

THE CITY OF CALGARY

LAND USE BYLAW 1P2007

OFFICE CONSOLIDATION

BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

11P2008	June 1, 2008	32P2009	December 14, 2009	35P2011	December 5, 2011
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67P2008	October 1, 2008	32P2010	July 26, 2010	38P2013	September 2, 2013
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NOTE:

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

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

Printed by the City Clerk by authority of City Council.

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

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

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

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

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

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BYLAW 1P2007

A BYLAW TO REGULATE THE DEVELOPMENT AND USE OF LAND IN THE CITY OF CALGARY

WHEREAS the *Municipal Government Act* requires every municipality to pass a land use bylaw which may prohibit, regulate and control the use and development of land and buildings in a municipality;

AND WHEREAS Council has held a public hearing in accordance with the requirements of the *Municipal Government Act*;

NOW THEREFORE THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

41P2009

PART 1: INTERPRETATION OF THIS BYLAW

Division 1: General Interpretation

Short Title

1 This Bylaw may be cited as “the Land Use Bylaw”.

Repeal of Bylaw 2P80 and Coming into Force of Bylaw 1P2007

- 2 (1) *The City of Calgary Land Use Bylaw*, 2P80, as amended, is hereby repealed and will cease to have effect on the day this Bylaw comes into force.
- (2) This Bylaw comes into force on the 1st day of June, 2008.
- (3) Notwithstanding (2) above, the Municipal District of Rocky View No. 44 Land Use Bylaw, Bylaw C-4841-97, will apply to applications for a **development permit** received prior to June 1, 2008 and which are located in the lands annexed from the Municipal District of Rocky View No. 44 to the City of Calgary as described in Appendix A of Order in Council 333/2007.

13P2008

Content

3 This Bylaw includes the:

- (a) Schedules appended hereto;
- (b) Land Use District Maps deposited with the City Clerk;
- (c) Floodway/Flood Fringe Maps deposited with the City Clerk;
- (d) Floodway/Floodplain Maps deposited with the City Clerk;
- (e) Developed Area and Developing Area Maps deposited with the City Clerk;
- (f) Parking Areas Map deposited with the City Clerk; and
- (g) Bonus Area Boundaries Map deposited with the City Clerk.

51P2008

51P2008, 26P2010,
31P2011, 33P2013

Map 1: Application of Land Use Bylaw 1P2007
deleted

Land Use Districts and Land Use District Maps

- 4 (1) The **City** is divided into land use districts, the boundaries of which are shown on the Land Use District Maps.
- (2) *deleted* 31P2009, 51P2008, 26P2010,
33P2013
- (3) *deleted* 33P2013
- (4) *deleted* 33P2013
- (5) The Land Use District Maps, as may be amended by Bylaw from time to time, will be deposited with the City Clerk.
- (6) In this Bylaw, a land use district may be referred to by its full name or abbreviation as referenced in the title of each District.
- (7) Where this Bylaw refers to a rule or requirement relating to a **parcel** that is designated a particular land use district, it must be read to include a **parcel** that is designated Direct Control based on that land use district unless the Direct Control Bylaw indicates a contrary intent.

Interpreting the Land Use District Maps

- 5 (1) Despite the land use district shown on the Land Use District Maps, for the purpose of this Bylaw roads must only be used for:
- (a) the passage of motorized and non-motorized vehicles;
 - (b) the passage of pedestrians;
 - (c) the placement of public and private utilities authorized by the **City**; and
 - (d) activities pursuant to the Calgary Traffic Bylaw.

- (2) Concurrent with the closure of a road, **Council** must consider a corresponding land use redesignation.
- (3) Despite the land use district shown on the Land Use District Maps, water bodies under the jurisdiction of the Crown in right of the Province of Alberta or Canada are not regulated by this Bylaw.

Requirements of Other Legislation

- 6 Compliance with this Bylaw does not exempt any person from the requirements of any Federal, Provincial or Municipal legislation, approval process, licensing or permitting regime, or other Bylaw.

Referenced Legislation

- 7 (1) Where the following enactments and Bylaws are referred to in this Bylaw, the reference is to the enactment or Bylaw as may be amended from time to time, or to any enactment or Bylaw passed in substitution therefore.
 - 33P2013 (1.1) “+15 Policy” means the +15 Policy, October 1984.
 - (2) “Building Permit Bylaw” means the *Calgary Building Permit Bylaw*, 64M94.
 - (3) “Calgary International Airport Vicinity Protection Area Regulation” means the *Calgary International Airport Vicinity Protection Area Regulation*, A/R 318/79.
 - (4) “Calgary International Airport Zoning Regulations” means the *Regulations Respecting Calgary International Airport*, pursuant to the RSC, *Aeronautics Act*, 1985, c.A-2.
 - (5) “Calgary Traffic Bylaw” means *The Calgary Traffic Bylaw*, 26M96.
 - (6) “Controlled Streets Bylaw” means *The Controlled Streets Bylaw*, 12M80.
 - 26P2010 (6.1) “*Historical Resources Act*”, means the *Historical Resources Act*, R.S.A. 2000
 - (7) “Licence Bylaw” means *The Business Licence Bylaw*, 32M98.
 - (8) “*Municipal Government Act*” means the *Municipal Government Act*, R.S.A. 2000, c.M-26.
 - (9) “Municipal Planning Commission Bylaw” means *The Calgary Planning Commission Bylaw*, 28P95.
 - 4P2012 (9.1) “Parks and Pathways Bylaw”, means the *Parks and Pathways Bylaw*, 20M2003.
 - (10) “*Post-secondary Learning Act*” means the *Post-secondary Learning Act*, S.A. 2003, c.P-19.5.
 - (11) “*Provincial Offences Procedure Act*” means the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34.
 - (12) “*Safety Codes Act*” means the *Safety Codes Act*, R.S.A. 2000, c.S-1.

- (13) “*School Act*” means the *School Act*, R.S.A. 2000, c.S-3.
- (14) “Subdivision and Development Appeal Board Bylaw” means *The Subdivision and Development Appeal Board Bylaw*, 25P95.
- (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.
- (18) “Waste Bylaw” means the *Waste Bylaw*, 20M2001.

9P2012

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;

- 38P2013 (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**.
- 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**.
- (12) “**average grade**” means, when determining the maximum area of a horizontal cross section through a **building** in the 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. 38P2013
- (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:
- (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: 5P2013

- (a) establishing a line connecting the midpoint of the **front property line** and the midpoint of the **rear property line**; then
- (b) extending a line from the portion of the **main residential building** farthest from the **front property line** to a point where it intersects the line connecting the midpoint of the **front property line** and the midpoint of the **rear property line** at a right angle; and
- (c) measuring the distance from the point where the two lines intersect to the midpoint of the **front property line**.

13P2008

(24) **“building height”** means the height of a **building**, excluding **ancillary structures**, determined:

3P2010, 27P2011

- (a) by applying the provisions of sections 360 and 361 for a **parcel** containing a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling**;

3P2010

- (b) *deleted*
- (c) by measuring from **grade** in a **multi-residential district** where the **use** is not a **Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling**;
- (d) by measuring from **grade** in the S-CI District where provision 1057 (1) through (4) applies; and
- (e) in all other cases by measuring from **grade** at any point adjacent to a **building**.

3P2010

(25) *deleted*

- (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) “**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. 33P2013
- (29) “**City Manager**” means the Chief Administrative Officer of the City of Calgary.
- (30) “**City**” means The City of Calgary, a municipal corporation in the Province of Alberta, or the area within the corporate limits of The City of Calgary, as the context requires.
- (31) “**commercial district**” means any one or more of the land use districts described in Part 7 and the CC-X and CC-COR districts contained in Part 11. 51P2008
- (32) “**commercial multi-residential uses**” means any one or more of the following **uses**, when referenced in a **multi-residential district**: 39P2010, 7P2011
- (a) **Convenience Food Store**;
 - (b) **Counselling Service**;
 - (c) **Drinking Establishment – Small**;
 - (d) **Information and Service Provider**;
 - (e) **Office**;
 - (f) **Outdoor Café**;
 - (g) **Print Centre**;
 - (h) **Restaurant: Food Service Only – Small**;
 - (i) **Restaurant: Licensed – Small**;
 - (j) **Retail and Consumer Service**;
 - (k) **Service Organization**;
 - (l) **Specialty Food Store**; and
 - (m) **Take Out Food Service**.

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

- (52) “**development**” means:
- (a) an excavation or stockpile and the creation of either of them;
 - (b) a **building** or an addition to or replacement or repair of a **building**, and the construction or placing of any of them on, in, over or under land;
 - (c) a change of **use** of land or a **building** or an act done in relation to land or a **building** that results in or is likely to result in a change in the **use** of the land or **building**; or
 - (d) a change in the intensity of **use** of land or a **building** or an act done in relation to land or a **building** that results in or is likely to result in a change in the intensity of **use** of the land or **building**.
- (53) “**Development Authority**” means a person or body appointed as a **Development Authority** as contemplated by and in accordance with the *Municipal Government Act*.
- (54) “**development completion permit**” means a permit issued by a **Development Authority** confirming that the requirements of a **development permit** have been satisfactorily completed.
- (55) “**development permit**” means a document authorizing a **development**, issued by a **Development Authority** pursuant to this Bylaw or any previous Bylaw governing land use within the **City**, and includes the plans and conditions of approval.
- (55.1) “**digital display**” means a device intended to display **copy** using electronic screens, projection, television, computer video monitors, liquid crystal displays (LCD), light emitting diode (LED) displays, or any other similar electronic, computer generated or digital technology. 30P2011
- (56) “**dilapidated vehicle**” means a vehicle that is:
- (a) incapable of being safely operated;
 - (b) partially or fully dismantled; or
 - (c) substantially damaged.
- (57) “**discretionary use**” means a **use** of land or a **building** that is listed as such **use** in a land use district or a Direct Control District Bylaw.
- (57.1) “**district energy**” means infrastructure consisting of insulated pipes, pumps, metering systems and thermal production facilities capable of transferring heat energy through a controlled conductive medium carried between multiple sites for uses including, but not limited to, space heating, chilled water, domestic hot water heating and industrial processes, A **district energy** system may be designed to serve any group of **buildings** by means of one or a combination of thermal or energy heat plants and pipe systems. 26P2010, 33P2013

26P2010, 33P2013

- (57.2) “**East Village – High Rise Building**” means a **building** with all of the following characteristics:
- (a) the **building** must have a podium and a tower;
 - (b) a maximum podium height of 18.0 metres;
 - (c) a minimum **building height** of 50.0 metres;
 - (d) the façade of the tower must be set back 2.5 metres from the façade of the podium;
 - (e) notwithstanding subsection (d), the tower may rise directly from **grade** without a setback from a podium provided the façade of the tower, or a portion thereof does not exceed 20.0 metres in length and must be set back a maximum of 2.0 metres from any **property line** shared with a **street**; and
 - (f) the separation distance between towers must be a minimum of 24.0 metres except from a **building** which was legally existing or approved prior to the effective date of this Bylaw.

33P2013

- (57.3) “**East Village – Mid Rise Building**” means a **building** with all of the following characteristics:
- (a) a maximum **building height** of 50.0 metres; and
 - (b) façades facing a **street**, when located above the seventh **storey** must each step back a minimum of 2.0 metres from the façade of the **storey** below.

(58) “**eaveline**” means the line formed by the intersection of the wall and roof of a **building**.

9P2012

- (59) “**expressway**” means a **street** identified as a Skeletal Road in the Transportation Bylaw.
- (60) “**fence**” means a structure which may be used to prevent or restrict passage, to provide visual **screening**, sound attenuation, yard décor, protection from dust or the elements, or to mark a boundary.
- (61) “**flood fringe**” means those lands abutting the **floodway**, the boundaries of which are indicated on the Floodway/Flood Fringe Maps that would be inundated by floodwaters of a magnitude likely to occur once in one hundred years.
- (62) “**floodway**” means the river channel and adjoining lands indicated on the Floodway/Flood Fringe Maps that would provide the pathway for flood waters in the event of a flood of a magnitude likely to occur once in one hundred years.
- (63) “**floor area ratio**” means the quotient of the total **gross floor area** of all **buildings** on a **parcel** divided by the area of the **parcel**.

- (63.1) “**floor plate area**” means the horizontal cross-section of a floor, between the floor and the next floor above, measured to the glass line, or where there is no glass line, to the outside surface of the exterior walls and includes all mechanical equipment areas and all open areas inside a **building** that do not contain a floor, including atriums, elevator shafts, stairwells and similar areas. 51P2008
- (64) “**frequent bus service**” means bus service which has a frequency of at least one bus every 20 minutes on weekdays from 6:30 AM to 6:00 PM and a frequency of at least one bus every 30 minutes on weekday evenings from 6:00 PM to the end of service and on weekends during the times of service.
- (65) “**frontage**” means the linear length of a **property line** shared with a **street**. 35P2011
- (66) “**front property line**” means:
- (a) the **property line** separating a **parcel** from an adjoining **street**;
 - (b) in the case of a **parcel** that adjoins more than one **street**, the shortest **property line** that is parallel to the direction of travel on the **street**; and 71P2008
 - (c) in the case of a **parcel** that adjoins more than one **street** and where the **property lines** adjoining **streets** are of equal length, the **property line** adjoining the **street** to which the **parcel** has been municipally addressed.
- (67) “**front setback area**” means an 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 minimum depth of the **setback area** required by the District.
- (68) “**General Manager**” means the **City** employee appointed to the position of General Manager, Planning Development and Assessment, or his delegate.
- (69) “**grade**” means the elevation of the finished ground surface, not including any artificial embankment, the elevation of an entrance to underground parking, stairways or window wells.
- (70) “**gross floor area**” means the sum of the areas of all above **grade** floors of a **building** measured to the glassline, or where there is no glassline, to the outside surface of the exterior walls, or where **buildings** are separated by firewalls, to the centre line of the common firewalls, and includes all mechanical equipment areas and all open areas inside a **building** that do not contain a floor including atriums, elevator shafts, stairwells and similar areas.

