) **Restaurant: Licensed.**

Rules

1262 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

1263 (1) The maximum **floor area ratio** for **development** is 6.65.

(2) In this section, for the purpose of calculating **floor area ratio**:

- (a) the **gross floor area** for the following *uses* must be excluded from the calculation to a maximum cumulative **floor area ratio** of 1.0:
 - (i) **Child Care Service**;
 - (ii) **Community Entrance Feature**;
 - (iii) **Community Recreation Facility**;
 - (iv) **Indoor Recreation Facility**;
 - (v) **Museum**;
 - (vi) **Place of Worship – Small**;
 - (vii) **Post-secondary Learning Institution**;
 - (viii) **Protective and Emergency Service**;
 - (ix) **School – Private**;
 - (x) **School Authority – School**;
 - (xi) **Service Organization**;
 - (xii) **Social Organization**; and
 - (xiii) **Utilities**; and
- (b) the total **gross floor area** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act*, must be excluded from the calculation of **floor area ratio** to a maximum of 3.0 **floor area ratio**.

Use Area

- 1264 (1)** Unless otherwise referenced in subsection (2), the maximum **use area** for **uses** on the ground floor of a **building** is 465.0 square metres.
- (2)** The maximum **use area** for a **Health Care Service** located on the ground floor of a **building** is 200.0 square metres, unless the **use** activities are limited to counselling, in which case the maximum **use area** is 465.0 square metres. 27P2021
- (3)** The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is less than 300.0 square metres. 27P2021

Division 5: Centre City East Village Primarily Residential District (CC-EPR)

Purpose

1265 The Centre City East Village Primarily Residential District is intended to provide for:

- (a) a mainly residential area with a limited range of support commercial *uses* and local amenities;
- (b) commercial *uses* that are developed as part of a comprehensive residential mixed *use development*; and
- (c) a *building* form that is *street* oriented at *grade*.

Permitted Uses

1266 (1) The following *uses* are *permitted uses* in the Centre City East Village Primarily 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**
- (g) **Utilities.**

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

- (a) **Accessory Food Service;**
- (b) **Convenience Food Store;**
- (c) **Financial Institution;**
- (d) **Fitness Centre;**
- (e) **Information and Service Provider;**
- (f) **Pet Care Service;**
- (g) **Power Generation Facility – Small;**
- (h) **Print Centre;**
- (i) **Restaurant: Food Service Only;**
- (j) **Retail and Consumer Service;**

27P2021

- (k) **Specialty Food Store;** and
- (l) **Take Out Food Service.**

Discretionary Uses

1267 (1) The following *uses* are **discretionary uses** in the Centre City East Village Primarily 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 1266(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Primarily Residential District.

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

(a) **Accessory Liquor Service;**

(b) **Artist’s Studio;**

(c) **Assisted Living;**

25P2018,
27P2021

(c.1) *deleted*

26P2018

(c.2) **Cannabis Store;**

(d) **Child Care Service;**

(e) **Community Entrance Feature;**

(f) **Community Recreation Facility;**

27P2021

(g) *deleted*

(h) **Drinking Establishment – Small;**

(i) **Dwelling Unit;**

(j) **Food Kiosk;**

49P2017

(j.1) **Food Production;**

27P2021

(j.2) **Health Care Service;**

(k) **Home Occupation – Class 2;**

(l) **Hotel;**

(m) **Indoor Recreation Facility;**

(n) **Instructional Facility;**

(o) **Liquor Store;**

(p) **Live Work Unit;**

42P2019,
27P2021

(q) *deleted*

27P2021

(r) *deleted*

25P2018

(s) *deleted*

- (t) **Office;**
- (u) **Outdoor Café;**
- (v) **Outdoor Recreation Area;**
- (w) **Place of Worship – Small;**
- (x) **Residential Care;**
- (y) **Restaurant: Licensed;** 27P2021
- (z) *deleted* 27P2021
- (aa) **School – Private;**
- (bb) **School Authority – School;**
- (cc) **Seasonal Sales Area;**
- (dd) **Service Organization;**
- (ee) **Sign – Class B;**
- (ff) **Sign – Class C;**
- (gg) **Sign – Class D;**
- (hh) **Sign – Class E;**
- (ii) **Social Organization;**
- (jj) **Special Function – Class 2;** 33P2019
- (jj.1) **Urban Agriculture; and** 33P2019
- (kk) **Utility Building.**

Rules

1268 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

- 1269 (1)** The maximum **floor area ratio** for **development** is 6.65.
- (2)** In this section, for the purpose of calculating **floor area ratio**:
- (a) the **gross floor area** for the following **uses** must be excluded from the calculation to a maximum cumulative **floor area ratio** of 1.0:
 - (i) **Child Care Service;**

- (ii) **Community Recreation Facility;**
 - (iii) **Indoor Recreation Facility;**
 - (iv) **Place of Worship – Small;**
 - (v) **Protective and Emergency Service;**
 - (vi) **School – Private;**
 - (vii) **School Authority – School;**
 - (viii) **Service Organization;**
 - (ix) **Social Organization; and**
 - (x) **Utilities; and**
- (b) the total **gross floor area** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* must be excluded from the calculation of **floor area ratio** to a maximum of 3.0 **floor area ratio**.

Use Area

1270 (1) Unless otherwise referenced in subsection (2), the maximum **use area** for **uses** on the ground floor of a **building** is 465.0 square metres.

27P2021

(2) The maximum **use area** for a **Health Care Service** located on the ground floor of a **building** is 200.0 square metres, unless the **use** activities are limited to counselling, in which case the maximum **use area** is 465.0 square metres.

27P2021

(3) The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.

Division 6: Centre City East Village River Residential District (CC-ERR)

Purpose

1271 The Centre City East Village River Residential District is intended to provide for:

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

Permitted Uses

1272 The following *uses* are *permitted uses* in the Centre City East Village River Residential District:

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

Discretionary Uses

1273 The following *uses* are *discretionary uses* in the Centre City East Village River Residential District:

16P2018

- (a) **Brewery, Winery and Distillery;**
- (b) **Child Care Service;**
- (c) **Community Recreation Facility;**
- (d) **Dwelling Unit;**
- (d.1) **Food Production;**
- (e) **Home Occupation – Class 2;**
- (f) **Hotel;**
- (g) **Indoor Recreation Facility;**

49P2017

- 42P2019,
27P2021 (h) *deleted*
- (i) **Outdoor Café;**
- (j) **Power Generation Facility – Small;**
- 27P2021 (k) **Restaurant: Food Service Only;**
- 27P2021 (l) *deleted*
- 27P2021 (m) **Restaurant: Licensed;**
- 27P2021 (n) *deleted*
- 27P2021 (o) *deleted*
- (p) **Retail and Consumer Service;**
- (q) **Seasonal Sales Area;**
- (r) **Sign – Class B;**
- (s) **Sign – Class C;**
- (t) **Sign – Class D;**
- (u) **Sign – Class E;**
- 33P2019 (v) **Social Organization;**
- 33P2019 (w) **Special Function – Class 2; and**
- 33P2019 (x) **Urban Agriculture.**

Rules

- 16P2018 **1274** 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

- 1275 (1)** The maximum *floor area ratio* is 5.0.
- (2)** In this section, for the purpose of calculating *floor area ratio*:
 - (a) the following *uses* must be excluded from the calculation to a maximum cumulative *floor area ratio* of 1.0:
 - (i) **Child Care Service;**
 - (ii) **Protective and Emergency Service;**

- (iii) **Social Organization**; and
- (iv) **Utilities**; and
- (b) the total **gross floor area** transferred from a designated Municipal Historic Resource pursuant to the Historical Resources Act, must be excluded from the calculation of **floor area ratio** to a maximum of 3.0 **floor area ratio**.

Use Area

- 1276 (1)** The maximum **use area** for **uses** on the ground floor of a **building** is 465.0 square metres.
- (2)** The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.

27P2021

Division 7: Centre City East Village Recreational District (CC-ER)

Purpose

1277 The Centre City East Village Recreational District is intended to be characterized by:

- (a) a multi-use plaza for informal and formal public activities;
- (b) **building** design consistent with the form, character and aesthetic quality of the open space immediately adjacent to the Bow River;
- (c) a small amount of low intensity commercial **uses**; and
- (d) a range of low intensity, seasonal **uses**.

Permitted Uses

1278 The following **uses** are **permitted uses** in the Centre City East Village Recreational District:

- (a) **Park**;
- (b) **Protective and Emergency Service**; and
- (c) **Utilities**.

