

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		
21P2011	June 20, 2011	43P2016	November 21, 2016		

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.

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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

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DEVELOPMENT & BUILDING APPROVALS,
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SECTION	PAGE
127 <i>deleted</i>	122
128 <i>deleted</i>	122
129 <i>deleted</i>	122

Division 7: Requirements for Infrastructure Servicing

129.1 Infrastructure Requirements.....	130.1
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PART 4: USES AND USE RULES

Division 1: General Provisions

130 Interpretation	131
131 Identification of Proposed Uses within a Development Permit Application	131
132 Commencement of Development for a Development Permit Authorizing Multiple Uses	132
133 Rules for All Uses	132
134 Uses Not Listed But Allowed in All Districts	132.1
134.1 Deemed Uses.....	132.1
134.2 Pop-up Uses.....	132.3
134.3 Interim Uses	132.5

Division 2: Defined Uses

135 Defined Terms	133
136 Accessory Food Service.....	133
137 Accessory Liquor Service.....	133
138 Accessory Residential Building	134
139 Addiction Treatment	134
140 Adult Mini-Theatre	135
141 Amusement Arcade	135
142 <i>deleted</i>	136
143 <i>deleted</i>	136
144 Artist's Studio	136
145 Asphalt, Aggregate and Concrete Plant	136
146 Assisted Living	137
147 Auction Market – Other Goods.....	138
148 Auction Market – Vehicles and Equipment.....	138
149 Auto Body and Paint Shop	139
150 Auto Service – Major	140
151 Auto Service – Minor	141
152 <i>deleted</i>	142
153 <i>deleted</i>	142
153.1 Backyard Suite	142
154 Bed and Breakfast.....	143
155 <i>deleted</i>	144
155.1 Beverage Container Quick Drop Facility	145
156 Billiard Parlour	146
156.1 Brewery, Winery and Distillery.....	146
157 <i>deleted</i>	148
158 <i>deleted</i>	148
158.1 Building Supply Centre	148

SECTION	PAGE
159 Bulk Fuel Sales Depot.....	149
160 Campground.....	149
160.1 Cannabis Counselling	150
160.2 Cannabis Facility	151
160.3 Cannabis Store.....	152
161 Car Wash – Multi Vehicle	154
162 Car Wash – Single Vehicle.....	154
163 Catering Service – Major.....	155
164 Catering Service – Minor.....	155
165 Child Care Service	156
166 Cinema	156
167 Columbarium	157
168 Community Entrance Feature	157
169 Community Recreation Facility.....	158
170 Computer Games Facility.....	159
170.1 Conference and Event Facility	159
170.2 Contextual Semi-detached Dwelling	160
171 Contextual Single Detached Dwelling	161
172 <i>deleted</i>	161
173 <i>deleted</i>	161
174 Convenience Food Store.....	161
175 Cottage Housing Cluster	162
176 Counselling Service.....	162
177 Crematorium.....	163
177.1 Cultural Support	163
178 Custodial Care.....	164
179 Custodial Quarters	164
180 Dinner Theatre	165
181 Distribution Centre.....	165
182 Drinking Establishment – Large	166
183 Drinking Establishment – Medium.....	167
184 Drinking Establishment – Small.....	168
185 Drive Through.....	169
186 Dry-cleaning and Fabric Care Plant	170
187 Duplex Dwelling.....	171
188 Dwelling Unit	171
189 Emergency Shelter.....	171
190 Equipment Yard	172
191 Extensive Agriculture.....	173
192 Fertilizer Plant	173
193 Financial Institution.....	174
194 Firing Range.....	174
195 Fitness Centre	175
195.1 Fleet Service	175
196 <i>deleted</i>	176
197 <i>deleted</i>	176
198 Food Kiosk	176
198.1 Food Production	176.1
199 Freight Yard	177
200 Funeral Home.....	177