(71) “**gross usable floor area**” means, for the purpose of calculating **motor vehicle parking stalls, bicycle parking stalls** and **loading stalls**, the total horizontal area of every enclosed floor and mezzanine used exclusively by a single **use area** in a **building**, and is measured from the exterior face of the exterior wall and the centreline of an interior partition wall that separates at least two **uses**, but does not include:

- (a) elevator shafts;
- (b) stairwells;
- (c) crawl spaces;
- (d) mechanical or electrical rooms;
- (e) indoor garbage or recycling storage;
- (f) areas used for parking and loading;
- (g) areas below **grade** used for storage and not accessible to the public; and
- (h) common corridors and halls available to more than one **use**.

41P2009

(72) “**gross vehicle weight**” means the value specified by the vehicle manufacturer as the maximum loaded weight of a vehicle.

(73) “**hard surfaced landscaped area**” means an area with a surface consisting of materials that:

- (a) are not living or derived from living organisms; or
- (b) were once living but are now formed into a structure;
- (c) may include, but are not limited to, brick, concrete, stone and wood; and
- (d) must not include asphalt.

(74) “**industrial district**” means any one or more of the land use districts described in Part 8.

9P2012

(74.1) “**irregular parcel**” means a **parcel** that is inconsistent in shape with other **parcels** in the neighbourhood, where the **property line** opposite to and farthest from the **front property line**:

- (a) cannot be identified; or
- (b) results in a **parcel** that has less than two **side property lines**.

(75) “**kitchen**” means facilities used or designed to be used for the cooking or preparation of food.

32P2009

(75.1) “**laboratory**” means a facility where scientific research, experiments and measurement are performed for the purposes of providing information or as part of **research and development**.

- (76) “**landing**” means an uncovered platform extending horizontally from a **building**, abutting an entry door and providing direct access to **grade** or stairs.
- (77) “**landscaped area**” means that portion of a **parcel** that is required to be a **hard surfaced landscaped area** or **soft surfaced landscaped area**.
- (78) “**lane**” means a roadway that is primarily intended to give access to the rear of **buildings** and **parcels**.
- (79) “**laned parcel**” means a **parcel** which is bounded at least in part by a **lane**.
- (80) “**laneless parcel**” means a **parcel** which is not bounded wholly or partially by a **lane**.
- (81) “**large vehicle**” means a vehicle, other than a **recreational vehicle**:
- (a) with a **gross vehicle weight** stated by the manufacturer, vehicle signage, or vehicle registration, to be in excess of 4536 kilograms;
 - (b) with one or more of the following characteristics:
 - (i) tandem axles;
 - (ii) a passenger capacity in excess of 15 persons; or
 - (iii) dual wheels where the vehicle includes a flat deck or other form of utility deck; or
 - (c) that can be generally described as a:
 - (i) bus;
 - (ii) cube van;
 - (iii) dump truck;
 - (iv) flatbed truck; or
 - (v) tractor, trailer, or tractor trailer combination.
- (82) “**light fixture**” means a lighting module that has one or more luminaires and luminaire holders.
- (83) “**loading stall**” means an area to accommodate a vehicle while being loaded or unloaded.
- (84) “**low density residential district**” means any one or more of the land use districts described in Part 5.
- (85) “**low water irrigation system**” means an automated underground irrigation system which includes:
- (a) a rain sensor or a soil moisture sensor;
 - (b) a flow sensor for leak detection; and
 - (c) a master valve to secure the system if a leak is detected.

5P2013

- (86) “**LRT corridor**” means a **street, parcel** or railroad right-of-way used for a light rail transit system.
- (87) “**LRT platform**” means a platform used for embarking and disembarking light rail transit passengers.
- (88) “**LRT station**” means a light rail transit station.
- 12P2010 (89) “**main residential building**” means a **building** containing one or more **Dwelling Units** but does not include an **Accessory Residential Building** that contains a **Secondary Suite – Detached Garage** or **Secondary Suite – Detached Garden**.
- 9P2012 (90) “**major street**” means a **street** identified as a Street in the Transportation Bylaw.
- 7P2014 (90.1) “**medical marihuana**” means a substance used for medical purposes authorized by a licence issued under the federal government’s Marihuana for Medical Purposes Regulations (MMPR) or any subsequent legislation which may be enacted in substitution.
- (91) “**modular construction**” means a method of constructing whereby most of the parts of a **building** have been constructed in an off-site manufacturing facility and transported to a **parcel** where the parts are assembled and anchored to a permanent foundation.
- (92) “**motor vehicle parking stall**” means an area for the parking of a single motor vehicle.
- (93) “**mounting height**” means the vertical distance between the lowest part of the **light fixture** and the **grade** directly below the **light fixture**.
- 51P2008 (94) “**multi-residential district**” means any one or more of the land use districts described in Part 6 and the CC-MH and CC-MHX districts contained in Part 11.
- (95) “**non-conforming building**” means a **building**:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the **building** or the land on which the **building** is situated becomes effective; and
 - (b) that, on the date the land use bylaw becomes effective, does not, or when constructed will not, comply with the land use bylaw.
- (96) “**non-conforming use**” means a lawful specific use:
- (a) being made of land or a **building** or intended to be made of a **building** lawfully under construction, at the date a land use bylaw affecting the land or **building** becomes effective; and
 - (b) that on the date the land use bylaw becomes effective does not, or in the case of a **building** under construction will not, comply with the land use bylaw.

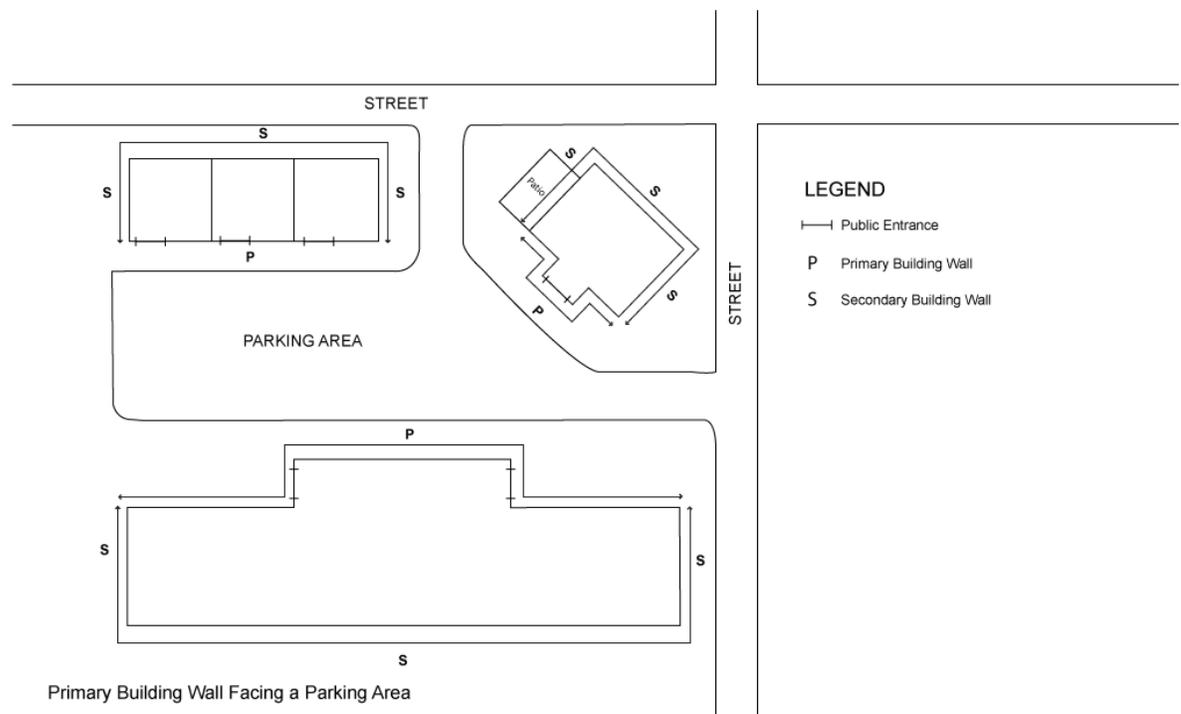
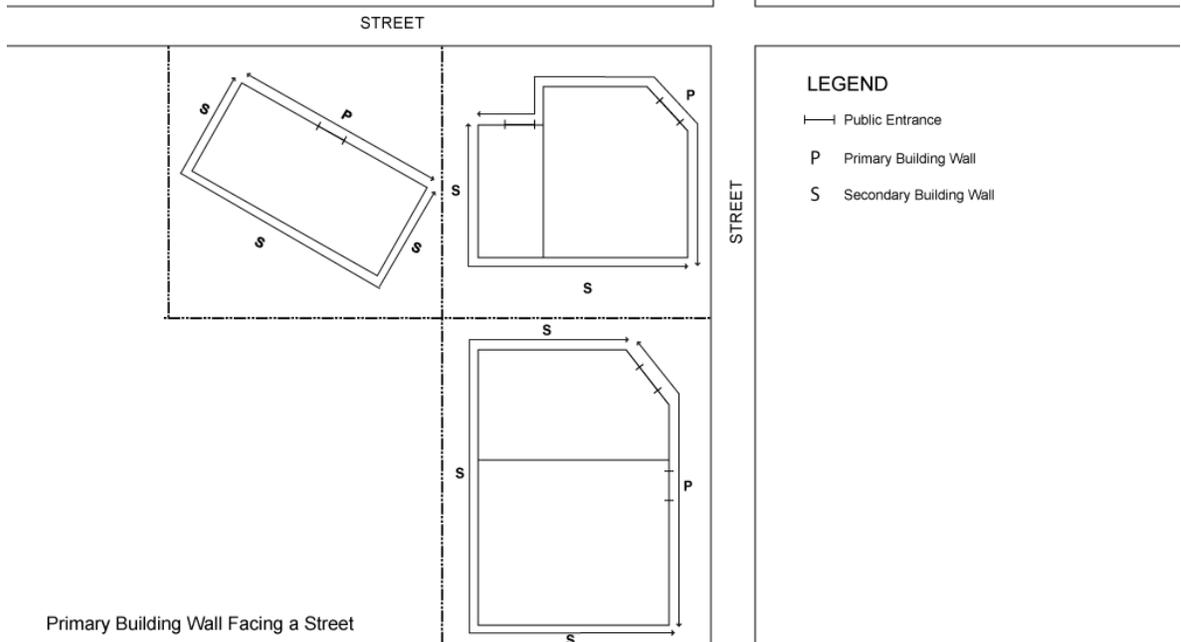
- (96.1) “**Officer**” means a Bylaw Enforcement Officer or a Peace Officer. 9P2012
- (97) “**open balcony**” means a **balcony** that is unenclosed on three sides, other than by a railing, balustrade or **privacy wall**.
- (98) “**overland flow area**” means those lands abutting the **floodway** or the **flood fringe**, the boundaries of which are indicated on the Floodway/ Flood Fringe Maps that would be inundated by shallow overland floodwater in the event of a flood of a magnitude likely to occur once in one hundred years.
- (99) “**parcel**” means 32P2009
- (a) the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office; and
- (b) in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-C2, R-1, R-1s, R-1N and R-2 districts, includes a **bare land unit** created under a condominium plan;”
- (100) “**parcel coverage**” means the cumulative **building coverage** of all **buildings** on a **parcel** excluding, **Accessory Residential Buildings** which in aggregate are less than 10.0 square metres. 47P2008, 5P2013
- (101) “**parcel depth**” means the length of a line joining the mid-points of the **front property line** and the **rear property line**.
- (102) “**parcel width**” means the distance between the **side property lines** of a **parcel** measured at a right angle to the mid-point of the shortest **side property line**.
- (102.1) “**parking area – short stay**” means an area designed for the parking of motor vehicles within a **building** where: 33P2013
- (a) the vehicle remains parked for no more than 4 hours at a time; and
- (b) there is convenient pedestrian access to the street level and publicly accessible **uses** within the **development**.
- (103) “**patio**” means an uncovered horizontal structure with a surface height, at any point, no greater than 0.60 metres above **grade**, intended for use as an outdoor **amenity space**.
- (104) “**permitted use**” means a use of land or a **building** that is listed as such **use** in a land use district or a Direct Control District Bylaw.
- (105) “**personal sale**” means the sale of goods and includes sales commonly known as garage sales, yard sales, moving sales and estate sales.
- (106) “**pick-up and drop-off stall**” means a **motor vehicle parking stall** intended only for a motor vehicle to stop while picking up or dropping off passengers.