Discretionary Uses

1279 The following **uses** are **discretionary uses** in the Centre City East Village Recreational District:

- (a) **Community Entrance Feature**;
- (b) **Food Kiosk**;
- (c) *deleted* 27P2021
- (d) **Outdoor Café**;
- (e) **Power Generation Facility – Small**;
- (f) **Restaurant: Food Service Only**; 27P2021
- (g) **Restaurant: Licensed**; 27P2021
- (g.1) **Retail and Consumer Service**; 27P2021
- (h) **Sign – Class A**;
- (i) **Sign – Class B**;
- (j) **Sign – Class D**;
- (k) **Sign – Class E**;
- (l) **Special Function – Class 2**;

- 33P2019 (m) **Take Out Food Service;**
- 33P2019 (m.1) **Urban Agriculture;** and
- (n) **Utility Building.**
- 27P2021 (2) The maximum **use area** for a **Health Care Service** located on the ground floor of a **building** is 200.0 square metres, unless the **use** activities are limited to counselling, in which case the maximum **use area** is 465.0 square metres.

Rules

1280 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.

Building Design

- 16P2018 **1281** The **parcel** located north of 7 Avenue S.E., south of 6 Avenue S.E. and between 4 Street S.E. and Riverfront Lane S.E. is allowed a maximum of one **building** with:
- (a) a maximum **gross floor area** of 100.0 square metres; and
 - (b) a maximum **building height** of 10.0 metres, not to exceed one storey.

Use Area

- 27P2021 **1281.1** The maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.

Use Activities

- 27P2021 **1281.2** **Retail and Consumer Service uses** in this District are limited to the following activities:
- (a) market for the sale of new or used goods and food products, not including live animals, by multiple vendors renting tables or space either in an enclosed building or outdoors.

| | | |
|----------------------------|----------------------------|----------------------------|
| 1282 <i>deleted</i> | 1286 <i>deleted</i> | 1290 <i>deleted</i> |
| 1283 <i>deleted</i> | 1287 <i>deleted</i> | 1291 <i>deleted</i> |
| 1284 <i>deleted</i> | 1288 <i>deleted</i> | 1292 <i>deleted</i> |
| 1285 <i>deleted</i> | 1289 <i>deleted</i> | 1293 <i>deleted</i> |

- (3) Where a **building** contains more than one **use**, every **use** that has an exterior **public entrance** must either:
 - (a) have a sidewalk connecting the **public entrance** to the sidewalk required by subsection (2); or
 - (b) have a sidewalk connecting that **public entrance** to a public sidewalk.
- (4) Where a sidewalk provided in satisfaction of this section, is next to a portion of a **building**, the sidewalk must extend along the entire length of that side of the **building**.
- (5) Every sidewalk provided must:
 - (a) be a **hard surfaced landscaped area**;
 - (b) be a minimum width of 2.0 metres;
 - (c) have different surfacing than the surfacing of the parking areas on the **parcel**; and
 - (d) be raised above the surface of the parking area when located in a parking area.

Residential Amenity Space

- 1298** (1) The required minimum **amenity space** is 5.0 square metres per **unit**.
- (2) **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.
 - (3) When the **private amenity space** provided is 5.0 square metres or less per **unit**, that specific area will be included to satisfy the **amenity space** requirement.
 - (4) When the **private amenity space** exceeds 5.0 square metres per **unit**, only 5.0 square metres per unit may be included to satisfy the **amenity space** requirement.
 - (5) **Private amenity space** must:
 - (a) be in the form of a **balcony**, **deck** or **patio**; and
 - (b) where the **private amenity space** is a **deck** or **patio** have no minimum dimensions of less than 2.0 metres.
 - (6) **Common amenity space**:
 - (a) may be provided as **common amenity space – indoors** and as **common amenity space – outdoors**;
 - (b) must be accessible from all the **units**;
 - (c) must have a contiguous area of not less than 50.0 square metres with no dimension less than 6.0 metres; and
 - (d) may be located at or above **grade**.

- (7) A maximum of 50.0 per cent of the required **amenity space** may be provided as **common amenity space – indoors**.
- (8) **Common amenity space – outdoors** must provide a **balcony, deck** or **patio** and at least one of the following as permanent features:
 - (a) a barbeque; or
 - (b) seating.

Garbage

1299 Garbage containers and waste material must be stored either:

- (a) inside a **building** that contains another approved **use**; or
- (b) in a **screened** garbage container enclosure approved by the **Development Authority**.

Recycling Facilities

1300 Recycling facilities must be provided for every **building**.

Mechanical Screening

27P2021

1301 Mechanical systems or equipment located outside of a **building** shall be positioned, camouflaged or screened from view of a **public space**, or from view of a **parcel** designated as a **residential district**, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above **grade**.

Visibility Setback

1302 **Buildings**, finished **grade** of a **parcel** and vegetation within a **corner visibility triangle** must not be located between 0.75 metres and 4.6 metres above the lowest elevation of the **street**.

Sunlight Protection Areas

1303 The following sunlight protection areas must not be placed in greater shadow by a **development** as measured on September 21, at the times and locations indicated for each area, than were already existing on the date the **development permit** was applied for:

- (a) Stephen (8) Avenue Mall between 2 Street SW and MacLeod Trail SE as measured on the northerly 7.0 metres of the required right-of-way as stated in Part 3 Division 1 from 12:00 p.m. to 2.00 p.m. Mountain Daylight Time;
- (b) Barclay (3 Street SW) Mall as measured on the:
 - (i) westerly 8.0 metres of the required right-of-way as stated in Part 3 Division 1 from 12:30 p.m. to 1:30 p.m. Mountain Daylight Time; and

Division 2: Commercial Residential District (CR20-C20/R20)

Purpose

1305 The Commercial Residential District (CR20-C20/R20) is intended to be characterised by:

16P2018

- (a) **developments** that contribute to the Downtown's role as the predominant destination for business, retail, entertainment and cultural activities in the City;
- (b) a mix of commercial, residential and cultural **uses** within the Downtown;
- (c) intensive high-rise, high-density **developments** where intensity is measured by **floor area ratio**;
- (d) **developments** that are pedestrian-oriented at **grade** and provide a high quality public realm;
- (e) **buildings** that incorporate a mix of **uses**;
- (f) varying maximum base **density** with incentive **density** over and above base **density** to achieve commercial residential mixed use, public benefit and amenities within the same community;
- (g) active, pedestrian focused **uses** on the ground floor and **+15 Skywalk System** level of **buildings**;
- (h) **developments** that promote the preservation and reuse of historic resources.
- (i) the connection of **buildings** to the **+15 Skywalk System**;
- (j) improved and expanded public transportation; and
- (k) **parcels** that are intended to transition **uses** and **building** forms to the surrounding neighbourhoods if they are located in the Transition Area as illustrated in Map 11.

Permitted Uses

1306 (1) The following **uses** are **permitted uses** in the CR20-C20/R20 District:

- (a) **Park**;
- (b) **Protective and Emergency Service**;
- (c) **Sign – Class A**;
- (d) **Sign – Class B**;
- (e) **Sign – Class D**; and
- (f) **Utilities**.

(2) The following **uses** are **permitted uses** in the CR20-C20/R20 District if they are located within existing approved **buildings**:

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Artist's Studio;**
- (d) **Billiard Parlour;**
- (e) **Computer Games Facility;**
- (f) **Convenience Food Store;**
- (g) **Dinner Theatre;**
- (h) **Financial Institution;**
- (i) **Food Kiosk;**
- (j) **Home Occupation – Class 1;**
- (k) **Information and Service Provider;**
- (l) **Library;**
- (m) **Museum;**
- (n) **Office;**
- (o) **Pet Care Service;**
- (p) **Print Centre;**
- (q) *deleted*
- (r) *deleted*
- (s) *deleted*
- (t) **Retail and Consumer Service;**
- (u) **Specialty Food Store;**
- (v) **Supermarket;**
- (w) **Take Out Food Service;** and
- (x) **Veterinary Clinic.**

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27P2021

(2.1) The following **uses** are **permitted uses** in the CR20-C20/R20 District if they are located within existing approved **buildings** and if the **public area** is less than 300.0 square metres:

- (a) **Restaurant: Food Service Only.**

27P2021

(2.2) The following **uses** are **permitted uses** in the CR20-C20/R20 District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:

- (a) **Restaurant: Licensed.**

(3) The following **uses** are **permitted uses** except if they are located on the second floor of an existing approved **building** that contains an existing or approved **+15 Skywalk System walkway**:

- (a) **Catering Service – Minor;**
- (b) *deleted* 27P2021
- (c) **Fitness Centre;**
- (d) **Health Care Service;** 27P2021
- (e) *deleted* 27P2021
- (f) **Power Generation Facility – Small;**
- (g) **Radio and Television Studio;** and
- (h) **Service Organization.**

Discretionary Uses

1307 (1) **Uses** listed in subsections 1306 (2) and (3) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the CR20-C20/R20 District.

(1.1) The following **uses** are **discretionary uses** in the CR20-C20/R20 District if they are located within existing approved **buildings** and if the **public area** is 300.0 square metres or greater: 27P2021

(a) **Restaurant: Food Service Only.**

(1.2) The following **uses** are **discretionary uses** in the CR20-C20/R20 District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres: 27P2021

(a) **Restaurant: Licensed.**

(1.3) The following **uses** are **discretionary uses** in the CR20-C20/R20 District if they are located in proposed **buildings** or proposed additions to existing **buildings**: 27P2021

(a) **Restaurant: Food Service Only;** and

(b) **Restaurant: Licensed.**

(2) **Uses** listed in subsection 1306 (3) are **discretionary uses** in the CR20-C20/R20 District if they are located on the second floor of an existing approved **building** that contains an existing or approved **+15 Skywalk System walkway**.