PART 4: USES AND USE RULES

Division 1: General Provisions

Interpretation

32P2009

- 130** (1) Unless otherwise referenced in subsection (7), every definition relating to a **use** is the exclusive definition of that **use**.
- (2) Every **use** is classified as belonging to a group of **uses** as set out in Schedule A to this Bylaw, which is referenced only to compare and contrast related **uses**.
- (3) All subsections and clauses that precede the subsection indicating within which group of **uses** a **use** belongs in Schedule A are part of the definition of that **use** and must not be relaxed in accordance with section 40. All subsections and clauses that follow the **use** classification are rules and may be relaxed at the discretion of the **Development Authority**, in accordance with section 31 or 36, unless this Bylaw specifically provides that it is a rule that must not be relaxed.
- (4) Unless otherwise referenced in subsection (7), the **use** definitions must not be interpreted to include a **development** that clearly falls within another defined **use**.
- (5) Where a **development** is capable of being more than one **use**, the **use** under which the **development** more clearly fits must govern.
- (6) Every definition of a **use** must be read to allow for all things necessary or customary for the **use** and includes ancillary functions, such as, but not limited to, reception and administration areas, storage areas, toilet facilities, staff rooms, loading and unloading facilities and the storage of fleet vehicles.
- (7) Where this Part contains a definition or rules for a **use** that expressly includes another **use** or allows for another **use** to be combined with it, the other **use** must be read to be part of the defined **use**.
- (8) Where a **use** definition references examples to aid in the interpretation of the **use** they are not intended to be exclusive or restrictive unless otherwise stated in the **use** definition.

14P2010

Identification of Proposed Uses within a Development Permit Application

- 131** (1) When a proposed **development** is not a listed **use** within the applicable land use district the **development permit** application must be refused.
- (2) When a proposed **development** includes multiple **uses**, subject to any restrictions on **use** combinations contained within this Bylaw, the **Development Authority** must issue a single **development permit** listing each approved **use**.

67P2008

- 13P2008 (3) The **Development Authority** must consider a proposed **development** as a **discretionary use** in accordance with the requirements of Part 2, Division 5 if the **development permit** application is for:
- 71P2008 (a) multiple **uses** including at least one **discretionary use** that is not a **sign**; or
- (b) a **permitted use** which shares a **use area** with a **discretionary use**.

Commencement of Development for a Development Permit Authorizing Multiple Uses

132 Where a **development permit** application for multiple **uses** is approved, the provisions respecting commencement of **development** referenced in section 44 apply to all **uses** approved by the **development permit**.

Rules for All Uses

- 133** (1) In addition to all of the **setback area** rules required by this Bylaw, the **Development Authority** must ensure that all the setback requirements contained within the *Subdivision and Development Regulation* are satisfied.
- (2) Unless otherwise specified in a District, 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 each **use** definition in this Part.
- 32P2020 (3) Unless otherwise referenced in this section, a change of **use** must satisfy the minimum **motor vehicle parking stall** requirement in effect for that **use** as of the date of the change of **use**.
- 32P2020 (3.1) A change of **use** to a **permitted use** where located in an existing approved **building** in the M-H1, M-H2, M-H3, MU-1, MU-2, M-X1, M-X2 districts, all commercial districts and all industrial districts is not required to satisfy the minimum **motor vehicle parking stall** requirement.
- 12P2012 (4) A change of **use** is not required to provide any **bicycle parking stalls** or **loading stalls** where it occurs in a **building** that was legally constructed or approved.
- (5) A **building** may be constructed using **modular construction** methods but a **Manufactured Home** does not qualify as **modular construction**.
- 25P2018 (6) The production, processing, storage or sale of cannabis can only occur where it has been approved through a **development permit** for a **use** where it is specifically allowed in the **use** definition or rules.

Uses Not Listed But Allowed in All Districts

- 134 (1)** The following *uses* are *permitted uses* in all Districts, regardless of whether they are listed in the District:
- (a) **Motion Picture Filming Location;**
 - (b) **Public Transit System;** 1P2009
 - (b.1) **Special Function – Class 1;** and 4P2012
 - (c) **Utilities – Linear.** 1P2009
- (2)** The following *uses* are *discretionary uses* in all Districts, regardless of whether they are listed in the District: 41P2009
- (a) Excavation, Stripping and Grading; 16P2018
 - (b) **Recyclable Construction Material Collection Depot (temporary);** and 16P2018
 - (c) **Parking Lot – Structure for a Public Transit System.** 16P2018

Deemed Uses

32P2009

- 134.1 (1)** In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **General Industrial – Light use** when the *use* is located in, or the Direct Control District references, the I-C, I-E, I-G or I-R Districts:
- (a) **Animal Feed Processor – Class 1;**
 - (b) **Brewery and Distillery – Class 1;**
 - (c) **Contractor’s Shop – Class 1;**
 - (d) **Food and Beverage Processor – Class 1;**
 - (e) **Health Services Laboratory – Without Clients;**
 - (f) **Household Appliance and Furniture Repair Service;**
 - (g) **Industrial Design and Testing – Inside;**
 - (h) **Industrial Repair and Service – Inside;**
 - (i) **Manufacturer – Class 1;**
 - (j) **Printing, Publishing and Distributing;** and
 - (k) **Warehouse – Storage Only.**
- (2)** In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **General Industrial – Medium use** when the *use* is located in, or the Direct Control District references, the I-C, I-E, I-G or I-R Districts:
- (a) **Animal Feed Processor – Class 2;**
 - (b) **Brewery & Distillery – Class 2;**