35P2011

(107) **“plan of subdivision”** means a plan of subdivision registered or approved for registration at the land titles office.

(108) **“porch”** means an unenclosed, covered structure forming an entry to a **building**.

Primary and Secondary Building Wall
 Subsection 13(108.1) and 13(122.1)



- (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.
- (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 (121.1) “**rotor’s arc**” means the largest circumferential path travelled by a **blade**.
- 33P2013 (121.2) “**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.
- 35P2011 (122.1) “**secondary building wall**” means any exterior **building** wall that is not a **primary building wall** as illustrated in Sign Illustration 2.

- (123) “**setback area**” means the area of a **parcel** between the **property lines** and lines parallel to the **property lines** at a distance equivalent to the minimum depth from each respective **property line** as required by the District.
- (124) “**shopping centre**” means, for the purposes of **signs** in Part 3, Division 5, a site that: 71P2008
- (a) is 0.40 hectares or larger;
 - (b) contains more than one commercial **use**, being primarily retail and personal service, with shared parking; and
 - (c) is located in the C-N1, C-N2, C-C1, C-C2, C-R1, C-R2 or C-R3 Districts.
- (125) “**side property line**” means a **property line** other than the **front** and **rear property lines**.
- (126) “**side setback area**” means an area of a **parcel** defined by any **side property line** and a line parallel to that **side property line** measured at the minimum depth of the **setback area** required by the District and terminating where that line meets the **front setback area** and the **rear setback area**.
- (127) “**sign**” means any device or fixture intended to identify or convey information or to advertise or attract attention to a product, service, place, activity, event, person, institution or business. 30P2011, 35P2011
- (128) “**sign area**” means: 35P2011
- (a) the entire area of a **sign** on which **copy** is intended to be placed; and
 - (b) in the case of a **sign** which has **copy** on more than one side of the **sign**, the average of the total area of all sides of the **sign**.
- (129) “**sign owner**” means any person who is described on a **sign**; whose name, address or telephone number appears on a **sign**; who is in control of a **sign**; or who is the subject of or intended to benefit from a **sign**; and there may be more than one **sign owner** of a **sign**.
- (130) “**skateboard ramp**” means a structure that is used to provide a surface upon which an individual may use or operate a skateboard, bicycle, roller skates or other similar devices.
- (131) “**soft surfaced landscaped area**” means an area with a surface consisting of materials that:
- (a) are living, or derived from living organisms;
 - (b) are not formed into a structure; and
 - (c) may include, but are not limited to, mulch, native grasses, plants, shrubs, sod and trees.

68P2008

(131.1) “**solar collector**” means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy.

(132) “**special purpose district**” means any one or more of the land use districts described in Part 9.

33P2013

(132.1) “**Stephen Avenue Mall heritage area**” means the area identified below in Map 1:

Map 1: Stephen Avenue Mall Heritage Area



(133) “**storey**” means the space between the top of any floor and the top of the next floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it but does not include a **basement**.

(134) “**street**” means:

- (a) any public road, including the boulevards, sidewalks and improvements, but excluding a **lane**, bridge or walkway; or
- (b) a **private condominium roadway**.

7P2011, 9P2012, 5P2013

(135) “**street-oriented multi-residential building**” means a **Multi-Residential Development** where all of the **buildings** in the **development** include the following characteristics:

- (a) the facade of the **main residential building** on the floor closest to **grade** facing a **street** is comprised of **units** or **commercial multi-residential uses**, and may only include the following additional elements:
 - (i) emergency exits and **public entrances**; and

- (ii) one (1) vehicle access point, only where located on a **laneless parcel**;
 - (b) **units** and **commercial multi-residential uses** located at **grade** with an exterior wall facing a **street** that provide the following:
 - (i) an individual exterior access within 4.5 metres of a **property line** shared with a **street**; and
 - (ii) sidewalks that provide direct exterior access to the **unit** or **commercial multi-residential use**;
 - (c) a public sidewalk located along the entire length of each **property line** shared with a **street**; and
 - (d) the facade of **commercial multi-residential uses** located on the floor closest to **grade**, and facing a **street**, provides windows with unobscured glass that:
 - (i) allows views of the indoor space or product display areas; and
 - (ii) occupies a minimum of 65.0 per cent of the facade between a height of 0.6 metres and 2.4 metres.
- (136) “**Subdivision Authority**” means a person or body appointed as a Subdivision Authority in accordance with the *Municipal Government Act*.
- (136.1) “**top of bank**” means the natural transition line or upper natural topographical break at the top of a valley, or at the top of a channel that contains a watercourse, between a slope where the **grade** exceeds 15.0 per cent and the adjacent upper level area where the **grade** is less than 15.0 per cent, and where area that is less than 15.0 per cent in slope is at least 15.0 metres wide. 26P2010
- (136.2) “**total Wind Energy Conversion System height**” means: 38P2013
- (a) the height measured from the highest vertical extension of a **Wind Energy Conversion System - Type 1** to its base at **grade** or to the height equivalent to its mount on a building; and
 - (b) the height measured from the highest vertical extension of a **Wind Energy Conversion System - Type 2** to its base at **grade**.
- (136.3) “**transferring parcel**” means a **parcel**, comprising the area of the Municipal Historic Resource, that will transfer unused **motor vehicle parking stalls** to a receiving **parcel**. 33P2013

- (137) “**unit**” means a **Dwelling Unit** or a **Live Work Unit**.
- (138) “**use**” means a **permitted** or **discretionary use**.
- (139) “**use area**”:
- (a) means the entire floor area of a **building** that is separated from other portions of the **building** and is accessible by the same entrance or entrances and is occupied by a specific **use**;
 - (b) for greater certainty, (a) must be interpreted to mean that whenever a person inside of a **building** must exit the **building** or enter a common internal corridor to access a different portion of the **building**, those two portions of the **building** are separate; and
 - (c) the measurement of **use area** includes the floor area of:
 - (i) all mezzanines and **storeys** capable of being accessed by the same entrance without leaving the **building** or using a common internal corridor;
 - (ii) all mechanical rooms, offices and other spaces that support the use and can be accessed without leaving the **building** or using a common internal corridor; and
 - (iii) all spaces within a **building** capable of being accessed by the same entrance without leaving the **building** or using a common internal corridor regardless of whether the space is open to the public including washroom facilities, storage rooms, employee-only areas, and similar spaces.
 - (d) does not apply to **Dwelling Units**.
- (140) “**visitor parking stall**” means a **motor vehicle parking stall** intended only for the use of visitors to **Dwelling Units** and **Live Work Units**.
- (141) “**walkout basement**” means a **basement** in a **building** which has a door that exits directly from the **basement** to the exterior at **grade** that is substantially at the same level as the **basement** floor.

Methods

- 14 (1) Unless otherwise specified in this Bylaw, proper mathematical rounding to the nearest significant digit is required for any rule in this Bylaw where a mathematical calculation is performed.
- (2) For the purpose of calculating the following:

- (a) where **density** is calculated in **units** per hectare, it is always to be rounded down to the next lower whole number;
- (b) trees in a **setback area** or a **landscaped area** are always rounded up to the next higher whole number; 47P2008
- (c) shrubs in a **setback area** or a **landscaped area** are always rounded up to the next higher whole number; 47P2008
- (d) the **landscaped area** and tree and shrub requirements of a **setback area** that borders two or more of:
- (i) an **expressway**;
 - (ii) **lane**;
 - (iii) **LRT corridor**;
 - (iv) **major street**;
 - (v) **street**;
 - (vi) Headworks Canal operated by the Western Irrigation District; or
 - (vii) any land use district;
- are determined by the longest distance of **property line** bordering the **setback area**; and
- (e) where determining the **contextual building setback** and the number arrived at is less than zero metres, the **contextual building setback** is zero metres.

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

- 5P2013
- (o) **Race Track;**
 - (p) **Refinery;**
 - (q) **Salvage Processing – Heat and Chemicals;**
 - (r) **Sawmill;**
 - (r.1) **Sewage Treatment Plant** when not operated by, or on behalf of, the **City**;
 - (s) **Slaughter House;**
 - (t) **Stock Yards;**
 - (u) **Tire Recycling;**
 - 32P2009 (u.1) **Waste Disposal and Treatment Facility** when not operated by, or on behalf of, the **City**; and
 - (v) **Zoo.**
- (4) The **uses** listed in subsection (3) may be either **permitted** or **discretionary** in accordance with the **use** lists of the Direct Control Bylaw.
- (5) Where an activity is proposed and it does not fall within any of the definitions of **uses** or any combination of **uses** defined in Part 4, the **General Manager** must recommend to **Council** that the activity be considered only through a Direct Control Bylaw or that this Bylaw be amended to include such **use**.

Reference to Other Bylaws in Direct Control Bylaws

- 15P2014
- 22 (1)** Where a **parcel** is designated with a Direct Control District:
- (a) pursuant to this Bylaw, a reference to a section of Part 10 of this Bylaw within the Direct Control Bylaw is deemed to be a reference to the section on June 8, 2014, unless the Direct Control District referred to Part 10 of this Bylaw as of the effective date of the Direct Control District Bylaw;
 - (b) pursuant to this Bylaw, a reference to a section of any Part other than Part 10 of this Bylaw within the Direct Control Bylaw is deemed to be a reference to the section as amended from time to time, unless a contrary intent is stated in the Direct Control Bylaw; and
 - (c) pursuant to a previous land use bylaw and such designation is continued pursuant to this Bylaw, the Direct Control Bylaw, as approved by **Council** at the time such designation was made, will continue to apply, unless a contrary intent is set out in the Bylaw designating the **parcel** Direct Control.

- (2)** Direct Control Bylaws that were passed pursuant to previous land use bylaws and are denoted on the Land Use District Maps:
- (a) are hereby incorporated into and form part of this Bylaw as if repeated herein at length; and
 - (b) notwithstanding the definitions contained in this Bylaw, each Direct Control Bylaw must assume only those meanings for the terms contained therein that were intended at the date of the original passage.

Division 3: Development Permits

Requirement for a Development Permit

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

Conditions for Development Permit Exemptions

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

Exempt Developments

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

33P2013

- (ii) where the cumulative area of covered temporary structures is less than or equal to:
 - (A) 125.0 square metres when located on a **parcel** within 45.0 metres of either a **residential district** or a Direct Control District where the **use** of the **parcel** is residential; and
 - (B) 300.0 square metres when located on a parcel designed CR20-C20/R20 or an East Village District contained in Part 12; and
- (iii) where located on the same **parcel** as:
 - (A) **Conference and Event Facility**;
 - (B) **Drinking Establishment – Large**;
 - (C) **Drinking Establishment – Medium**;
 - (D) **Drinking Establishment – Small**;
 - (E) **Restaurant: Licensed – Large**;
 - (F) **Restaurant: Licensed – Medium**;
 - (G) **Restaurant: Licensed – Small**; and
 - (H) **Night Club**;
- (k) a temporary **building**, the sole purpose of which is incidental to the erection or alteration of a **building** for which a permit has been granted under the Building Permit Bylaw;
- (l) the use of all or part of a **building** or **parcel** as a **Motion Picture Filming Location** for a period not exceeding one year;
- (m) stockpiling on the same **parcel** undergoing excavation, grading or stripping;
- (n) **Solar collectors**, if the **building** they are on is not listed on the **City** inventory of potential heritage sites, and:
 - (i) the total power generation capacity of all **solar collectors** on the **parcel** is 10 kilowatts or less; or
 - (ii) the **solar collectors** are used for thermal energy;
- (o) a **sign** that is exempt from the requirement to obtain a **development permit** as specified in Part 3, Division 5;
- (p) the following projects carried on by, or on behalf of, the **City**:
 - (i) roads, traffic management projects, interchanges;

(xiv) Meridian 5 Range 2 Township 25 Section 5

That portion of the North East Quarter which lies to the north of the parcel on Plan 53/28 and to the east of the transmission line right of way on Plan 79JK, containing 30.9 hectares (76.16 acres) more or less excepting thereout:

Plan	Number	Hectares	(Acres) More or Less
Subdivision	8110054	7.60	18.78
Subdivision	0110288	1.579	3.90
Subdivision	0310801	3.261	8.06
Subdivision	0311537	0.0002	0.0004
Subdivision	0313145	9.648	23.83
Road	0410951	1.247	3.08
Road	0411502	0.277	0.68
Subdivision	0512903	4.677	11.56

(xv) Meridian 5 Range 2 Township 25 Section 5

That portion of the North West Quarter which lies to the North of the parcel on Plan 53/28 and to the east of the transmission line right of way on Plan 79JK, containing 20.9 hectares (51.67 acres) more or less excepting thereout:

	Hectares	(Acres) More or Less
A) Plan 0110288 subdivision	4.020	9.93

(xvi) Lot 35 through 40 Block 90 Plan 0614543;

(xvii) Lot 59 through 99 Block 90 Plan 0614543; and

(xviii) Lots 2 through 4 Block 6 Plan 8910893

any of which may be further subdivided from time to time.