(3) The following **uses** are **discretionary uses** in the CR20-C20/R20 District:

(a) **Addiction Treatment;**

(b) **Assisted Living;**

(c) **Amusement Arcade;**

- 22P2016
25P2018,
27P2021
- 26P2018
- 49P2017
- 49P2017
- 27P2021
- 28P2016, 25P2018
- 43P2015
- (d) **Auction Market – Other Goods;**
 - (d.1) **Brewery, Winery and Distillery;**
 - (d.2) *deleted*
 - (d.3) **Cannabis Store;**
 - (e) **Child Care Service;**
 - (f) **Cinema;**
 - (g) **Community Recreational Facility;**
 - (h) **Conference and Event Facility;**
 - (i) **Custodial Care;**
 - (j) **Cultural Support;**
 - (k) **Drinking Establishment – Medium;**
 - (l) **Drinking Establishment – Small;**
 - (m) **Dwelling Unit;**
 - (m.1) **Food Production;**
 - (n) **Health Services Laboratory – Without Clients;**
 - (o) **Home Occupation – Class 2;**
 - (p) **Hotel;**
 - (q) **Indoor Recreation Facility;**
 - (r) **Instructional Facility;**
 - (r.1) **Kennel;**
 - (s) **Liquor Store;**
 - (t) **Live Work Unit;**
 - (u) *deleted*
 - (u.1) *deleted*
 - (v) **Night Club;**
 - (w) **Outdoor Café;**
 - (x) **Outdoor Recreation Area;**
 - (y) **Park Maintenance Facility – Small;**
 - (z) **Parking Lot – Structure;**
 - (aa) **Pawn Shop;**
 - (aa.1) **Payday Loan;**
 - (bb) **Performing Arts Centre;**
 - (cc) **Place of Worship – Medium;**
 - (dd) **Place of Worship – Small;**
 - (ee) **Post-Secondary Learning Institution;**

- (ff) **Restaurant: Licensed;** 27P2021
 - (gg) *deleted* 27P2021
 - (hh) **Residential Care;**
 - (ii) **School – Private;**
 - (jj) **School Authority – School;**
 - (kk) **School Authority Purpose – Major;**
 - (ll) **Sign – Class C;**
 - (mm) **Sign – Class E;**
 - (nn) **Sign – Class F;**
 - (oo) **Social Organization;**
 - (pp) **Special Function – Class 2;**
 - (pp.1) **Urban Agriculture;** 33P2019
 - (qq) **Utility Building;**
 - (rr) **Vehicle Rental – Major;**
 - (ss) **Vehicle Rental – Minor; and**
 - (tt) **Vehicle Sales – Minor.**
- (4)** The following *uses* are additional *discretionary uses* in the CR20-C20/R20 District if they were legally existing prior to the *parcel* being designated CR20-C20/R20:
- (a) **Parking Lot – Grade; and**
 - (b) **Place of Worship – Large.**

Transition Area

1308 The following *uses* are additional *discretionary uses* in the CR20-C20/R20 District except where located in the Transition Area as illustrated in Map 11:

- (a) **Drinking Establishment – Large; and**
- (b) **Sign – Class G.**

Map 11: Transition Area



Rules

1309 In addition to the rules in this District, all *uses* in this District must comply with:

- (a) the General Rules for Centre City Downtown Districts referenced in Part 13, 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

1310 The maximum *floor area ratio*:

- (a) is 3.0; and
- (b) may be increased in accordance with the incentive provisions contained in Part 13, Division 3.

Sunlight Preservation Density Transfer

- 1311 (1)** *Parcels* containing a *building* that is affected by the Sunlight Protection Areas rules of section 1303 are deemed, for the purpose of establishing the amount of transferable *density* only, to have a *floor area ratio* equal to the amount that they would have achieved through the provision of incentive amenity items required or approved by the *Development Authority* had those sunlight protection rules not existed.
- (2)** The difference between the *gross floor area* existing on a *parcel* after completion of a new *development* that includes all required or approved incentive amenity items contained in Table 8 and the potential *gross floor area* of the *parcel* may be transferred to other *parcels* in this district.

- (3) The **density** transfer provision of item 8.15 of Table 8 is available only to receiving **parcels** in this district where the redevelopment of the transferring **parcel** has been completed and the requirements of this Bylaw, including the satisfaction of any incentive **density** item requirements contained in Table 8 and the sunlight protection standards of section 1303 have been provided to the satisfaction of the **Development Authority**.

Building Height

1312 There is no maximum **building height**.

Residential Window Separation from the Property Line

- 1313** (1) Windows for **Assisted Living, Dwelling Units** or **Live Work Units**, where they are located in the Transition Area as illustrated on Map 11, must provide a horizontal separation of:
- (a) 9.0 metres from a **property line** shared with another **parcel**;
and
 - (b) 6.0 metres from a **property line** shared with a **lane**.
- (2) In all other cases windows for **Assisted Living, Dwelling Units** or **Live Work Units** must provide a horizontal separation of:
- (a) 7.5 metres from a **property line** shared with another **parcel**;
and
 - (b) 4.5 metres from a **property line** shared with a **lane**.

Floor Plate Restrictions

- 1314** (1) Each floor of a **building** located partially or wholly above 36.0 metres above **grade** and containing **Assisted Living, Dwelling Units, Hotel** suites or **Live Work Units** has a maximum horizontal dimension of 44.0 metres where they are located in the Transition Area as illustrated on Map 11.
- (2) In all other cases each floor of a **building** located partially or wholly above 36.0 metres above **grade** and containing **Assisted Living, Dwelling Units, Hotel** suites or **Live Work Units** has a maximum **floor plate area** of 930.0 square metres.

Ground Floor Height

1315 The minimum height of the ground floor of a **building** is 4.5 metres as measured vertically from the floor to the ceiling.

Use Area

1316 (1) Unless otherwise referenced in this section, the maximum **use area** for **uses** on the ground floor of a **building** is 1200.0 square metres.

- (2) For a **Retail and Consumer Service, Supermarket**, or a **Supermarket** combined with any other *use*, the maximum *use area* on the ground floor of a *building* is 3000.0 square metres.
- (3) The following *uses* do not have a maximum *use area*:
- (a) **Cinema**;
 - (b) **Conference and Event Facility**;
 - (c) **Dinner Theatre**;
 - (d) **Hotel**;
 - (e) **Library**;
 - (f) **Museum**;
 - (g) **Parking Lot - Structure**;
 - (h) **Performing Arts Centre**;
 - (i) **Protective and Emergency Service**; and
 - (j) **Utility Building**.
- (4) Where *parcels* are located in the Transition Area as illustrated on Map 11 , the maximum *use area* of a:
- (a) **Night Club** is 300.0 square metres; and
 - (b) **Financial Institution** where located on the ground floor of a *building* is 465.0 square metres.

Office Gross Floor Area and Location

- 1317 (1)** Where a *building* is located on one or more *parcels* where the cumulative *parcel* area is greater than 1812.0 square metres, the cumulative *gross floor area* of **Office uses** on the ground floor of a *building* must not exceed the greater of:
- (a) 50.0 per cent of the of the *gross floor area* of the ground floor; or
 - (b) 550.0 square metres.
- (2) Where a *parcel* shares a *property line* with the following *streets*, an **Office** may only be located on the ground floor of a *building* where another *use* is located between the **Office** and the shared *property line*:
- (a) Centre Street S between 3 Avenue S and 8 Avenue S;
 - (b) 3 Street SW (Barclay Mall) between 3 Avenue SW and 8 Avenue SW;
 - (c) 7 Avenue SW between Centre Street S and 4 Street SW; and
 - (d) Stephen Avenue Mall Retail Area as identified on Map 11.

Location of Uses within Buildings

- 1318 (1)** The following **uses** must not be located on the ground floor of a **building**: 27P2021
- (a) **Custodial Care**; and
 - (b) **Dwelling Unit**.
- (2)** **Financial Institution** and **Office** may only be located on the ground floor of a **building** where located in the Stephen Avenue Mall Retail Area as illustrated on Map 12 where:
- (a) a bank or office was approved prior to the effective date of this bylaw; and
 - (b) the **building** is listed on the **City** inventory of evaluated historic resources or is designated as a Municipal Historic Resource pursuant to the *Historical Resources Act*. 67P2018
- (3)** The following **uses** must not be located on the second floor where the **building** is connected to the **+15 Skywalk System** and where there is no other **use** located between these uses and the **+15 Skywalk System**:
- (a) **Addiction Treatment**;
 - (b) **Assisted Living**;
 - (c) *deleted* 27P2021
 - (d) **Custodial Care**;
 - (e) **Dwelling Unit**;
 - (f) **Health Care Service**; 27P2021
 - (g) **Live Work Unit**;
 - (h) **Office**;
 - (i) **Place of Worship – Medium**;
 - (j) **Residential Care**;
 - (k) **School – Private**;
 - (l) **School Authority – School**; and
 - (m) **Social Organization**.
- (4)** The **uses** listed in the Residential Group of Schedule A to this Bylaw, with the exception of a **Hotel**, may only share a hallway with any other **use** in the Residential Group of Schedule A to this Bylaw.
- (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 any other *use* in the Residential Group of Schedule A to this Bylaw.