- (c) **Contractor's Shop – Class 2;**
 - (d) **Food and Beverage Processor – Class 2;**
 - (e) **Industrial Design and Testing – Outside;**
 - (f) **Industrial Repair and Service – Outside;** and
 - (g) **Manufacturer – Class 2.**
- (3) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **Specialized Industrial use** when the *use* is located in, or the Direct Control District references, the I-B or S-URP Districts:
- (a) **Industrial Design and Testing – Inside;**
 - (b) **Industrial Repair and Service – Inside;**
 - (c) **Manufacturer – Class 1;** and
 - (d) **Health Services Laboratory – Without Clients.**
- (4) In any *development permit* or Direct Control District approved after the effective date of this Bylaw:
- (a) **Manufacturer – Class 3** is deemed to be the **General Industrial – Heavy use;**
 - (b) **Instructional Facility – Inside** and **Instructional Facility – Outside** are deemed to be the **Instructional Facility use;**
 - (c) **Large Vehicle Sales** is deemed to be the **Large Vehicle and Equipment Sales use;**
 - (d) **Auto Wrecker** is deemed to be the **Salvage Yard use;**
 - (e) **Recycling Plant** is deemed to be the **Salvage Yard use** when any part of the processes or functions related to the *use* are located outside of a *building*; and
 - (f) **Recycling Plant** is deemed to be the **General Industrial – Light use** when all of the processes and functions associated with the *use* are contained within a fully enclosed *building*.
- (5) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **Retail and Consumer Service use**:
- (a) **Beauty and Body Service;**
 - (b) **Household Appliance and Furniture Repair Service;**
 - (c) **Personal Apparel Service;**
 - (d) **Photographic Studio;**
 - (e) **Proshop;**
 - (f) **Retail Store;** and
 - (g) **Video Store**

39P2010

- (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) **Medical Marihuana Counselling** is deemed to be the **Cannabis Counselling use**; and
 - (b) **Medical Marihuana Production Facility** is deemed to be the **Cannabis Facility use**.

Pop-up Uses

42P2019

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**;
- (d1) **Catering Service – Minor**; 32P2020
- (e) **Cinema**;
- (f) **Computer Games Facility**;
- (g) **Conference and Event Facility**;
- (h) **Counselling Service**;
- (i) **Fitness Centre**;
- (i.1) **Food Kiosk**; 32P2020
- (j) **Indoor Recreation Facility**;
- (k) **Information and Service Provider**;
- (l) **Instructional Facility**;
- (m) **Library**;
- (n) **Market**;
- (o) **Medical Clinic**;
- (p) **Museum**;
- (q) **Office**;

- 32P2020 (r) **Performing Arts Centre;**
- 32P2020 (s) **Pet Care Service;**
- 32P2020 (t) **Print Centre;**
- 32P2020 (t.1) **Restaurant: Food Service Only – Large;**
- 32P2020 (t.2) **Restaurant: Food Service Only – Medium;**
- 32P2020 (t.3) **Restaurant: Food Service Only – Small;**
- 32P2020 (t.4) **Restaurant: Licensed – Large;**
- 32P2020 (t.5) **Restaurant: Licensed – Medium;**
- 32P2020 (t.6) **Restaurant: Licensed – Small;**
- 32P2020 (t.7) **Restaurant: Neighbourhood;**
- (u) **Retail and Consumer Service;**
- (v) **Specialty Food Store;**
- 32P2020 (v.1) **Take Out Food Service;**
- (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
- 32P2020 (d) may display merchandise related to the **use** outside of a **building**, provided the merchandise does not impede pedestrian movement.

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;**
 - (b.1) **Market;** 32P2020
 - (c) **Office;**
 - (d) **Print Centre;**
 - (d.1) **Restaurant: Food Service Only – Large;** 32P2020
 - (d.2) **Restaurant: Food Service Only – Medium;** 32P2020
 - (d.3) **Restaurant: Food Service Only – Small;** 32P2020
 - (d.4) **Restaurant: Licensed – Large;** 32P2020
 - (d.5) **Restaurant: Licensed – Medium;** 32P2020
 - (d.6) **Restaurant: Licensed – Small;** 32P2020
 - (d.7) **Restaurant: Neighbourhood;** 32P2020
 - (e) **Retail and Consumer Service;**
 - (f) **Specialty Food Store;** and
 - (g) **Take Out Food Service.** 32P2020
- (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
- (d) may display merchandise related to the **use** outside of a **building**, provided the merchandise does not impede pedestrian movement.