25.1 The following **developments** do not require a **development permit**:

1P2009

(a) **Public Transit System;**

(a.1) temporary structures affiliated with a **City** approved street festival;

4P2012

(a.2) any activity and associated structures granted a permit through the Parks and Pathways Bylaw;

4P2012, 32P2012

(b) **Utilities – Linear;**

- 32P2012 (c) **developments** as defined in section 8(2) of Bylaw 2P80 that comply with the rules of The City of Calgary Land Use Bylaw 2P80, that have commenced or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to June 1, 2008;
- 32P2012 (d) **developments** as defined in section 7 of the Municipal District of Rocky View No. 44 Land Use Bylaw, Bylaw C-4841-97, that have commenced and comply with the rules of the Municipal District of Rockyview or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to June 1, 2008, and which are located in the lands annexed from the Municipal District of Rocky View No. 44 to the City of Calgary as described in APPENDIX A of Order in Council 333/2007;
- 32P2012 (e) **developments** as defined in Section 8(2) of Part 10, that comply with the rules of Part 10 and have commenced or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to designation of the parcel under another part of this bylaw; and

Development Permit Application Requirements

- 26 (1) Any owner of a **parcel**, his authorized agent, or other persons having legal or equitable interest in the **parcel** may apply to the **General Manager** for a **development permit**.
- (2) An application for a **development permit** must be made on an application form approved by the **General Manager** and be submitted with the fee for an application as prescribed by resolution of **Council**.
- (3) An applicant for a **development permit** must provide such information as may be required by the **Development Authority** to evaluate the application.

46P2007, 30P2011

Notice Posting Requirement

- 27 (1) At least 7 days prior to making a decision on an application for a **development permit** for those **uses** listed in subsections (2), (2.1), (3) (4) and (5), the **Development Authority** must post in a conspicuous place a notice stating:
- (a) the proposed **use** of the **building** or **parcel**;
- (b) that an application respecting the proposed **development** will be considered by the **Development Authority**;
- (c) that any person who objects to the proposed **development** on the **parcel** may deliver to a **Development Authority** a written statement of their objection to the **development**;
- (d) the date by which the objection must be delivered to the **Development Authority** to be considered by the **Development Authority**; and
- (e) that the objection must include:

- (i) their full name and the address for service of any notice to be given to the objector in respect of the objection; and
- (ii) the reason for their objection to the proposed **development**.
- (2) The following **uses** must always be notice posted:
- | | | |
|-------|--|---------------------------|
| (a) | Drinking Establishment – Large in the CC-EIR or the CC-ET districts | 26P2010 |
| (a.1) | Drinking Establishment – Medium in the C-C1, C-COR1, C-COR2, CC-X or CC-COR districts; | 51P2008 |
| (b) | Drinking Establishment – Small in the M-H2, M-H3, C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X or CC-COR districts; | 51P2008 |
| (c) | Drive Through in the C-N2, C-C1 or C-COR2 districts; | |
| (c.1) | Home Based Child Care – Class 2; | 17P2009 |
| (d) | Home Occupation – Class 2; | |
| (e) | Liquor Store in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X or CC-COR districts; | 51P2008 |
| (e.1) | Medical Marihuana Production Facility; | 7P2014 |
| (f) | Multi-Residential Development in the Developed Area ; | |
| (f.1) | Night Club in the CC-EIR District or CR20-C20/R20 District in the area indicated in Map 11; | 26P2010, 33P2013 |
| (g) | Outdoor Café in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, I-R, S-R, CC-X, CC-COR Districts or CR20-C20/R20 District in the area indicated in Map 11; | 51P2008, 33P2013 |
| (h) | Place of Worship – Large; | 14P2010 |
| (h.1) | Recyclable Construction Material Collection Depot (temporary); | 14P2010 |
| (i) | Secondary Suite – Detached Garage; | 12P2010, 14P2010 |
| (i.1) | Secondary Suite – Detached Garden; | 12P2010, 9P2012 |
| (j) | Social Organization in the C-N1, C-N2, C-C1, C-COR1, C-COR2, S-CI or CC-COR districts; and | 51P2008, 14P2010, 38P2013 |
| (k) | Waste Disposal and Treatment Facility. | 14P2010, 38P2013 |
| (l) | Wind Energy Conversion System - Type 1; and | 38P2013 |
| (m) | Wind Energy Conversion System - Type 2. | 38P2013 |
- (2.1) The following **uses** must be notice posted when **adjacent** to a **parcel** containing a **Dwelling Unit**:
- | | | |
|-----|--|--------|
| (a) | Digital Third Party Advertising Sign; and | |
| (b) | Digital Message Sign. | 4P2013 |

- (3) The following **uses** must always be notice posted in a **residential district**:
- (a) **Addiction Treatment**;
 - (b) **Bed and Breakfast**;
 - (c) **Child Care Service**;
 - (d) **Community Recreation Facility**;
 - (e) **Custodial Care**;
 - (f) **Indoor Recreation Facility**;
 - (g) **Library**;
 - (h) **Museum**;
 - (i) **Place of Worship – Medium**;
 - (j) **Place of Worship – Small**;
 - (k) **Residential Care**; and
 - (l) **Service Organization**.
- (4) The following **uses** must always be notice posted in a **special purpose district**:
- (a) **Addiction Treatment**;
 - (b) **Child Care Service**;
 - (c) **Custodial Care**;
 - (d) **Place of Worship – Medium**;
 - (e) **Place of Worship – Small**;
 - (f) **Residential Care**; and
 - (g) **Service Organization**.
- (5) The construction of a new **building** or an addition to a **building** for the following **uses** must be notice posted:
- (a) **Assisted Living** in the **Developed Area**;
 - (b) **Duplex Dwelling** when listed as a **discretionary use**;
 - (c) **Semi-detached Dwelling** when listed as a **discretionary use**;
 - (d) **Single Detached Dwelling** when listed as a **discretionary use** in the **Developed Area**; and
 - (e) any **discretionary use** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, CC-ET Districts or CR20-C20/R20 District in the area indicated in Map 11;
- (6) The **Development Authority** must not notice post any **development permit** applications not set out in subsections (2), (2.1), (3), (4) or (5).

51P2008, 26P2010, 9P2012,
33P2013

30P2011

Commencement of Development

- 44** (1) Where a **development permit** is for a change of **use**, a change of intensity of **use** or both, **development** must commence within one year of the date of approval of the **development permit**. 31P2009
- (2) For the purpose of subsection (1), **development** commences when the applicant begins occupying the **parcel** and operating the **use** which was approved by the **development permit**.
- (3) Where a **development permit** is for construction, or for construction combined with a change of **use**, a change in intensity of **use** or both, **development** must commence within: 31P2009
- (a) three years of the date of approval of the **development permit** on **parcels** designated M-H1, M-H2, M-H3, C-O, I-B, S-CI, S-CRI, CC-MH, CC-MHX, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, CC-ET and CR20-C20/R20 Districts; 51P2008, 26P2010, 33P2013
- (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;
- (b) in the case of an appeal to the Subdivision and Development Appeal Board, the date upon which the Subdivision and Development Appeal Board renders a written decision approving the **development permit** application; or
- (c) In the case of an appeal or leave to appeal to the Court of Appeal, the date the judgement roll or decision of the court is filed with the Court of Appeal allowing the **development** to proceed pursuant to an approved **development permit**. 41P2009

- 31P2009
- (8) The **General Manager** may grant a request to extend the date before which **development** must commence as specified in this Land Use Bylaw or any previous Bylaw governing land use within the **City** provided:
- (a) the **development permit** is not for a change of **use**, a change of intensity of **use** or both;
 - (b) no more than two extensions are granted for any **development permit**;
 - (c) the length of any extension is one year;
 - (d) the request is made in writing on a form approved by the **General Manager** and must be submitted with the fee as prescribed by resolution of **Council**; and
 - (e) the request is granted prior to the **development permit** lapsing.
- 31P2009
- (9) When **development** has not commenced in accordance with this section the **development permit** lapses.

Commencement of Construction

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

Reapplication for a Development Permit

- 5P2013
- 46 Where a **development permit application** has been refused, the **Development Authority** must not accept an application for the same or similar **development** within six months of the date of decision except where the proposed **development** is for a **permitted use** that conforms to all of the applicable requirements and rules of this Bylaw.

Development Completion Permit

- 47
- (1) When a **development permit** is required, a **development completion permit** must be issued before the **development** can be occupied or a **use** commenced.
 - (2) The **General Manager** must determine which **developments** and **uses** do not require a **Development Completion Permit**, which may be amended from time to time.
 - (3) The **Development Authority** must advise an applicant for a **development permit** if the proposed **development** or **use** requires a **Development Completion Permit**.
 - (4) An application for a **Development Completion Permit** must be made on a form approved by the **General Manager** and must be accompanied by two copies of a surveyor's certificate.

- (5) An applicant for a **Development Completion Permit** must ensure the **development** or **use** is available for inspection by a Development Inspector during the Inspector's normal work day to confirm the **development** is completed in accordance with the **development permit**, and, upon request by the Development Inspector, the applicant must attend the inspection, produce any documents the Development Inspector feels are necessary for the inspection, and must not hinder the inspection in any way.
- (6) Where a **Development Authority** is satisfied that the **development** has been completed in accordance with all of the requirements of the **development permit**, the **Development Authority** may issue a **Development Completion Permit** for the **development**.
- (7) Where a **Development Authority** is not satisfied that a **development** has been completed in accordance with all of the requirements of the **development permit**, the **Development Authority** may:
- (a) issue a **Development Completion Permit** upon receipt of a letter of credit or other security in an amount and form acceptable to the **Development Authority**, in order to ensure fulfilment of the outstanding requirements of the **development permit**; or
 - (b) refuse to issue a **Development Completion Permit**.
- (8) The **Development Completion Permit** must be retained on the premises in a legible condition for a period of one year from the date of issuance.

Appeals of Decisions on Development Permits

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

development permit upon completion of any outstanding prior to release conditions.

- (6) If any decision of the **Development Authority** is varied by the Subdivision and Development Appeal Board, the **Development Authority** must endorse a **development permit** reflecting the decision of the Subdivision and Development Appeal Board and act in accordance therewith.

PART 3: RULES GOVERNING ALL DISTRICTS

Division 1: Road Rights-of-Way

Rights-of-Way Property Line Setbacks

53 (1) The **Development Authority** must not relax the basic right-of-way requirements referenced in Table 1 below:

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

Table 1: Road Rights-of-Way

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
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 DRIVE (N. LEG)	53 AVENUE N.	20.117	24.385	2.134 EAST
83 STREET W.	BOWNESS ROAD	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

51P2008, 26P2010
 19P2010, 9P2012, 33P2013, Table 1: Road Rights-of-Way – continued
 15P2014

ON (Numbered Avenues)	FROM	TO	BASIC R.O.W. (Metres)	REQUIRED R.O.W. (Metres)	REQUIRED SETBACKS (Metres) (Side)
1 AVENUE N.	4 STREET E.	6 STREET E.	20.117	24.385	2.134 Each
1 AVENUE S.	6 STREET W.	7 STREET W.	20.117	24.385	2.134 Each
2 AVENUE S.	3 STREET W.	CENTRE STREET	20.117	24.385	2.134 Each
2 AVENUE S.	8 STREET W.	6 STREET W.	20.117	24.385	2.134 Each
2 AVENUE S.	CENTRE STREET	1 STREET E.	20.117	24.385	2.134 SOUTH
3 AVENUE S.	8 STREET W.	1 STREET E.	20.117	24.385	2.134 Each
4 AVENUE S.	10 STREET W.	1 STREET E.	20.117	24.385	2.134 Each
5 AVENUE S.	11 STREET W.	2 STREET W.	20.117	24.385	2.134 Each
5 AVENUE S.	CENTRE STREET	1 STREET E.	20.117	30.481	5.182 Each
6 AVENUE S.	11 STREET W.	4 STREET E.	20.117	24.385	2.134 Each
7 AVENUE S.	10 STREET W.	3 STREET W.	20.117	24.385	2.134 Each
8 AVENUE S.	11 STREET W.	MACLEOD TRAIL	20.117	24.385	2.134 Each
9 AVENUE S.	14 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.	BOW TRAIL	14 STREET W.	20.117	22.385	1.134 Each
11 AVENUE S.	17 STREET W.	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.	19 STREET W.	6 STREET E.	20.117	24.385	2.134 Each
16 AVENUE N.	13 STREET W.	4 STREET E.	20.117	40.539	5.182 NORTH
17 AVENUE S.	37 STREET W.	17 STREET W.	20.117	30.481	5.182 Each
17 AVENUE S.	27 STREET E.	50 STREET E.	20.117	34.747	7.315 Each
17 AVENUE S.	C.N.R. RIGHT-OF-WAY	WEST EDGE OF T.U.C.	20.117	36.577	8.230 Each
26 AVENUE S.	24A STREET W.	37 STREET W.	20.117	24.385	2.134 Each
26 AVENUE S.	4 STREET W.	5 STREET W.	20.117	25.299	5.182 NORTH
26 AVENUE S.	26 STREET E.	28 STREET E.	20.117	24.385	2.134 Each
26 AVENUE S.	39 STREET E.	47 STREET E.	20.117	24.385	2.134 Each
26 AVENUE S.	DARTMOUTH ROAD	OGDEN ROAD	20.117	24.385	2.134 SOUTH
34 AVENUE N.	77 STREET W.	69 STREET W.	22.250	24.384	2.134 NORTH
42 AVENUE S.	BRANDON STREET	LANE E. OF CLEVELAND CR.	25.298	30.480	5.182 NORTH
42 AVENUE S.	BLACKFOOT TRAIL	12 STREET E.	20.117	30.481	5.182 Each
58 AVENUE S.	ELBOW DRIVE	MACLEOD TRAIL	25.298	27.432	2.134 NORTH
58 AVENUE S.	2 STREET W.	LANE E. OF C.P.R. RIGHT-OF-WAY	20.117	30.481	5.182 Each
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.