Use Activities

1319 All activities associated with a **Vehicle Rental – Major, Vehicle Rental – Minor** and **Vehicle Sales – Minor**, with the exception of vehicle pick-up and drop-off activities, must be contained within a **building**.

Lobbies at Grade

1320 (1) With the exception of public amenity items in Part 13, Division 3, Table 8, all common corridors, lobbies and entranceways on the ground floor of a **building** must not be greater than:

- (a) 35.0 per cent of the **gross floor area** of the ground floor where:
 - (i) the **development** is located on one or more **parcels** where the cumulative **parcel** area is greater than 1812.0 square metres; and
 - (ii) the **development** is located on a **parcel** that shares a **property line** with any of the following **streets**:
 - (A) 3 Street SW (Barclay Mall) between 3 Avenue SW and 8 Avenue SW;
 - (B) Centre Street S between 3 Avenue S and 8 Avenue S; or
 - (C) 7 Avenue SW between Centre Street S and 4 Street SW; and
- (b) 70.0 per cent of the **gross floor area** of the ground floor in all other cases.

(2) Where a **building** is located within the Stephen Avenue Mall Retail Area, as identified on Map 12, the maximum width of entranceways and lobbies providing access to **uses** above the ground floor is the greater of:

- (a) 15.0 per cent of the length of **property line** shared with 8 Avenue SW; and
- (b) 10.0 metres.

Map 12: Stephen Avenue Mall Retail Area



Street Walls

- 1321 (1)** Where the **building height** within 6.0 metres of a **property line** shared with a **street** is greater than 36.0 metres, the **building** must provide two of the following features, not including **signs**, to distinguish the base of the **building** from the rest of the **building**:
- building** massing;
 - façade articulation;
 - textures;
 - building materials; or
 - a minimum horizontal separation of 3.0 metres from the façade of the podium which is shared with the **street** and portions of the **building** located above the podium.
- (2)** The **building** features in subsection (1) must have:
- a minimum height of 9.0 metres from **grade**; and
 - a maximum height of 24.0 metres from **grade**.

Stephen Avenue Mall – Building Orientation

- 1322** Except for entranceways and vestibules, the maximum **building setback** from 8 Avenue SW between 4 Street SW and MacLeod Trail SE is 0.0 metres.

Stephen Avenue Mall – Building Design

1323 *Buildings* within the *Stephen Avenue Mall heritage area* must:

- (a) retain the heritage character of existing *buildings*; and
- (b) respect the existing heritage character of the area in new *buildings* or additions to existing *buildings* through the use of compatible materials and architectural features.

Landscaping

1324 Except for motor vehicle access, *motor vehicle parking stalls*, *loading stall* and garbage facilities, exterior horizontal surfaces of a *building* must be *landscaped areas* where:

- (a) the *building* contains **Assisted Living, Dwelling Units** or **Live Work Units** located above the horizontal surface; and
- (b) the horizontal surface is less than or equal to 36.0 metres above *grade* and greater than 5.6 square metres in area.

Motor Vehicle Parking Stalls

1325 (1) The minimum number of *motor vehicle parking stalls* established in this section must not be exceeded except where additional stalls are being provided in accordance with sections 1327 and 1328.

(2) For **Assisted Living, Custodial Care**, and **Residential Care** the minimum number of required *motor vehicle parking stalls* is the requirement referenced in Part 4.

(3) For **Dwelling Units** or **Live Work Units**:

- (a) the minimum *motor vehicle parking stall* requirement is 0.5 stalls per *unit*;
- (b) the maximum number of *motor vehicle parking stalls* that may be provided is:
 - (i) 1.0 stalls per *unit* where the *unit's gross floor area* is less than or equal to 125.0 square metres; and
 - (ii) 2.0 stalls per *unit* where the *unit's gross floor area* is greater than 125.0 square metres; and
- (c) the *visitor parking stall* requirement is 0.1 stalls per *unit*.

(4) For a **Hotel**, the minimum number of required *motor vehicle parking stalls* is 1.0 per 3.0 guest rooms.

(5) The following *uses* require a parking study to determine the required minimum number of *motor vehicle parking stalls*, *bicycle parking stalls – class 1* and *bicycle parking stalls – class 2*:

- (a) **Conference and Event Facility**;
- (b) **Indoor Recreation Facility**;

- (c) **Library;**
 - (d) **Museum;**
 - (e) **Performing Arts Centre;**
 - (f) **Post-secondary Learning Institution.**
- (6) Except for **Office, uses** located on the ground floor or second floor of a **building** do not require **motor vehicle parking stalls**. 15P2014
- (7) For all other **uses**, the minimum number of required **motor vehicle parking stalls** is 0.7 per 100.0 square metres of **gross usable floor area**.

Restricted Parking Area

33P2013, 15P2014

- 1326 (1) Unless otherwise referenced in 1325(3) or subsection (2), the minimum and maximum required number of **motor vehicle parking stalls** for **developments** located within the Restricted Parking Area illustrated on Map 13 is the minimum number of **motor vehicle parking stalls** required in section 1325. 13P2018
- (2) The maximum number of **motor vehicle parking stalls** for sites upon which an existing stand-alone parking structure exists, and which existed on October 10, 1984, is the greater of:
- (a) the number of **motor vehicle parking stalls** provided on October 10, 1984, or
 - (b) the number of **motor vehicle parking stalls** in subsection (1).
- (3) The **development authority** may consider a relaxation of the minimum number of required **motor vehicle parking stalls** for **developments** within the Restricted Parking Area illustrated on Map 13, of up to 50 per cent only where: 13P2018
- (a) an off-site transportation improvements in lieu of parking fee is paid, calculated at the rate per **motor vehicle parking stall** established by **Council** in effect at the time the payment is made; and
 - (b) the rules in section 124 are met.
- (4) *deleted* 13P2018
- (5) **Motor vehicle parking stalls** provided in accordance with sections 1327 and 1328 are not subject to the Restricted Parking Area rules.

Map 13: Restricted Parking Area Boundaries**Short Stay Parking Stalls**

1327 (1) The number of *motor vehicle parking stalls* required in sections 1325 or 1326 may be increased to provide *parking area – short stay* stalls under one of the following options when the *parcel* is located in a Short Stay Parking Area identified in Map 14:

- (a) up to a total of 10.0 additional *motor vehicle parking stalls* where such stalls are:
 - (i) located in a portion of the *development* approved for use as a *parking area – short stay*;
 - (ii) included in a parking area which is operated as part of a *scramble parking* arrangement that is open to the public; and
 - (iii) prominently signed at the street level indicating the availability and conditions of use of such stalls; or
- (b) more than 10.0 additional *motor vehicle parking stalls*, to a maximum of 25.0 per cent of the number of stalls required in section 1325 or 125.0 stalls, whichever is less, where such stalls are:
 - (i) located in a portion of the *development* approved for use as a *parking area – short stay*;
 - (ii) identified through appropriate signage, as *parking area - short stay* stalls;
 - (iii) prominently signed at the street level indicating the availability and conditions of use of such stalls; and

| Item No. | Public Amenity Items |
|----------|---|
| 8.0 | <p>ON-SITE PEDESTRIAN AMENITIES</p> <p>On-site pedestrian amenities are spaces at <i>grade</i> and at the +15 Skywalk System level intended and designed to enable pedestrian movement. These amenities entail additional pedestrian space at <i>grade</i> and provisions for the connection to, and implementation of +15 Skywalk System walkways through the <i>development</i>. The diagram in 8.0.5 illustrates a potential implementation of the requirements of 8.0.4.</p> |
| 8.0.1 | <p>The maximum incentive <i>floor area ratio</i> for this item is:</p> <p>(a) a <i>floor area ratio</i> of 12.0 for any <i>use</i> listed in the Residential Group of Schedule A of this Bylaw, with the exception of Hotel where all requirements of 8.0.4 are met; and</p> <p>(b) a <i>floor area ratio</i> of 4.0 for all other uses where the requirements of item 8.0.4 are met.</p> |
| 8.0.2 | <p>Incentive calculation is as follows:</p> <p>Where a <i>development</i> provides on-site pedestrian amenities:</p> <p>(a) the additional <i>floor area ratio</i> is 12.0 where all requirements of items 8.0.4 are met and the <i>use</i> is in the Residential Group of Schedule A of this Bylaw, with the exception of Hotel; and</p> <p>(b) the additional <i>floor area ratio</i> is 4.0 for all other <i>uses</i> where all requirements of 8.0.4 are met.</p> |
| 8.0.3 | <p>The minimum <i>floor area ratio</i> that must be achieved prior to use of this item is none.</p> |
| 8.0.4 | <p>Requirements:</p> <p>On-site pedestrian amenities include the following:</p> <p>(a) at <i>grade</i> pedestrian circulation – public sidewalk setback area where:</p> <p>(i) the portion of a <i>parcel</i> adjacent to a <i>street</i> must be a hard surface landscaped area and:</p> <p>(A) where it is part of an arcade must provide, an unobstructed depth of a minimum of 3.5 metres that does not contain structural elements of a building between <i>grade</i> and the bottom of the <i>storey</i> above; and</p> <p>(B) where it is not part of an arcade, must not contain structural elements of a building between <i>grade</i> and the bottom of the <i>storey</i> above for a minimum depth of 2.2 metres;</p> <p>(b) at <i>grade</i> pedestrian circulation provided within a triangular area formed on a corner <i>parcel</i> by the two property lines, as determined by Table 1, Required Setbacks, and a straight line which intersects them 7.5 metres from where they meet which:</p> |