32P2020

- (b) is a **use** within the Direct Control Uses Group in Schedule A to this Bylaw; and
- (c) requires a minimum number of **motor vehicle parking stalls** based on a parking study required at the time of land use redesignation application.

245 “Night Club”

- (a) means a **use**:
 - (i) where liquor is sold and consumed on the premises;
 - (ii) where a licence for the sale of liquor, that prohibits minors on the premises at any time, is issued by the Alberta Gaming and Liquor Commission;
 - (iii) where entertainment is provided to patrons, in the forms of a dance floor, live music stage, live performances, or recorded music, in areas greater than 10.0 square metres; and
 - (iv) where food may be prepared and sold for consumption on the premises;
- (b) is a **use** within the Eating and Drinking Group in Schedule A to this Bylaw;
- (c) must provide sufficient area **adjacent** to entry doors for patrons to queue prior to entering;
- (d) must be located more than 45.0 metres from a **residential district**, which must be measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (e) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a **residential district** or abuts a **lane** separating the **parcel** from a **residential district**;
- (f) must not have an exterior entrance located on a façade that faces a **residential district**, unless that façade is separated from the **residential district** by a **street**;
- (g) requires a minimum of 2.85 **motor vehicle parking stalls** per 10.0 square metres of **public area**;
- (h) does not require **bicycle parking stalls – class 1**; and
- (i) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **public area**.

246 “Office”

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

67P2008

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

- (a) means a *use*:
- (i) where food or beverages are served or offered for sale for consumption on a portion of the premises which are not contained within a fully enclosed ***building***; and
 - (ii) that must be approved with another *use* listed within the Eating and Drinking Group in Schedule A, or with a **Convenience Food Store, Brewery, Winery and Distillery, Specialty Food Store or Supermarket**;
- (b) is a *use* within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) must not have a floor higher than 0.6 metres above the height of the first ***storey*** floor level when the *use* is located within 100.0 metres of a ***residential district***;

22P2016

- (d) *deleted* 32P2020
- (e) must not be combined with a **Drinking Establishment – Small** when located in the M-H2 or M-H3 districts;
- (f) *deleted* 32P2020
- (g) *deleted* 32P2020
- (h) does not require *motor vehicle parking stalls*; and 18P2018
- (i) does not require *bicycle parking stalls – class 1 or class 2*.

248 “Outdoor Recreation Area”

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

- (iv) the care, cleaning, alteration or repair of clothing, jewellery, or shoes;
 - (v) portrait and professional photography services; or
 - (vi) the repair, service or refurbishment of furniture, electronic equipment and appliances that are used in the home;
- (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;
- (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) **Counselling Service**;
 - (iv) **Financial Institution**;
 - (v) **Fitness Centre**;
 - (vi) **Health Services Laboratory – With Clients**;
 - (vii) **Medical Clinic**;
 - (viii) **Office**;
 - (ix) **Pet Care Service**;
 - (x) **Print Centre**;
 - (xi) **Radio and Television Studio**;
 - (xii) **Restaurant: Food Service Only – Small**;
 - (xiii) **Restaurant: Food Service Only – Medium**;
 - (xiv) **Take Out Food Service**; and
 - (xv) **Veterinary Clinic**;

32P2020

- (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;
- (h) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (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;

- (i) one (1) person per 0.75 square metres for areas of non-fixed seating;
- (ii) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
- (iii) one (1) person per 0.5 linear metres of bench seating; or
- (iv) the maximum capacity of the **assembly area** as stated in the **development permit**;
- (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**.

308 “Special Function – Class 1”

10P2009, 39P2010,
21P2011, 4P2012,

- (a) means a **use** where temporary structures are erected on a **parcel**:
 - (i) that allow for an educational, recreational, sporting, social, and worship event that includes, but is not limited to a wedding, circus, birthday, trade show and ceremony; or
 - (ii) that allow an existing approved **use** to expand within the **parcel** that includes, but is not limited to a grand opening, customer appreciation event, staff appreciation event and sale;
- (b) means a **use** that may allow for the provision of entertainment or the sale and consumption of liquor but does not include a **Special Function – Class 2**;
- (c) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (d) may only be located on a **parcel**, excluding the time used to erect and dismantle the temporary structures, for a maximum of:
 - (i) 60 consecutive days; and
 - (ii) 120 cumulative days in a calendar year;
- (e) has a maximum height for covered temporary structures of one **storey**;
- (f) may be temporarily located on any part of the **parcel**, other than a **corner visibility triangle**;
- (g) does not require **motor vehicle parking stalls**; and
- (h) does not require **bicycles parking stalls – class 1** or **class 2**.