Division 2: Airport Vicinity Rules

Airport Vicinity Regulations

- 54** When making a decision on a *development permit* the *Development Authority* must comply with the requirements of:
- (a) The Calgary International Airport Vicinity Protection Area Regulation; and
 - (b) The Calgary International Airport Zoning Regulations.

Division 3: Floodway, Flood Fringe and Overland Flow

Floodway, Flood Fringe and Overland Flow

55 For *parcels* located in the *floodway*, *flood fringe* or *overland flow area*, the requirements of this Division apply and prevail when there is any conflict between the requirements of this Division and any other requirements of this Bylaw.

33P2013

Floodway Regulations

- 56** (1) For *parcels* located in the *floodway* on which a *building* existed and the use of that *parcel* was approved as of September 9, 1985, the use may continue as a *permitted* or *discretionary use* provided that the *use* is listed in the land use district that the *parcel* is designated.
- (2) Subject to subsection (1), in the *floodway* only those *permitted* and *discretionary uses* which are listed below, and which are also listed in the land use district for which the *parcel* is designated, may be allowed as *permitted* and *discretionary uses*:
- (a) **Extensive Agriculture;**
 - (b) **Natural Area;**
 - (c) **Outdoor Recreation Area;**
 - (d) **Park;** and
 - (e) **Utilities.**

New Buildings and Alterations

- 57** (1) No new *buildings* or other new structures are allowed in the *floodway*, except for the replacement of existing **Accessory Residential Buildings, Contextual Semi-detached Dwellings, Contextual Single Detached Dwellings, Duplex Dwellings, Secondary Suites, Secondary Suites – Detached Garage, Secondary Suites – Detached Garden, Semi-detached Dwellings and Single Detached Dwellings** on the same building footprint.
- (2) An addition to a *building* in the *floodway* may only occur if it does not increase the *building* footprint or increase the obstruction to floodwaters.
- (3) In the *floodway*, nothing must be stored outside of a *building*.

32P2012

Alterations to the Floodway and Riverbanks

58 On those areas of land within the *floodway* that are subject to municipal jurisdiction, no alterations shall be made to a *floodway* and no structures including, but not limited to, berms, *decks*, docks, *fences*, gates, *patios*, rip-rap or walls shall be constructed on, in or under a *floodway*.

Flood Fringe and Overland Flow Area Regulations

- 59 (1) Only those goods that are easily moveable may be stored on a *parcel* in the *flood fringe* or the *overland flow area*.
- (2) Where a *parcel* was vacant on July 22, 1985, all *buildings* must be set back the greater of the following distances:
- (3) Where a *parcel* was used for the following *uses* on July 22, 1985, as may be defined in Land Use Bylaw 2P80: agricultural purposes; a pit or a quarry; an athletic or recreational facility; automotive purposes; a special care facility; a hospital; a cemetery or crematorium; a radio or television transmitting station; or industrial uses involving processing, manufacturing or outside storage; all buildings must be set back by the greater of the following distances:
- (a) 60.0 metres from the edge of the Bow River;
 - (b) 30.0 metres from the edge of the Elbow River, Nose Creek, West Nose Creek; or
 - (c) 6.0 metres from the edge of the *floodway*.
- (4) On *parcels*, other than those referenced in subsections (2) and (3), *buildings* must be set back the greater of the following minimum distances:
- (a) for **Accessory Residential Buildings, Contextual Semi-detached Dwellings, Contextual Single Detached Dwellings, Duplex Dwellings, Secondary Suites, Secondary Suites – Detached Garage, Secondary Suites– Detached Garden, Semi-detached Dwellings and Single Detached Dwellings**:
 - (i) that are being redeveloped for either an **Accessory Residential Building, Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Secondary Suite– Detached Garage, Secondary Suite – Detached Garden, Semi-detached Dwelling or Single Detached Dwelling**:
 - (A) 6.0 metres from the edge of the *floodway*; or
 - (B) such lesser minimum distance from the edge of the *floodway* that the *Development Authority* may specify if the *Development Authority* is satisfied that the velocity of the flow will not result in serious damage to the *building*; and

32P2012

Division 4: Lighting Rules

Lighting Requirements

62 The provisions of this Division apply to all **uses** except for:

- (a) **streets**;
- (b) temporary lighting for **Motion Picture Filming Locations** and construction sites; and
- (c) **signs**.

Shielding

63 (1) All outdoor **light fixtures** must be aimed and shielded in a manner that does not direct illumination onto a **street** or adjacent residential **uses**.

(2) Unless otherwise referenced in subsection (3), all outdoor **light fixtures** must not emit light above the horizontal plane at the bottom of the **light fixture**.

(3) Outdoor **light fixtures** may emit light above the horizontal plane at the bottom of the **light fixture** only where the **light fixture**:

- (a) is used for **accent lighting**; or
- (b) has a luminaire wattage 150 watts or less and does not contain a:
 - (i) mercury vapour luminaire;
 - (ii) metal halide luminaire; or
 - (iii) high pressure sodium luminaire; or
- (c) has a luminaire wattage 75 watts or less and contains a:
 - (i) mercury vapour luminaire;
 - (ii) metal halide luminaire; or
 - (iii) high pressure sodium luminaire.

Mounting of Fixtures

64 All outdoor **light fixtures**, other than those referenced in section 63(3), must be mounted with a rigid mounting arm with no adjustment feature.

13P2008

Height Limits

- 13P2008 **65** (1) Unless otherwise referenced in subsection (2), the maximum **mounting height** for an outdoor **light fixture** with a luminaire wattage greater than 100 watts is:
- (a) 7.5 metres in the C-N1, C-N2, C-C1, C-COR1, I-B and I-E Districts and in all **low density residential districts**, **multi-residential districts** and **special purpose districts**; and
- (b) 12.0 metres in all other **commercial** and **industrial districts**.
- 13P2008 (2) There is no maximum **mounting height** requirement for an outdoor **light fixture** with a luminaire wattage greater than 100 watts for an **Outdoor Recreation Area** and a **Spectator Sports Facility**, regardless in which District these **uses** are located.
- 13P2008 (3) Outdoor **light fixtures** mounted on poles, or any structure intended primarily for mounting lighting, must not exceed a **mounting height** of 40.0 per cent of the horizontal distance between the **light fixture** and the **property line**, except:
- (a) For outdoor **light fixtures** with a **mounting height** less than 5.0 metres with side shielding on the **property line** side of the outdoor **light fixture** so that the luminaire is not visible from the **property line**; and
- (b) **accent lighting** mounted in or on a tree.
- 13P2008 (4) Outdoor **light fixtures** with a luminaire wattage greater than 100 watts, mounted onto **buildings**, must not have a **mounting height** higher than the **building** or higher than 40.0 per cent of the horizontal distance between the **light fixture** and the **property line**, whichever is the lesser, except for:
- (a) outdoor **light fixtures** mounted on **building** façades that are less than 7.5 metres from the **property line** may have a **mounting height** of 3.0 metres or less; and
- (b) **accent lighting** for **building** façades.

Canopy Lighting

- 13P2008 **66** Outdoor **light fixtures** mounted on canopies must be recessed so that the luminaire does not project below the underside of the canopy.

Division 5: Signs

Purpose

- 67 This Division is intended to regulate **signs** in order to:
- (a) balance the need for signage and expression with safety and aesthetics;
 - (b) support a hierarchy of **signs** which places informational and directional **signs** at a higher order than commercial **signs** through the regulation of the size, location and structure of **signs**;
 - (c) provide many opportunities for the identification of businesses and **buildings**; and
 - (d) prevent **sign** proliferation, to ensure that the effectiveness of informational and identification signage is not undermined through visual clutter.

Classification of Signs

- 68 All **signs** are classified as belonging to either **Sign – Class A, Sign – Class B, Sign – Class C, Sign – Class D, Sign – Class E, Sign – Class F or Sign – Class G**.

Development Permits

- 69 (1) Unless specifically exempt from the requirement to obtain a **development permit**, all **signs**, structures for **signs** and any enlargement, relocation, erection, construction or alteration of a **sign**, require a **development permit**.
- (2) A **development permit** is not required for routine maintenance and repair, changing the **copy**, or reducing the **copy area** of a legally existing **sign**.
- (3) All **signs** containing a **digital display** must obtain a **development permit**.

Comprehensive Sign Program

- 70 (1) The **Development Authority** may require that any or all **signs** placed on a **building** or **parcel** comply with a comprehensive sign program as set out in a **development permit** affecting the **parcel** where **signs** are to be located.
- (2) The comprehensive sign program may set out a designated area for **signs** attached to or projecting from the face of a **building** or for any **signs** that are freestanding to be located on the **parcel** and any proposed **signs** must be located in the designated area or location for **signs** specified in the applicable **development permit**.

- (3) The designated area and locations for **signs** referenced in subsection (2) replace any rules regarding designated area or location contained in this Division that would normally apply to the specific **sign** type.
- (4) Where a **development permit** application for a **sign** is proposed that would conflict with the comprehensive sign program, the **Development Authority** will evaluate the application as if the proposed **sign** required a relaxation of the rules of this Bylaw.
- (5) A comprehensive sign program is only in place when a condition on a **development permit** affecting the **parcel** where **signs** are to be located clearly indicates that a comprehensive sign program has been approved.
- (6) When the architectural and site drawings that form part of a **development permit** indicate areas on a **building** wall for future tenant signage or **parcel** locations for **signs** that will be freestanding, these areas and locations are not to be interpreted as a comprehensive sign program unless a condition on the **development permit** clearly indicates that a comprehensive sign program has been approved.

Comprehensive Sign Program for Pedestrian Corridors

- 71 Where a **building** is proposed, or an existing **building** is undergoing exterior redevelopment on a **parcel** in one of the locations referenced in subsection 89(2) the **Development Authority** must consider implementing a comprehensive sign program in accordance with section 70 that would require signage that is appropriately scaled for pedestrians and takes into consideration the following:
- (a) a requirement for **Projecting Signs** or **Canopy Signs** to be installed so that business identification signage is visible to pedestrians on a public sidewalk;
 - (b) the location and type of **Fascia Signs** that will be allowed on the **building** wall;
 - (c) the method of **sign** illumination; and
 - (d) the number and locations for any **Temporary Signs** or **Freestanding Signs** that would be located on the **parcel**.

Development Authority's Discretion

- 72 (1) Where a type of **sign** is listed as a **permitted use** in a District, but does not comply with all of the applicable rules of this Part, the **Development Authority's** decision to relax a rule must be guided by the:
- (a) test for a relaxation referenced in section 31;
 - (b) purpose statement of this Part;
 - (c) rules relating to opportunities for signage;

- (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.

- (7) **Signs** must not be placed in or on a required **motor vehicle parking stall** or **loading stall**, and must be placed so as to not reduce the number of required **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**.
- (9) **Signs**, sign supports and structures for **signs** must not be located in the required road rights-of-way setbacks as 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.
- (2) Unless otherwise referenced in section 93(5), **signs** located within the **Stephen Avenue Mall heritage area** may utilize only the following means of illumination:

- (a) incandescent lighting;
 - (b) fluorescent lighting not visible to pedestrians at **grade**;
 - (c) neon lighting when used only for text or imagery in a **sign area**; and
 - (d) LED lighting.
- (3) All back-lit **signs** must have opaque backgrounds with illumination only visible through the text.
- (4) With the exception of **signs** referenced in sections 90 (3) and 99 (5), the text of a **sign** located in the **Stephen Avenue Mall heritage area** must not occupy more than 60.0 per cent of the total **sign area**.