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- (i) must not contain any **buildings** within 3.0 metres from where they meet;
 - (ii) may only contain pillars and structural supports in areas which are greater than 3.0 metres of where they meet; and
 - (iii) must be a minimum height of 4.6 metres measured vertically from **grade**;
- (c) **+15 Skywalk System** provisions where:
- (i) **+15 Skywalk System** elements for potential connection to the **+15 Skywalk System** on the **parcel** and to adjoining **parcels**:
 - (A) **+15 Skywalk System walkway** with an unobstructed width of 4.5 metres oriented in a manner that provides the greatest opportunity for connection to, and extension of, the **+15 Skywalk System**, as shown on a plan approved by the **Development Authority**;
 - (B) structural supports, at locations indicated on a plan approved by the **Development Authority**, that would allow for possible expansion of the **+15 Skywalk System** by way of a **+15 Skywalk System bridge** which must be incorporated into the overall structure and design of the **building**; and
 - (C) vertical movement opportunities between **grade** and the second **storey** within a **building**, which must include:
 - (I) a publicly accessible elevator; and
 - (II) either a pair of escalators or a staircase with a minimum unobstructed width of 2.0 metres; and
 - (ii) a financial contribution to the **+15 Skywalk System Fund** in accordance with the +15 Policy.

Reduction for Bicycle Supportive Development

1354 The total number of *motor vehicle parking stalls* required by section 1350 for all of the *units* within the *development* is reduced by 0.25 *motor vehicle parking stalls* for each additional *bicycle parking stall – class 1* provided in excess of the number of *bicycle parking stalls – class 1* required in section 1353 to a maximum of 25 per cent of the total number of *motor vehicle parking stalls* required by section 1350 for all of the *units* within the *development*.

Vehicle Access

- 1355** (1) Unless otherwise referenced in subsections (2) and (3), where the *parcel* shares a *rear property line* or *side property line* with a public *lane*, all vehicle access to the *parcel* must be from the public *lane*.
- (2) Where a *parcel* shares a *rear* or *side property line* with a public *lane*, but access from the public *lane* is not physically feasible due to elevation differences between the *parcel* and the public *lane*, vehicle access may be from a *street*.
- (3) *Motor vehicle parking stalls* and *loading stalls* must not be located between a *building* and a *street*.

Accessory Residential Building

- 1356** (1) An **Accessory Residential Building**:
- (a) may have an *amenity space* in the form of a *deck* or a *patio*; and
- (b) must not be located between any *building* and a public *street*.
- (2) The maximum *gross floor area* of an **Accessory Residential Building** is:
- (a) 75.0 square metres, when approved for storage, garbage containers and recycling facilities; and
- (b) 100.0 square metres, when approved and used as a *private garage*.
- (3) The maximum height for an **Accessory Residential Building** is 5.0 metres measured from *grade*.

Objects Prohibited or Restricted

- 1357** (1) A **recreational vehicle** must not remain in an **actual front setback area** for longer than 24 hours.
- (2) A trailer used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste, must not remain in an **actual front setback area**, except while engaged in loading or unloading.
- (3) A **dilapidated vehicle** must not remain outside of a **building**.
- (4) Vehicles may only be parked in the **actual front setback area** when the vehicle is located on a driveway or a **motor vehicle parking stall** that is hard surfaced.

Garbage

- 1358** (1) Garbage containers and waste material must be stored either:
- (a) inside a **building**; or
- (b) in a garbage container enclosure approved by the **Development Authority**.
- (2) A garbage container enclosure must not be located between a **building** and a public **street**.

Recycling Facilities

- 1359** Recycling facilities must be provided for every **development** containing **Dwelling Units**.

Mechanical Screening

- 1360** Mechanical systems or equipment located outside of a **building** shall be positioned, camouflaged or screened from view of a **public space**, or from view of a **parcel** designated as a **residential district**, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above **grade**.

Visibility Setback

- 1361** Within a **corner visibility triangle**, **buildings**, **fences**, finished **grade** of a **parcel** and vegetation must not be located between 0.75 metres and 4.6 metres above the lowest elevation of the **street**.

Fences

- 1362** The height of a **fence** above **grade**, at any point along a **fence** line, must not exceed:
- (a) 1.2 metres for that portion of the **fence** extending beyond the foremost portion of all **buildings** on the **parcel**;

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Division 2: Mixed Use - General (MU-1f#h#d#) District

Purpose

- 1365 (1)** The Mixed Use – General District is intended to:
- (a) be located along commercial *streets* where both residential *uses* and commercial *uses* are supported at *grade* facing the commercial *street*;
 - (b) accommodate a mix of residential and commercial *uses* in the same *building* or in multiple *buildings* throughout an area; and
 - (c) respond to local area context by establishing maximum *building height* for individual *parcels*.
- (2)** The Mixed Use – General District should only be located where a local area plan, or other policy, supports land use and *development* aligned with the purpose statements in subsection (1).

Permitted Uses

- 1366 (1)** The following *uses* are *permitted uses* in the Mixed Use – General District:
- (a) **Accessory Residential Building;**
 - (b) **Home Based Child Care – Class 1;**
 - (c) **Home Occupation – Class 1;**
 - (d) **Park;**
 - (e) **Sign – Class A;**
 - (f) **Sign – Class B;**
 - (g) **Sign – Class D; and**
 - (h) **Utilities.**
- (2)** The following *uses* are *permitted uses* in the Mixed Use – General District if they are located within an existing approved *building*:
- (a) **Accessory Food Service;**
 - (b) **Convenience Food Store;**
 - (c) **Fitness Centre;**
 - (d) **Information and Service Provider;**
 - (e) **Library;**
 - (f) **Pet Care Service;**
 - (g) **Power Generation Facility – Small;**

- 27P2021 (h) **Print Centre;**
- (i) **Protective and Emergency Service;**
- (j) **Radio and Television Studio;**
- 27P2021 (k) *deleted*
- 27P2021 (l) *deleted*
- (m) **Retail and Consumer Service;**
- (n) **Specialty Food Store;** and
- (o) **Take Out Food Service.**
- 27P2021 **(2.1)** The following *uses* are **permitted uses** in the Mixed Use – General District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
- (a) **Restaurant: Food Service Only;** and
- (b) **Restaurant: Licensed.**
- (3)** The following *uses* are **permitted uses** in the Mixed Use – General District if they are located within an existing approved **building** and are not located on the ground floor:
- (a) **Artist’s Studio;**
- (b) **Catering Service – Minor;**
- 27P2021 (c) *deleted*
- (d) **Financial Institution;**
- 27P2021 (e) **Health Care Service;**
- (f) **Instructional Facility;**
- 27P2021 (g) *deleted*
- (h) **Office;**
- (i) **Service Organization;** and
- (j) **Veterinary Clinic.**

Discretionary Uses

1367 (1) *Uses* listed in subsections 1366(2) and (3) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Mixed Use – General District.