9P2012

32P2020

10P2009, 21P2011,
4P2012, 5P2015

309 “Special Function – Class 2”

49P2017

49P2017

- (a) means a *use* where temporary structures are erected on a *parcel* which operate as a:
- (i.) **Brewery, Winery and Distillery;**
 - (i.1) **Conference and Event Facility;**
 - (ii) **Drinking Establishment – Large;**
 - (iii) **Drinking Establishment – Medium;**
 - (iv) **Drinking Establishment – Small;**
 - (v) **Restaurant: Licensed – Large;**
 - (vi) **Restaurant: Licensed – Medium;**
 - (vii) **Restaurant: Licensed – Small;**
 - (viii) **Restaurant: Neighbourhood;** or
 - (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*;

Location of Uses within Buildings

- 1175 (1)** The following *uses* must not be located on the ground floor of *buildings*:
- (a) **Catering Service – Minor;** 9P2012
 - (b) **Community Recreation Facility;** 9P2012
 - (c) **Counselling Service;**
 - (d) **Health Services Laboratory – with Clients;**
 - (e) *deleted* 32P2009
 - (f) **Indoor Recreation Facility;** 9P2012
 - (g) **Instructional Facility;** 32P2012
 - (h) **Medical Clinic;**
 - (i) **Place of Worship – Small;**
 - (j) **Radio and Television Studio;** and
 - (k) **Service Organization;**
- (2)** Only those *uses* listed in the Residential Group of Schedule A to this Bylaw, with the exception of **Hotel uses**, may share a hallway with residential *uses*.
- (3)** All *uses* must be contained completely within a *building*, with the exception of **Outdoor Café uses**.
- (4)** *deleted* 32P2020
- (5)** Only those *uses* listed in the Residential Group of Schedule A to this Bylaw, with the exception of **Hotel uses**, may share an area of a parking structure with residential *uses*.
- (6)** All *uses* may share an entrance to areas of a parking structure.
- (7)** When not combined with other *uses* in a comprehensive *development* the **General Industrial – Light use** may be allowed only in a *building* that was legally existing or approved prior to the effective date of this Bylaw. 32P2009

Use Area

- 1176 (1)** Unless otherwise referenced in subsection (3), (4) or (5), the maximum *use area* for *uses* on the ground floor of *buildings* in the Centre City Mixed Use District is 1200.0 square metres.
- (2)** Unless otherwise referenced in subsection (3), (4) or (5), there is no maximum *use area* requirement for *uses* located on upper floors in the Centre City Mixed Use District.

16P2018

- (3) The maximum *use area* of:
- (a) **Night Club** is 300.0 square metres; and
 - (b) **Supermarket**, or a **Supermarket** combined with any other *use*, is 5200.0 square metres.
- (4) **General Industrial – Light** does not have a *use area* restriction when located in a *building* that was legally existing or approved prior to the effective date of this Bylaw.
- (5) The following *uses* do not have a *use area* restriction:
- (a) **Addiction Treatment;**
 - (b) **Assisted Living;**
 - (c) **Custodial Care;**
 - (d) **Hotel;**
 - (e) **Place of Worship – Medium;**
 - (f) **Place of Worship – Small;**
 - (g) **Protective and Emergency Service;**
 - (h) **Residential Care;** and
 - (i) **Utility Building.**

38P2009

Motor Vehicle Parking Stall Requirements

- 1177 (1) Unless otherwise specified in this section, the minimum number of required *motor vehicle parking stalls*, *visitor parking stalls*, *bicycle parking stalls- class 1* and *bicycle parking stalls – class 2* is the requirement specified in the General Rules for Centre City Commercial Land Use Districts referenced in Part 11, Division 4.
- (2) For the area bounded by the CPR tracks, the Elbow River, 12 Avenue and 14 Street SW, the *motor vehicle parking stall* requirement is:
- (a) no requirement for **Cinema, Dinner Theatre, Drinking Establishment – Small, Drinking Establishment – Medium, Night Club, Performing Arts Centre, Restaurant: Food Service Only – Small, Restaurant: Food Service Only-Medium, Restaurant: Licensed – Small and Restaurant: Licensed – Medium;**
 - (b) unless specified in subsection (b.1), a minimum of 1.0 stall per 100.0 square metres of *gross usable floor area* for **Information and Service Provider, Liquor Store, Office, Pet Care Service, Print Centre, Retail and Consumer Service and Take Out Food Service;**

39P2010