Rules Governing Signs containing Digital Displays

35P2011, 4P2013

- 74 (1) **Copy** shown on a **digital display** must be static and remain in place for a minimum of six (6.0) seconds before switching to the next **copy**.
- (2) The maximum transition time between each digital **copy** must not exceed 0.25 seconds.
- (3) *deleted* 4P2013
- (4) **Copy** must not be shown on the **digital display** using full motion video or otherwise give the appearance of animation or movement, and the transition between each digital **copy** must not be displayed using any visible effects, including but not limited to action, motion, fading in and out, dissolving, blinking, intermittent, or flashing light or the illusion of such effects. 4P2013
- (5) **Copy** must not be shown in a manner that requires the **copy** to be viewed or read over a series of sequential **copy** messages on a single **digital display**, or sequenced on multiple **digital displays**. 4P2013
- (5.1) All **signs** containing a **digital display** must be equipped with an ambient light sensor. 4P2013
- (5.2) A **sign** containing a **digital display** must not increase the light levels adjacent to the **digital display** by more than 3.0 LUX above the ambient light level. 4P2013
- (6) The **sign owner** must ensure that while the **sign** is in operation, the light output for the **digital display** must be set in accordance with the following maximum luminance levels when measured from the **sign** face at its maximum brightness: 4P2013
- (a) from sunrise to sunset, 7500 Nits in all districts; and
 - (b) from sunset to sunrise:
 - (i) 500 Nits in the **industrial districts**;

- (ii) 350 Nits in the C-COR 1, C-COR2, C-COR3, C-R1, C-R2, C-R3, S-CRI and S-FUD Districts; and
- (iii) 300 Nits in all other districts not referenced in subsections (i) and (ii).

4P2013 (7) *deleted*

4P2013 (8) If any component on the **sign** fails or malfunctions in any way or fails to operate as indicated on the approved **development permit** plans, the **sign owner** must ensure that the **sign** is turned off until all components are fixed and operating as required.

4P2013 (9) The **sign owner** must provide the **Development Authority** with a name and telephone contact information of a person(s) having access to the technology controls for the **sign**, who can be contacted 24 hours a day in the event that the **sign** malfunctions.

4P2013 (10) *deleted*

35P2011 Maintenance of Signs

75 (1) A **sign owner** must ensure that its signs do not become unsafe or unsightly.

(2) Where a **sign** has been defaced, damaged or destroyed the **sign owner** must:

- (a) immediately repair the **sign** to its original condition;
- (b) replace it with a new **sign** that complies with any applicable **development permit** or the rules of this Bylaw where a **development permit** is not required; or
- (c) remove the **sign**.

(3) Where a **sign** is no longer related to a business, event, product or commodity located on the same **parcel** as the **sign**, the **sign** must be removed by the **sign owner** or the owner of the **parcel** on which the **sign** is located.

35P2011 Parcels in Related Function

76 Where abutting **parcels** have the appearance and function of a single site by virtue of having cross-access easements, shared parking, connecting internal roadways, or common access points, a **sign** that relates to a **use** on any of the **parcels** will not be considered a **Third Party Advertising Sign** simply because it is located on another **parcel**.

35P2011 Rules Governing Class A Signs

77 A **Sign – Class A** does not require a **development permit** when “**Sign – Class A**” is a listed **use** in the District and the **sign** meets all applicable rules.

Address Sign

35P2011

- 78 (1) Where an **Address Sign** is sculpted out of the face of a **building** and is not illuminated, there is no maximum **copy area** restriction.
- (2) Where an **Address Sign** is affixed to a residence or a **private garage**, the maximum **copy area** is 0.30 square metres.
- (3) Where an **Address Sign** is neither sculpted out of a **building** or affixed to a residence or **private garage**, the maximum **copy area** is 1.2 square metres.
- (4) Any proposed **Address Sign** that exceeds the maximum **copy area** set out in this section will be considered a **Fascia Sign** or **Freestanding Sign** and must comply with the rules applicable to those **signs**.

Art Sign

35P2011

- 79 (1) An **Art Sign** may contain a maximum of 10.0 per cent of the area of the **sign** as written **copy**.
- (2) An **Art Sign** may only contain written **copy** acknowledging:
- (a) the name of the business occupying the **building** where the **sign** is located; and
 - (b) the name of any individual, organization or business that sponsored or contributed to making the **Art Sign**.
- (3) When an **Art Sign** takes the form of a **Window Sign** it must follow all rules applicable to a **Window Sign** as referenced in section 90.

Banner Sign

35P2011

- 80 (1) A **Banner Sign** may:
- (a) be primarily decorative;
 - (b) temporarily promote the buying or selling of products or services;
 - (c) be used to announce the opening of a business; or
 - (d) temporarily be used in place of a **Fascia Sign**.
- (2) A **Banner Sign** that is used to temporarily promote the buying or selling of products or services or to announce the opening of a business:
- (a) may be erected for a maximum of 90 days in a calendar year; and
 - (b) is limited to one per business provided there is not more than one **Banner Sign** located on a **building** at any one time.

- (3) A **Banner Sign** that is used in place of a **Fascia Sign** may only be placed in the designated signable area and locations referenced in section 92 for a period not exceeding 90 days following the issuance of a **development completion permit** or occupancy permit granted under the Building Permit Bylaw for the **development** to which the **sign** relates.
- (4) A **Banner Sign** may have a maximum **sign area** of 5.0 square metres.
- (5) A **Banner Sign** must not project above, or be located on, the roof of a **building**.
- (6) A **Banner Sign** may be:
 - (a) affixed to the wall of a **building**; or
 - (b) freestanding provided it does not exceed 3.0 metres in height when measured from **grade** to the highest part of the **sign**.

35P2011

Construction Sign

- 81 (1) All **Construction Signs** relating to undeveloped **parcels**, or **parcels** where the **development** is being carried out in accordance with a **development permit**:
- (a) may have a total cumulative maximum **sign area** of 6.0 square metres; and
 - (b) must be removed within seven days following issuance of the **development completion permit**.
- (2) A **Construction Sign** relating to **parcels** for which a **development permit** is not required, may:
- (a) in **residential districts**, have a maximum **sign area** of 1.0 square metres;
 - (b) in the **commercial**, **industrial** and **special purpose** districts, have a maximum **sign area** of 1.5 square metres; and
 - (c) in all cases, be displayed for a maximum of 30 days.

35P2011

Directional Sign

- 82 (1) In **low density residential districts**, a **Directional Sign** must be attached to a **building**.
- (2) A **Directional Sign** must not have any advertising **copy** or slogans, but may have logos and written identification **copy**.
 - (3) The maximum **copy area** of a **Directional Sign** is 2.5 square metres.
 - (4) A **Directional Sign** may be located anywhere on a **parcel**.

- (5) A maximum of two freestanding **Directional Signs** may be located near any point of ingress or egress to the *parcel* when the **Directional Sign** intends to direct a vehicle or pedestrian onto the *parcel*.
- (6) The maximum height of a freestanding **Directional Sign** is 4.0 metres.

Flag Sign

35P2011

- 83** (1) A **Flag Sign**:
- (a) may have a maximum *sign area* of 2.0 square metres;
 - (b) is limited to three per *parcel* where the *parcel* has a *frontage* of 30.0 metres or less; and
 - (c) is limited to six per *parcel* where the *parcel* has a *frontage* greater than 30.0 metres.
- (2) A **Flag Sign** and the structures they are on must not extend higher than the maximum height allowed for a **Freestanding Sign** as referenced in section 97.
- (3) A **Flag Sign** must not be located on the roof of a *building*.

Gas Bar Sign

35P2011

- 84** (1) The maximum *sign area* for a **Gas Bar Sign** is 1.0 square metres.
- (2) A **Gas Bar Sign** must not be illuminated.

Pedestrian Sign

35P2011

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

35P2011

Real Estate Sign

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

35P2011

Special Event Sign

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

35P2011

Show Home Sign

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

Temporary Sign

35P2011

- 89 (1)** A **Temporary Sign** must not be located on any *parcel* such that the *copy* on the *sign* is visible from:
- (a) Airport Trail from 36 Street N.E. east to the **City** Limit;
 - (b) 14 Street from Glenmore Trail to Anderson Road S.W.;
 - (c) Anderson Road;
 - (d) Barlow Trail from Peigan Trail to Deerfoot Trail;
 - (e) Beddington Trail from Country Hills Boulevard to Deerfoot Trail;
 - (f) Country Hills Boulevard from Shaganappi Trail to Beddington Trail;
 - (g) Crowchild Trail;
 - (h) Deerfoot Trail;
 - (i) Glenmore Trail;
 - (j) John Laurie Boulevard from Shaganappi Trail, east to McKnight Boulevard;
 - (k) Macleod Trail from Anderson Road south to the **City** limits;
 - (l) Marquis of Lorne Trail;
 - (m) McKnight Boulevard from Edmonton Trail, east to the **City** limits;
 - (n) McKnight Boulevard from 4 Street N.W. to John Laurie Boulevard;
 - (o) Memorial Drive from Barlow Trail to Edmonton Trail;
 - (p) Metis Trail;
 - (q) Peigan Trail;
 - (r) Sarcee Trail N.W. from 34 Avenue N.W. to Glenmore Trail;
 - (s) Shaganappi Trail;
 - (t) The Transportation and Utility Corridor;
 - (u) Spruce Meadows Trail;
 - (v) Trans-Canada Highway from Deerfoot Trail, east to the **City** limits;
 - (w) Trans-Canada Highway from Crowchild Trail to Bowness Road;
 - (x) Trans-Canada Highway from the junction of Home Road, west to the **City** limits;

- (y) 17 Avenue S.E. from the east **City** limit to Stoney Trail;
- (z) 114 Avenue S.E. from the east **City** limit to Stoney Trail; and
- (aa) Symons Valley Road NW from the north **City** limit to 144 Avenue NW.

(2) A **Temporary Sign** must not be placed on a **parcel** that is located in the following pedestrian corridors:

- (a) 9 Avenue S.E. from 8 Street S.E. to 15 Street S.E.;
- (b) the south side of 17 Avenue S.E. from 33 Street S.E. to 36 Street S.E.;
- (c) Bowness Road from 47 Street N.W. to 42 Street N.W.;
- (d) Kensington/Louise Crossing Business Revitalization Zone;
- (e) Fourth Street Business Revitalization Zone;
- (f) Marda Loop Business Revitalization Zone;
- (g) Uptown 17 Business Revitalization Zone;
- (h) Victoria Park/First Street S.W. Business Revitalization Zone; and
- (i) Bowness Road from 62 Street N.W. to 66 Street N.W.

9P2012

4P2013

4P2013

(2.1) A **Temporary Sign** must not be placed on a **parcel** where an approved **Digital Message Sign** is operating.

(3) A **Temporary Sign** must be stabilized and anchored in a way that ensures it will not be unintentionally moved, blown over or dislocated.

(4) Sandbags and guy wires may only be used to stabilize or anchor a **Temporary Sign** if the **sign** is located on a hard surface.

(5) A **Temporary Sign** must not be located within 7.5 metres of a motor vehicle access to a **parcel**.

(6) In **residential districts**, the maximum **sign area** of a **Temporary Sign** is:

- (a) 1.0 square metre if a **Dwelling Unit** is located on the **parcel** where the **Temporary Sign** is located; and
- (b) 3.0 square metres if there are no **Dwelling Units** located on the **parcel** where the **Temporary Sign** is located, with the exception of election signs.

(7) In all other Districts not addressed by subsection (6), the maximum **sign area** of a **Temporary Sign** is:

- (a) 1.5 square metres if the **frontage** of the **parcel** where the **Temporary Sign** is located is 30.0 metres or less; and
- (b) 5.5 square metres if the **frontage** of the **parcel** where the **Temporary Sign** is located is greater than 30.0 metres.

- (8) The maximum height of a **Temporary Sign** is:
- (a) 1.5 metres if the **sign area** is 2.5 square metres or less;
 - (b) 2.0 metres if the **sign area** is greater than 2.5 square metres, but less than 3.0 square metres; and
 - (c) 3.0 metres if the **sign area** is 3.0 square metres or more.
- (9) A **Temporary Sign** with a **sign area** greater than 1.5 square metres must be located on a **Temporary Sign Marker** that has been approved in accordance with the rules for **Sign – Class E** and must:
- (a) be no further than 1.0 metres away from the **Temporary Sign Marker**; and
 - (b) not be closer to the **street** than the **Temporary Sign Marker**.
- (10) Unless otherwise referenced in subsection (11) a maximum of one **Temporary Sign** may be located on a **parcel**.
- (11) Where a **parcel** has a **frontage**:
- (a) less than or equal to 75.0 metres, a maximum of one **Temporary Sign** may be located on that **parcel**;
 - (b) greater than 75.0 metres, but less than or equal to 200.0 metres, a maximum of two **Temporary Signs** may be located on that **parcel**; and
 - (c) greater than 200.0 metres, a maximum of three **Temporary Signs** be located on that **parcel**.

Window Sign

- 90 (1) The total **copy area** of one or more **Window Signs** must not exceed 30.0 per cent of the window area. 35P2011
- (2) For the purposes of subsection (1), “window area” includes all contiguous panes of glass, including panes of glass that would be contiguous if not separated by mullions, but does not include contiguous planes of glass on a doorway.
- (3) In the **Stephen Avenue Mall heritage area**, a **Window Sign** must not: 33P2013
- (a) exceed one per window area;
 - (b) be located in windows above the second **storey** except where there is a **use** with a **use area** that is wholly contained on a floor above the second **storey**;
 - (c) be located within 1.8 metres of a window where the **sign** is internally illuminated and facing outward from inside a **building**; and
 - (d) contain **copy** greater than:

- (i) 0.15 metres in height when located in a window at or below the second **storey**; and
- (ii) 0.23 metres in height when located in a window above the second **storey**;

35P2011

Rules Governing Class B Signs

91 A **Fascia Sign** does not require a **development permit** when:

- (a) **Sign – Class B** is listed as a **permitted use** in the District;
- (b) the **sign area** is not larger than 1.5 square metres; and
- (c) the **sign** meets all applicable rules.