- 27P2021 **(1.1)** The following *uses* are **discretionary uses** in the Mixed Use – General District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:
- (a) **Restaurant: Food Service Only;** and
- (b) **Restaurant: Licensed.**

- (1.2) The following **uses** are **discretionary uses** in the Mixed Use – General District if they are located in proposed **buildings** or proposed additions to existing **buildings**: 27P2021
- (a) **Restaurant: Food Service Only**; and
 - (b) **Restaurant: Licensed**.
- (2) **Uses** listed in subsection 1366(3) are **discretionary uses** in the Mixed Use – General District if they are located on the ground floor of an existing approved **building**.
- (3) The following **uses** are **discretionary uses** in the Mixed Use – General District:
- (a) **Accessory Liquor Service**;
 - (b) **Addiction Treatment**;
 - (c) **Assisted Living**;
 - (d) **Brewery, Winery and Distillery**;
 - (d.1) *deleted* 25P2018,
27P2021
 - (d.2) **Cannabis Store**; 26P2018
 - (e) **Child Care Service**;
 - (f) **Community Recreation Facility**;
 - (g) **Computer Games Facility**;
 - (h) **Custodial Care**;
 - (i) **Drinking Establishment – Small**;
 - (j) **Dwelling Unit**;
 - (j.1) **Food Production**; 49P2017
 - (k) **Home Occupation – Class 2**;
 - (l) **Hotel**;
 - (m) **Indoor Recreation Facility**;
 - (m.1) **Kennel**; 46P2019
 - (n) **Liquor Store**;
 - (o) **Live Work Unit**;
 - (p) *deleted* 25P2018, 42P2019,
27P2021
 - (q) *deleted* 25P2018
 - (r) **Outdoor Café**;
 - (s) **Parking Lot – Structure**;
 - (t) **Place of Worship – Medium**;
 - (u) **Place of Worship – Small**;

- 27P2021 (v) **Post-secondary Learning Institution;**
- 27P2021 (w) **Residential Care;**
- 27P2021 (x) *deleted*
- (y) *deleted*
- (z) *deleted*
- (aa) **Seasonal Sales Area;**
- (bb) **Signs – Class C;**
- (cc) **Signs – Class E;**
- (dd) **Social Organization;**
- (ee) **Special Function – Class 2;**
- (ff) **Supermarket;**
- 33P2019 (ff.1) **Urban Agriculture;**
- (gg) **Utility Building;**
- (hh) **Vehicle Rental – Minor;** and
- (ii) **Vehicle Sales – Minor.**

Rules

1368 In addition to the rules in this District, all *uses* in this District must comply with:

- (a) The General Rules for Mixed Use Districts referenced in Part 14, 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

- 1369 (1)** Unless otherwise referenced in subsection (2), there is no maximum *floor area ratio*.
- (2)** The maximum *floor area ratio* for *parcels* designated MU-1 is the number following the letter “f” indicated on the Land Use District Maps.

Density

- 1370 (1)** Unless otherwise referenced in subsection (2), there is no maximum *density*.
- (2)** The maximum *density* for *parcels* designated MU-1 is the number following the letter “d” indicated on the Land Use District Maps, expressed in *units* per hectare.

Building Height

- 1371 (1)** Unless otherwise referenced in subsections (2), (3) and (4), the maximum **building height** is the number following the letter "h" when indicated on the Land Use District Maps.
- (2)** Where the **parcel** shares a **side property line** with a **parcel** designated as a **low density residential district**, M-CG or M-G District the maximum **building height**:
- (a) is 11.0 metres measured from **grade** at the shared **property line**;
 - (b) increases at a 45 degree angle to a depth of 5.0 metres from the shared **property line** or to the number following the letter "h" indicated on the Land Use District Maps, whichever results in the lower **building height**; and
 - (c) increases to the number following the letter "h" indicated on the Land Use District Maps measured from **grade** at a distance greater than 5.0 metres from the shared **property line**.
- (3)** Where the **parcel** shares a **rear property line** with a **parcel** designated as a **low density residential district**, M-CG or M-G District the maximum **building height**:
- (a) is 7.5 metres measured from **grade** at the shared **property line**;
 - (b) increases at a 45 degree angle to a depth of 15.0 metres from the shared **property line** or to the number following the letter "h" indicated on the Land Use District Maps measured from **grade**, whichever results in the lower **building height**; and
 - (c) increases to the number following the letter "h" indicated on the Land Use District Maps measured from **grade** at a distance greater than 15.0 metres from the shared **property line**.
- (4)** Where the **parcel** shares a **property line** with a **lane** that separates the **parcel** from a **parcel** designated as a **low density residential district**, M-CG or M-G District the maximum **building height**:
- (a) is 7.5 metres measured from **grade** at the **property line** that the **parcel** designated as a **low density residential district**, M-CG or M-G District shares with the **lane**;
 - (b) increases at a 45 degree angle to a depth of 11.0 metres from the **property line** shared with the **lane** or to the number following the letter "h" indicated on the Land Use District Maps, whichever results in the lower **building height** measured from **grade**; and

- (c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from **grade** at a distance greater than 11.0 metres from the **property line** shared with the **lane**.

Use Area

27P2021

- 1372 (1)** The maximum **use area** of a **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres.
- (2)** The maximum **public area** for a **Restaurant: Food Service Only** and **Restaurant: Licensed** is 300.0 square metres.

Façade Width for Uses Facing a Street

27P2021

- 1373 (1)** Unless otherwise referenced in subsections (2) and (3), the length of the **building** façade that faces a **street** containing an individual **use** on the floor closest to **grade** is a maximum of 15.0 metres.

- (2)** For an individual **Drinking Establishment – Small, Restaurant: Food Service Only, Restaurant: Licensed, Retail and Consumer Service** or **Supermarket use** located on the floor closest to **grade**, the length of the **building** façade that faces a **street** may be increased to 30.0 metres where all of the other **uses** that share the same façade meet the requirements of subsection (1).

25P2018,
27P2021

- (3)** The length of the **building** façade that faces a **street** containing an individual **Health Care Service, Financial Institution, Office** or **Payday Loan use** on the floor closest to grade is a maximum of 9.0 metres.

Setback Area

- 1374 (1)** Where a **parcel** shares a **property line** with a **parcel** designated as a **low-density residential district**, M-CG or M-G:

- (a) the **rear setback area** must have a minimum depth of 6.0 metres;
- (b) the **side setback area** must have a minimum depth of 3.0 metres;
- (c) in all other cases there is no requirement for a **setback area**.

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

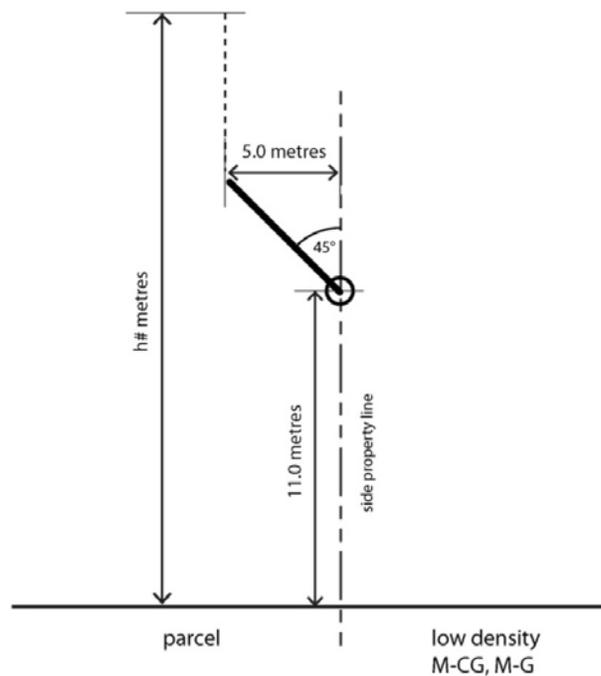
- (a) with a **street** or **LRT corridor** there is no requirement for a **setback area**;
- (b) with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district** or **mixed use district**, the **setback area** must have a minimum depth of 7.5 metres measured from the **property line** that the **adjacent parcel**

designated as a **residential district** or **mixed use district** shares with the **lane**; and

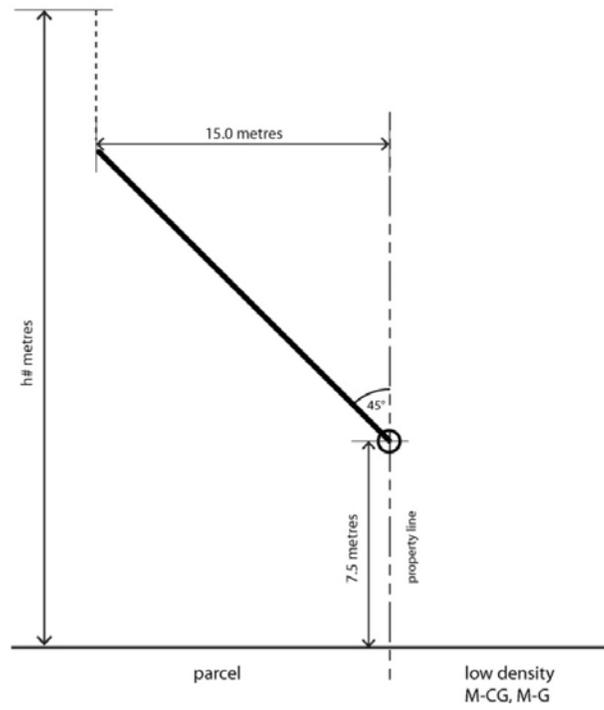
- (c) a **lane** in all other cases, there is no requirement for a **rear setback area**.
- (3) For the **storey** closest to **grade**, the maximum **building setback** from a **property line** shared with a **street** is 4.5 metres for 60 per cent of the length of the **building façade** that faces the **street**.

Illustration 10:
Building Height in the Mixed Use – General (MU-1) District

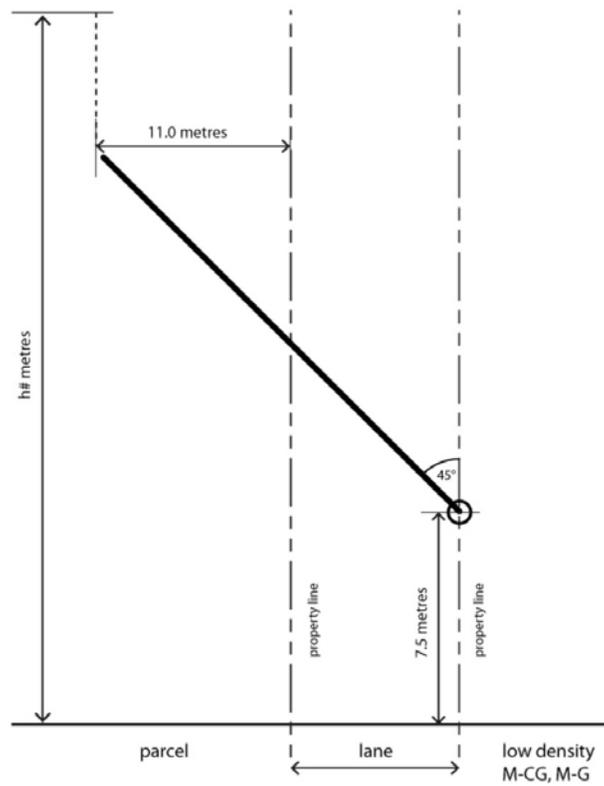
1371 (2) Building Height



1371 (3) Building Height



1371 (4) Building Height



Division 3: Mixed Use – Active Frontage (MU-2f#h#d#) District

Purpose

- 1375 (1)** Mixed Use – Active Frontage is intended to:
- (a) be located along commercial **streets** where active commercial **uses** are required at **grade** to promote activity at the **street** level;
 - (b) promote **developments** with storefronts along a continuous block face on the commercial **street**;
 - (c) accommodate a mix of commercial and residential **uses** in the same **building**;
 - (d) respond to local area context by establishing maximum **building height** for individual **parcels**.
- (2)** The Mixed Use - Active Frontage District should only be located where a local area plan, or other policy, supports land use and **development** aligned with the purpose statements in subsections (1).

Permitted Uses

- 1376 (1)** The following **uses** are **permitted uses** in the Mixed Use – Active Frontage District:
- (a) **Accessory Residential Building**;
 - (b) **Home Based Child Care – Class 1**;
 - (c) **Home Occupation – Class 1**;
 - (d) **Park**;
 - (e) **Sign – Class A**;
 - (f) **Sign – Class B**;
 - (g) **Sign – Class D**; and
 - (h) **Utilities**.
- (2)** The following **uses** are **permitted uses** in the Mixed Use – Active Frontage District if they are located within existing approved **buildings**:
- (a) **Accessory Food Service**;
 - (b) **Convenience Food Store**;
 - (c) **Fitness Centre**;
 - (d) **Information and Service Provider**;
 - (e) **Library**;

- 27P2021 (f) **Pet Care Service;**
- 27P2021 (g) **Power Generation Facility – Small;**
- (h) **Print Centre;**
- (i) **Protective and Emergency Service;**
- (j) **Radio and Television Studio;**
- 27P2021 (k) *deleted*
- 27P2021 (l) *deleted*
- (m) **Retail and Consumer Service;**
- (n) **Specialty Food Store;** and
- (o) **Take Out Food Service.**
- 27P2021 (2.1) The following **uses** are **permitted uses** in the Mixed Use – Active Frontage District if they are located within existing approved **buildings** and if the **public area** is 150.0 square metres or less:
- (a) **Restaurant: Food Service Only;** and
- (b) **Restaurant: Licensed.**
- (3) The following **uses** are **permitted uses** in the Mixed Use – Active Frontage if they are located within an existing approved **building** and are not located on the ground floor:
- (a) **Artist’s Studio;**
- (b) **Catering Service – Minor;**
- 27P2021 (c) *deleted*
- (d) **Financial Institution;**
- 27P2021 (e) **Health Care Service;**
- (f) **Instructional Facility;**
- 27P2021 (g) *deleted*
- (h) **Office;**
- (i) **Service Organization;** and
- (j) **Veterinary Clinic.**

Discretionary Uses

1377 (1) **Uses** listed in subsections 1376(2) and (3) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Mixed Use - Active Frontage District.

- 27P2021 (1.1) The following **uses** are **discretionary uses** in the Mixed Use – Active Frontage District if they are located within existing approved **buildings** and if the **public area** is greater than 150.0 square metres:

- (a) **Restaurant: Food Service Only;** and
 - (b) **Restaurant: Licensed.**
- (1.2) The following **uses** are **discretionary uses** in the Mixed Use – Active Frontage District if they are located in proposed **buildings** or proposed additions to existing **buildings**: 27P2021
- (a) **Restaurant: Food Service Only;** and
 - (b) **Restaurant: Licensed.**
- (2) **Uses** listed in subsection 1376(3) are **discretionary uses** in the Mixed Use – Active Frontage District if they are located on the ground floor of an existing approved **building**.
- (3) The following **uses** are **discretionary uses** in the Mixed Use – Active Frontage District:
- (a) **Accessory Liquor Service;**
 - (b) **Addiction Treatment;**
 - (c) **Amusement Arcade;**
 - (d) **Assisted Living;**
 - (e) **Billiard Parlour;**
 - (f) **Brewery, Winery and Distillery;**
 - (f.1) *deleted* 25P2018,
27P2021
 - (f.2) **Cannabis Store;** 26P2018
 - (g) **Child Care Service;**
 - (h) **Cinema;**
 - (i) **Community Recreation Facility;**
 - (j) **Computer Games Facility;**
 - (k) **Conference and Event Facility;**
 - (l) **Custodial Care;**
 - (m) **Dinner Theatre;**
 - (n) **Drinking Establishment – Medium;**
 - (o) **Drinking Establishment – Small;**
 - (p) **Dwelling Unit;**
 - (p) **Dwelling Unit;**
 - (p.1) **Food Production;** 49P2017
 - (q) **Home Occupation – Class 2;**
 - (r) **Hotel;**
 - (s) **Indoor Recreation Facility;**

- 46P2019 (s.1) **Kennel;**
- (t) **Liquor Store;**
- (u) **Live Work Unit;**
- 42P2019, 27P2021 (v) *deleted*
- 25P2018 (w) *deleted*
- (x) **Museum;**
- (y) **Outdoor Café;**
- (z) **Parking Lot – Structure;**
- (aa) **Pawn Shop;**
- (bb) **Payday Loan;**
- (cc) **Performing Arts Centre;**
- (dd) **Place of Worship – Medium;**
- (ee) **Place of Worship – Small;**
- (ff) **Post-secondary Learning Institution;**
- (gg) **Residential Care;**
- 27P2021 (hh) *deleted*
- 27P2021 (ii) *deleted*
- 27P2021 (jj) *deleted*
- (kk) **Seasonal Sales Area;**
- (ll) **Signs – Class C;**
- (mm) **Signs – Class E;**
- (nn) **Social Organization;**
- (oo) **Special Function – Class 2;**
- (pp) **Supermarket;**
- 33P2019 (pp.1) **Urban Agriculture;**
- (qq) **Utility Building;**
- (rr) **Vehicle Rental – Minor; and**
- (ss) **Vehicle Sales – Minor.**

Rules

1378 In addition to the rules in this District, all *uses* in this District must comply with:

- (a) The General Rules for Mixed Use Districts referenced in Part 14, 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

- 1379** (1) Unless otherwise referenced in subsection (2), there is no maximum *floor area ratio*.
- (2) The maximum *floor area ratio* for *parcels* designated MU-2 is the number following the letter “f” indicated on the Land Use District Maps.

Density

- 1380** (1) Unless otherwise referenced in subsection (2), there is no maximum *density*.
- (2) The maximum *density* for *parcels* designated MU-2 is the number following the letter “d” indicated on the Land Use District Maps, expressed in *units* per hectare.