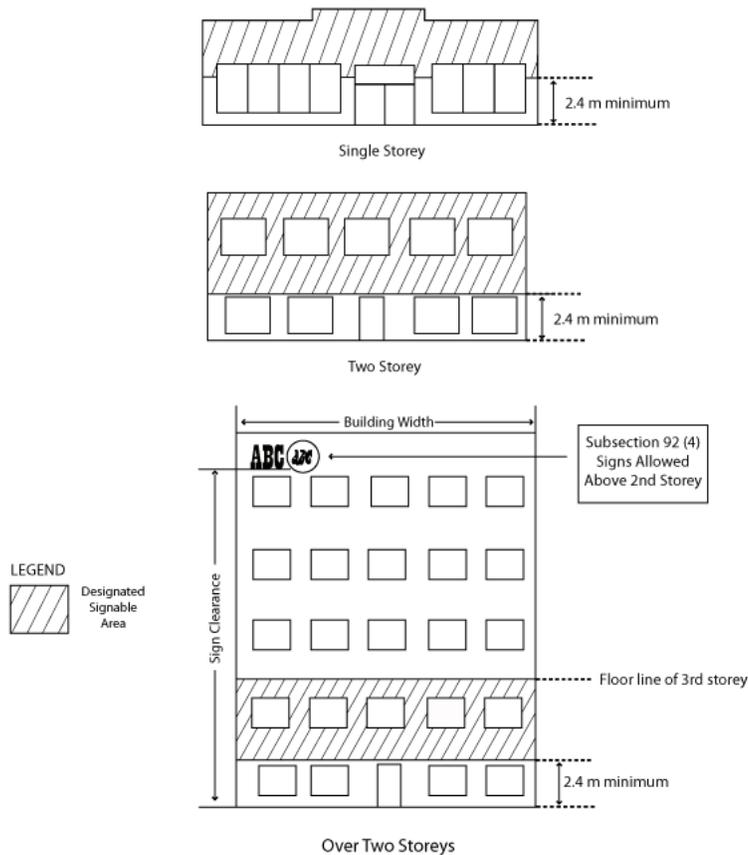
35P2011

Designated Signable Area and Locations for Fascia Signs

- 92** (1) Unless otherwise referenced in subsections (4) and (5), **Fascia Signs** must be located within the designated signable area described in this section.
- (2) For a single or two **storey building**:
- (a) the upper limit of the designated signable area is:
 - (i) the **eaveline**, or
 - (ii) if there is a parapet then the upper edge of the parapet; and
 - (b) the lower limit of the designated signable area is 2.4 metres above **grade**.
- (3) For a **building** that exceeds two **storeys**:
- (a) the upper limit of the designated signable area is the floorline of the third **storey**; and
 - (b) the lower limit of the designated signable area is 2.4 metres above **grade**.
- (4) A **Fascia Sign** may be located above the second **storey** provided:
- (a) the **sign** consists of individual letters, symbols or logos that are directly attached to the **building face**;
 - (b) there is no more than one **sign** per **building face** above the second **storey**; and
 - (c) the **sign area** does not exceed 2.5 per cent of the area formed by multiplying the clearance of the **sign** from **grade** by the width of the **building**.

- (5) A **Fascia Sign** may be located below the designated signable area referenced in subsections (2) and (3) provided:
- (a) the **sign** consists of individual letters, symbols or logos that are directly attached to the **building**;
 - (b) the portion of the **sign** below the signable area occupies a maximum of 30.0 per cent of the area of the wall of the **building** below the signable area; and
 - (c) the **copy area** of the **sign** below the designated signable area is less than 9.3 square metres.
- (6) The following diagrams illustrate the rules of subsections (2), (3) and (4):

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



35P2011

Rules for Fascia Signs

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

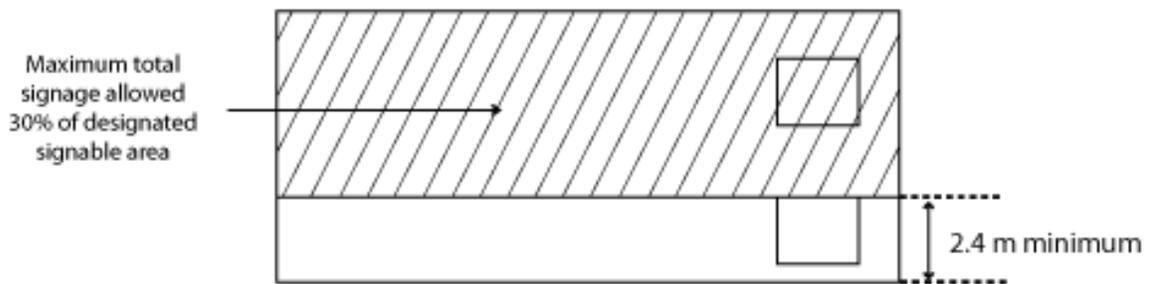
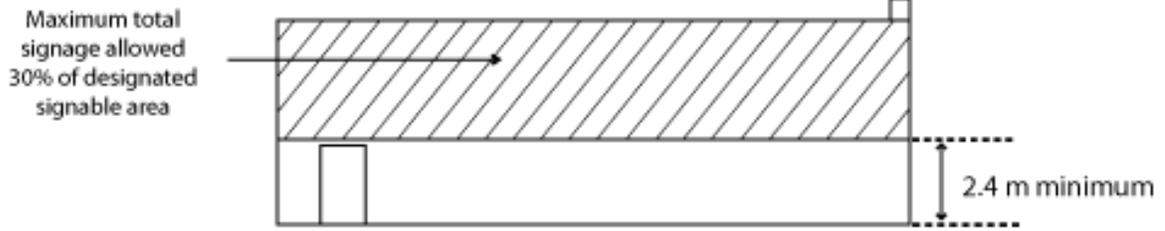
5P2013

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

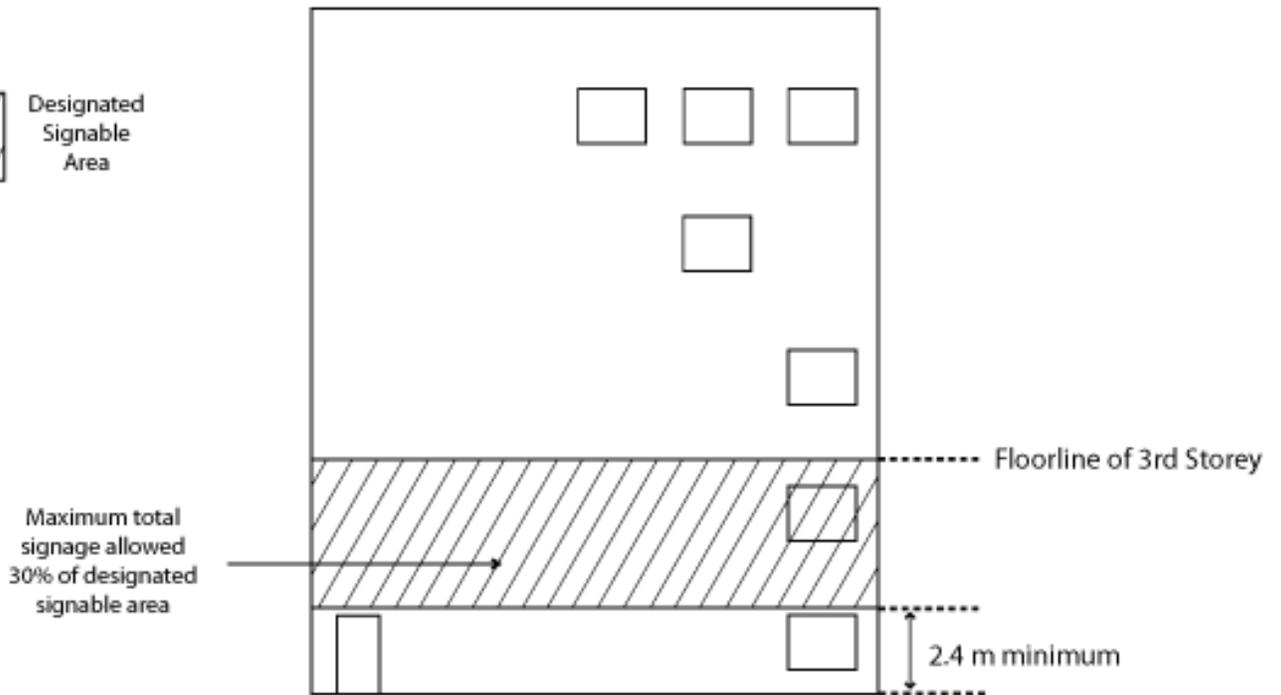
33P2013

- (3.1) In the **Stephen Avenue Mall heritage area**, a **Fascia Sign** must not:
- (a) have a height greater than 0.6 metres;
 - (b) contain **copy** that is greater than 0.4 metres;
 - (c) be located within 0.6 metres of each edge of a facade parallel to Stephen Avenue Mall; and
 - (d) be internally illuminated.
- (4) The following diagrams illustrate the rule in subsection (2).

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



LEGEND



35P2011

Rules Governing Class C Signs

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

35P2011

Rules for Freestanding Signs

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

5P2013

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

33P2013

- (5)** A **Freestanding Sign** must not be located within the **Stephen Avenue Mall heritage area**.

35P2011

Number of Freestanding Signs

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

Size and Height Restrictions for Freestanding Signs

35P2011

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

Rules Governing Class D Signs

35P2011

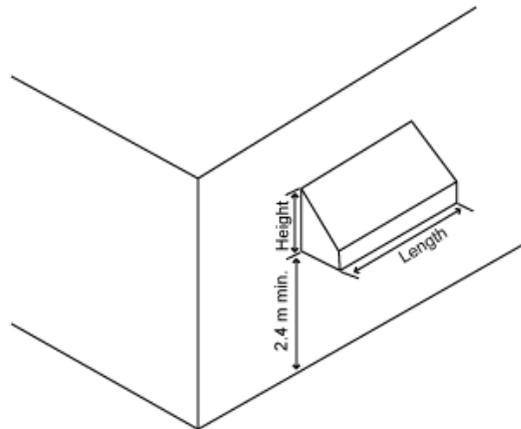
- 98** (1) A **development permit** is required to erect a new canopy, awning, marquee or projecting structure intended to display a **Sign – Class D** and must follow any applicable dimensional standards referenced in sections 99, 100, 101 and 102.
- (2) A **development permit** is not required for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

35P2011

Rules for Canopy Signs

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

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



33P2013

- (5) In the **Stephen Avenue Mall heritage area**, a **Canopy Sign**:
- must have a horizontal slope of 45.0 degrees when measured relative to **grade** which is directed downward from the **building** facade;
 - has a maximum **copy area** not greater than 30.0 per cent of the total area of the canopy which will be measured by the vertical height of the canopy multiplied by the length of the canopy awning;
 - must not be located above the **sign area** referenced in section 92(2) and (3); and
 - may contain a valance with **copy** that is no greater than 80.0 per cent of the height of the valance.

Rules for Signs under Canopies

35P2011

100 **Signs** hanging or attached under canopies and other **building** projections:

- (a) must have a minimum clearance of 2.4 metres from **grade**;
- (b) may be a maximum of 0.30 metres in height;
- (c) may have a maximum **sign area** of 1.0 square metres; and
- (d) must be a minimum of 4.5 metres from each other.

Rules for Projecting Signs

35P2011

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

(1.1) In the **Stephen Avenue Mall heritage area**, a **Projecting Sign** must be limited to a maximum of one for every 7.5 metre section of **building** facade parallel to Stephen Avenue Mall;

33P2013

(2) The edge of a **Projecting Sign** closest to the wall of the **building** to which it is attached must be within 0.30 metres of that wall.

(3) Unless otherwise referenced in subsection (4), the maximum height of a **Projecting Sign** is 6.0 metres from **grade** when measured to the top of the **sign**.

(4) Where a **Projecting Sign** relates to a **Hotel, Retail and Consumer Service** or a **Parking Lot – Structure** with a height of 18.5 metres or greater, the maximum height of the **Projecting Sign** is 21.5 metres above **grade** so long as:

- (a) the **sign** does not project more than 2.0 metres from the **building**; and
- (b) the **sign area** is 18.5 square metres or less.

(5) The minimum clearance between the bottom of a **Projecting Sign** and **grade** is 2.4 metres.

Size Restrictions for Projecting Signs

102 (1) In the C-N1, C-N2, C-C1, CC-MH, CC-MHX, M-H1, M-H2, M-H3, M-X1 and M-X2 Districts, the maximum **sign area** for a **Projecting Sign** is 2.3 square metres.

35P2011

(2) In the C-COR3 District, the maximum **sign area** for a **Projecting Sign** is 9.3 square metres.

(3) In all other **commercial** and **industrial districts** and the CR20-C20/R20 District, the maximum **sign area** for a **Projecting Sign** is 4.5 square metres.

33P2013

(4) In all other Districts not referenced in subsections (1) through (3), the maximum **sign area** for a **Projecting Sign** is 1.0 square metres.