Building Height

- 1381** (1) Unless otherwise referenced in subsections (2), (3) and (4), the maximum *building height* is the number following the letter “h” when indicated on the Land Use District Maps.
- (2) Where the *parcel* shares a *side property line* with a *parcel* designated as a *low density residential district*, M-CG or M-G District the maximum *building height*:
- (a) is 11.0 metres measured from *grade* at the shared *property line*;
 - (b) increases at a 45 degree angle to a depth of 5.0 metres from the shared *property line* or to the number following the letter “h” indicated on the Land Use District Maps, whichever results in the lower *building height*; and
 - (c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from *grade* at a distance greater than 5.0 metres from the shared *property line*.
- (3) Where the *parcel* shares a *rear property line* with a *parcel* designated as a *low density residential district*, M-CG or M-G District the maximum *building height*:
- (a) is 7.5 metres measured from *grade* at the shared *property line*;
 - (b) increases at a 45 degree angle to a depth of 15.0 metres from the shared *property line* or to the number following the letter

- “h” indicated on the Land Use District Maps measured from **grade**, whichever results in the lower **building height**; and
- (c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from **grade** at a distance greater than 15.0 metres from the shared **property line**.
- (4) Where the **parcel** shares a **property line** with a **lane** that separates the **parcel** from a **parcel** designated as a **low density residential district** or M-CG District the maximum **building height**:
- (a) is 7.5 metres measured from **grade** at the **property line** that the **parcel** designated as a **low density residential district**, M-CG or M-G District shares with the **lane**;
- (b) increases at a 45 degree angle to a depth of 11.0 metres from the **property line** shared with the **lane** or to the number following the letter “h” indicated on the Land Use District Maps, whichever results in the lower **building height** measured from **grade**; and
- (c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from **grade** at a distance greater than 11.0 metres from the **property line** shared with the **lane**.

Use Area

27P2021

- 1382 (1)** The maximum **use area** of a **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other **use**, is 300.0 square metres.
- (2) The maximum **public area** for a **Restaurant: Food Service Only** and **Restaurant: Licensed** is 300.0 square metres.

Location of Uses Within Buildings

1383 The following **uses** must not be located on the ground floor of a **building** facing the commercial **street**:

27P2021

27P2021

- (a) **Addiction Treatment**;
- (b) **Assisted Living**;
- (c) **Catering Service – Minor**;
- (d) *deleted*
- (e) **Custodial Care**;
- (f) **Dwelling Unit**;
- (f.1) **Health Care Service**;
- (g) **Office**;

- (h) **Place of Worship – Medium;**
- (i) **Place of Worship – Small;** and
- (j) **Residential Care.**

Façade Width for Uses Facing a Street

- 1384 (1)** Unless otherwise referenced in subsections (2) and (3), the length of the **building** façade that faces a **street** containing an individual **use** on the floor closest to **grade** is a maximum of 15.0 metres.
- (2)** For an individual **Drinking Establishment – Medium, Drinking Establishment – Small, Restaurant: Food Service Only, Restaurant: Licensed, Retail and Consumer Service** or **Supermarket use** located on the floor closest to **grade**, the length of the **building** façade that faces a **street** may be increased to 30.0 metres where all of the other **uses** that share the same façade meet the requirements of subsection (1).
- (3)** The length of the **building** façade that faces a **street** containing an individual **Health Care Service, Financial Institution, Office** or **Payday Loan use** on the floor closest to **grade** is a maximum of 9.0 metres.

27P2021

25P2018,
27P2021

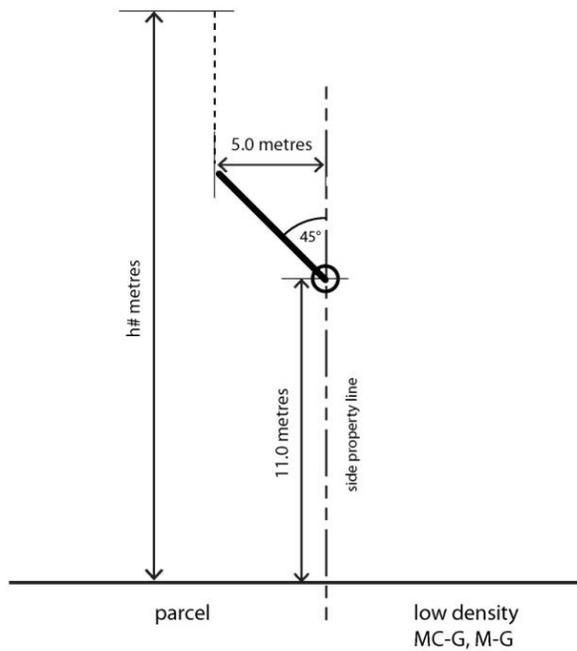
Setback Area

- 1385 (1)** Where a **parcel** shares a **property line** with a **parcel** designated as a **low-density residential district**, M-CG or M-G:
- (a) the **rear setback area** must have a minimum depth of 6.0 metres;
 - (b) the **side setback area** must have a minimum depth of 3.0 metres;
 - (c) in all other cases there is no requirement for a **setback area**.
- (2)** Where a **parcel** shares a **property line**:
- (a) with a **street** or **LRT corridor** there is no requirement for a **setback area**;
 - (b) with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district** or **mixed use district**, the **setback area** must have a minimum depth of 7.5 metres measured from the **property line** that the **adjacent parcel** designated as a **residential district** or **mixed use district** shares with the **lane**; and
 - (c) a **lane** in all other cases, there is no requirement for a **rear setback area**.

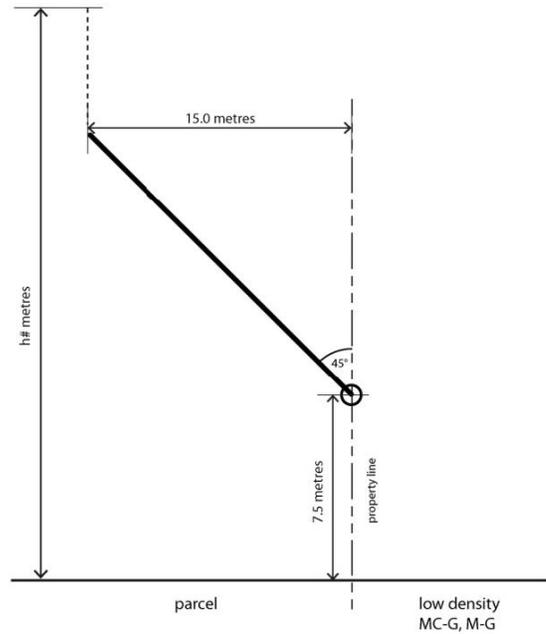
- (3) For the **storey** closest to **grade**, the maximum **building setback** from a **property line** shared with a **street** is 4.5 metres for 60 per cent of the length of the **building** façade that faces the **street**.

Illustration 11:
Building Height in the Mixed Use – Active Frontage (MU-2) District

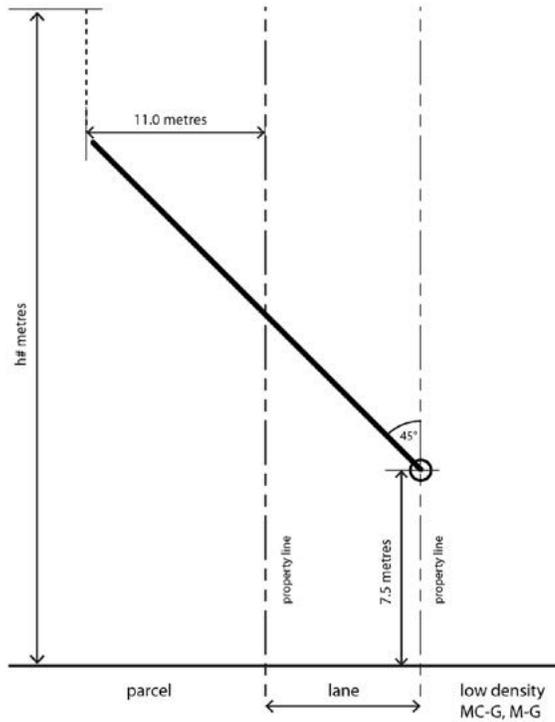
1381 (2) Building Height



1381 (3) Building Height



1381 (4) Building Height



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 Care Service
Hospital
Residential Care

CULTURE AND LEISURE GROUP

Amusement Arcade
Billiard Parlour
Cinema
Community Recreation Facility
Computer Games Facility
Conference and Event Facility
Cultural Support
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
Restaurant: Licensed
Take Out Food Service

GENERAL INDUSTRIAL GROUP

Asphalt, Aggregate and Concrete Plant
Brewery, Winery and Distillery
Cannabis Facility
Dry-cleaning and Fabric Care Plant
Food Production
General Industrial – Heavy
General Industrial – Light
General Industrial – Medium
Printing, Publishing and Distributing
Specialized Industrial

INDUSTRIAL SUPPORT GROUP

Artist's Studio
Beverage Container Quick Drop Facility
Building Supply Centre
Health Services Laboratory – Without Clients
Motion Picture Production Facility
Recyclable Material Drop-Off Depot
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
Wind Energy Conversion System – Type 1
Wind Energy Conversion System – Type 2

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, 38P2013, 7P2014, 24P2014, 5P2015, 22P2016, 28P2016, 4P2017, 49P2017, 16P2018, 25P2018, 42P2019, 27P2021

RESIDENTIAL GROUP

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

SALES GROUP

Auction Market – Other Goods
 Auction Market – Vehicles and
 Equipment
 Cannabis Store
 Convenience Food Store
 Financial Institution
 Information and Service Provider
 Large Vehicle and Equipment Sales
 Liquor Store
 Pawn Shop
 Payday Loan
 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