15P2014

- (5) In the **Stephen Avenue Mall heritage area**, a **Projecting Sign**:
- (a) must not have a dimension greater than 0.91 metres by 1.22 metres except where the only other **sign** on the facade of the **building** is a **Window Sign**; and
 - (b) when located above the designated signable area referenced in section 92(2) and (5) must not have a:
 - (i) **sign area** greater than 1.1 square metres;
 - (ii) vertical dimension greater than 1.2 metres; and
 - (iii) horizontal dimension that is parallel to the **building** facade greater than 0.20 metres.

Rules Governing Class E Signs

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

35P2011, 4P2013

Digital Message Sign

104 (1) Unless otherwise referenced in subsection (2), a **Digital Message Sign** may only be approved in a **commercial district, industrial district, S-R or CC-ER District**.

- (2) A **Digital Message Sign** advertising events, activities or services offered, may only be approved in the **low-density residential districts, multi-residential districts, CC-MH, CC-MHX, S-SPR, S-CS, S-CI, S-URP, CC-EMU, CC-ET, CC-EPR, CC-EIR and CC-ERR Districts**, when they are associated with one of the following **uses**:
- (a) **Community Recreation Facility;**
 - (b) **Indoor Recreation Facility;**
 - (c) **Library;**
 - (d) **Museum;**
 - (e) **Outdoor Recreation Area;**
 - (f) **Park;**
 - (g) **Place of Worship – Large;**
 - (h) **Place of Worship – Medium;**
 - (i) **Place of Worship – Small;**
 - (j) **School – Private;**
 - (k) **School Authority – School;**
 - (l) **School Authority Purpose – Major; and**
 - (m) **School Authority Purpose – Minor.**

- (3) A **Digital Message Sign** must be located at least 300.0 metres from any other **Digital Message Sign** or **Digital Third Party Advertising Sign** when measured from the closest point of the *sign* containing the **digital display** to the closest point of another *sign* containing the **digital display** when the *signs* are facing the same oncoming traffic.

33P2013, 15P2014

- (3.1) *deleted*

- (4) Subsection (3) does not apply to a **Digital Message Sign** with *copy* that only displays the date, time, temperature, motor vehicle fuel price or a **Drive Through** menu board.

- (5) A **Digital Message Sign** must not be located on a *parcel adjacent* to Deerfoot Trail when the *copy* on the *sign* is visible from Deerfoot Trail.

- (5.1) A **Digital Message Sign** must not be located within the **Stephen Avenue Mall heritage area**.

33P2013, 15P2014

- (6) A **Digital Message Sign**:

- (a) where located in a **commercial district, industrial district, S-R or CC-ER District** has a maximum *sign area*:
- (i) of 5.0 square metres when attached to a **building**;
 - (ii) not exceeding the lesser of 2.5 square metres or 30.0 per cent of the window area, where used as a **Window Sign**; and
 - (iii) of 50 per cent of the *sign area* of a **Freestanding Sign**; and
- (b) where located in a **low-density residential district, multi-residential district, CC-MH, CC-MHX, S-SPR, S-CS, S-CI, S-URP, CC-EMU, CC-ET, CC-EPR, CC-EIR and CC-ERR Districts**, has a maximum *sign area* of 1.0 square metres.

- (7) Where the **digital display** of a **Digital Message Sign** is visible from and located within 125.0 metres of a **building** containing a **Dwelling Unit**, the *sign* must not operate, or must only display a black screen when located in:

- (a) a **commercial district, industrial district, S-R or CC-ER District**, between 11 p.m. and 6 a.m.; or
- (b) one of the districts and associated with one of the *uses* listed in subsection (2), between 10 p.m. and 7 a.m.

- (8) A **Digital Message Sign**, or any digital *copy* on a **Digital Message Sign** must not be located on or attached to a roof of a **building**.

- (9) The **Development Authority** must not approve any *sign* containing a **digital display** with a *sign area* greater than 2.0 square metres if the *sign* is located less than 30.0 metres from an intersection or railway crossing.

- (10) The electrical power supply to a **Digital Message Sign** must be provided underground.
- (11) A **Digital Message Sign** may display *copy* that acknowledges sponsors of activities or programs when the *sign* is associated with one of the following *uses*:
- (a) **Community Recreation Facility;**
 - (b) **Indoor Recreation Facility;**
 - (c) **Library;**
 - (d) **Museum;**
 - (e) **Outdoor Recreation Area;**
 - (f) **Park;**
 - (g) **Place of Worship – Large;**
 - (h) **Place of Worship – Medium;**
 - (i) **Place of Worship – Small;**
 - (j) **School – Private;**
 - (k) **School Authority – School;**
 - (l) **School Authority Purpose – Major; and**
 - (m) **School Authority Purpose – Minor.**
- (12) A *development permit* for a **Digital Message Sign** may only be issued for a period not exceeding three (3) years, except where *copy* only displays the date, time, temperature, motor vehicle fuel price, or **Drive Through** menu board.
- (13) Prior to a *development permit* expiring for a **Digital Message Sign**, and upon receipt of a new **development permit** application for the same **Digital Message Sign**, the **Development Authority**:
- (a) must ensure the location of the **Digital Message Sign** does not interfere with information signs in road rights-of-way;
 - (b) must, when a *sign* is located in a district referenced in subsection (1), apply the rules referenced in subsection (7); and
 - (c) may approve the *development permit* for a **Digital Message Sign** that was approved prior to March 1, 2013, and is adjacent to Deerfoot Trail.

35P2011

Inflatable Sign

- 105 (1)** An **Inflatable Sign** is not allowed in those locations referenced in subsections 89(1) or 89(2).

33P2013

- (1.1)** An **Inflatable Sign** must not be located within the **Stephen Avenue Mall heritage area**.

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

Painted Wall Sign

- 106 (1) A **Painted Wall Sign** may be located anywhere on a **building** wall. 35P2011
- (1.1) In the **Stephen Avenue Mall heritage area**, a **Painted Wall Sign** must only be located on a **building** facade perpendicular to Stephen Avenue Mall. 33P2013
- (2) If a **Painted Wall Sign** is removed, the wall it was displayed on must be refinished to be consistent with the rest of the **building**.

Roof Sign

- 107 (1) A **Roof Sign** may be approved only in the following Districts 35P2011, 33P2013
- (a) all **commercial districts**;
 - (b) all **industrial districts**;
 - (c) the S-CI or S-SPR Districts; and
 - (d) the CR20-C20/R20 District.
- (2) A **Roof Sign** may only identify, by name or symbol, the **use**, business or occupant of the **building** on which the **sign** is located.
- (3) Supports and structures used for a **Roof Sign** must not be visible.
- (4) A **Roof Sign** and the supports for a **Roof Sign**, must not extend beyond the maximum **building height** applicable to the District where the **sign** is located.
- (5) The **sign area** of all **Roof Signs** on each face of a **building** must not exceed 2.5 per cent of the area formed by multiplying the clearance of the **sign** from **grade** by the width of the **building**.
- (6) In the **Stephen Avenue Mall heritage area**, a **Roof Sign** must not: 33P2013
- (a) be visible to pedestrians at **grade** on Stephen Avenue Mall; and
 - (b) employ more than three colours.

Rotating Sign

35P2011

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

Temporary Sign Markers

35P2011

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

4P2013

Rules Governing Class F Signs – Third Party Advertising Signs**110** *deleted*

71P2008, 28P2009

Prohibited Locations For Third Party Advertising Signs

4P2013

111 (1) *deleted*

4P2013

(2) *deleted*

- (2.1) **Third Party Advertising Signs** must not be located within the **Stephen Avenue Mall heritage area**. 33P2013
- (3) **Third Party Advertising Signs** are prohibited on any site where the **sign** is positioned such that the **copy** on the **sign** is visible from: 30P2011, 44P2013
- (a) 14 Street N.W. from John Laurie Boulevard, north to Country Hills Boulevard;
 - (b) 14 Street S.W. from Glenmore Trail S.W., south to Canyon Meadows Drive S.W.;
 - (c) 52 Street East, from 17 Avenue S.E., north to McKnight Boulevard;
 - (d) 85 Street N.W. from Bowness Road, north to Bears paw Dam Road;
 - (e) 87 Street N.W. from Bears paw Dam Road, north to Nose Hill Drive;
 - (f) 17 Avenue South from the eastern **City** limit, west to the Canadian National Railway crossing of 17 Avenue South near 52 Street S.E.;
 - (g) 32 Avenue N.E. from 36 Street N.E., east to the **City** limits;
 - (h) 64 Avenue N.E. from 36 Street N.E., east to the **City** limits;
 - (i) 96 Avenue N.E. from Harvest Hills Boulevard to Deerfoot Trail; 4P2013
 - (j) 144 Avenue N.W.;
 - (k) 162 Avenue S.W. from 37 Street S.W., east to Macleod Trail;
 - (k.1) Airport Trail; 4P2013
 - (l) Anderson Road;
 - (m) Barlow Trail from the north **City** limits, south to the junction of McKnight Boulevard;
 - (n) Bears paw Dam Road from 87 Street N.W., east to 85 Street N.W.;
 - (o) Beddington Trail;
 - (p) Bow Bottom Trail;
 - (q) Bow Trail from the junction of Sarcee Trail S.W., east to the junction of Crowchild Trail;
 - (r) Canyon Meadows Drive;
 - (s) Chaparral Boulevard;
 - (t) Country Hills Boulevard;
 - (u) Crowchild Trail;

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

4P2013

- (ss) the Transportation and Utility Corridor;
 - (tt) Trans-Canada Highway from the Bow River, west to the **City** limits; or
 - (uu) Trans-Canada Highway from 6 Street N.E., east to the **City** limits.
- (4) **Third Party Advertising Signs** are prohibited on sites **adjacent** to Bowness Road from 62 Street N.W. to 65 Street N.W.
- (5) **Third Party Advertising Signs** are prohibited on **street** or utility right-of-way.
- (6) **Third Party Advertising Signs** must be a minimum of 450.0 metres from: 4P2013
- (a) major parks, as referenced in section 115;
 - (b) escarpments and pathways;
 - (c) riverbanks; and
 - (d) natural areas,
- when the **copy** is visible.
- (7) Notwithstanding subsection 111(3)(tt), existing **Third Party Advertising Signs** positioned such that the **copy** is visible from the Trans Canada Highway between the Bow River and Bowfort Road and approved prior to November 19, 1990 may be renewed from time to time in accordance with subsections 114 (10) and (11). 4P2013, 44P2013
- (8) Notwithstanding subsection 111(3)(y) and (uu), existing **Third Party Advertising Signs** positioned such that the **copy** is visible from Glenmore Trail S.E. or from the Trans-Canada Highway between 6 Street N.E. and 36 Street N.E. respectively, may be renewed from time to time in accordance with subsections 114 (10) and (11). 4P2013, 44P2013
- (9) Notwithstanding subsection 111(3), freestanding-flush and wall-mounted **Third Party Advertising Signs** in **commercial** or **industrial districts** may be allowed along those public thoroughfares referred to in subsections 111(3)(f)(q)(u) and (nn) where:
- (a) the **sign** is contained within the line and form of the **building** to which it is attached;
 - (b) the **sign** is not positioned such that it can be viewed from a land use district other than a **commercial** or **industrial district**; and
 - (c) the **sign area** does not exceed 19.0 square metres.

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

Siting of Third Party Advertising Signs

- 44P2013 112 (1) A **Third Party Advertising Sign** must not be located within 30.0 metres of any **Freestanding Sign**, facing the same oncoming traffic, except where the separation is between existing **signs** approved prior to November 19, 1990.
- 4P2013, 44P2013 (2) A **Third Party Advertising Sign** must be removed from a **parcel** upon expiry of the **development permit** for such **sign** if a **development permit** application for a **Freestanding Sign** is approved within 30.0 metres of the **Third Party Advertising Sign**.

- (3) A **Third Party Advertising Sign** must not be located within 75.0 metres of any other **Third Party Advertising Sign** facing the same on-coming traffic and must not result in more than two (2) freestanding **Third Party Advertising Signs** greater than 4.6 metres in height and 4.5 square metres in area within a 225.0 metre radius of each other facing the same **street**, except:
- (a) where the separation is between an existing **Third Party Advertising Sign**, approved prior to June 19, 2000;
 - (b) for a **Third Party Advertising Sign** located on the same structure; or
 - (c) for a **Third Party Advertising Sign**, less than 4.6 metres in height and 4.5 square metres in area, where the separation must be 30.0 metres.
- (4) Subject to subsections (1) and (3), a **Third Party Advertising Sign**, less than 4.6 metres in height and 4.5 square metres in area, must not be located closer than 30.0 metres to any other **Third Party Advertising Sign** less than 4.6 metres in height and 4.5 square metres in area.
- (5) A **Third Party Advertising Sign** must be located such that no portion is less than 6.0 metres from any **property line adjacent** to a public thoroughfare except for **Third Party Advertising Signs** less than 4.6 metres in height and 4.5 square metres in area.
- (6) Notwithstanding subsection (5), where an existing **Third Party Advertising Sign** complies with this Bylaw, except for the provisions of subsection (5), it may be renewed from time to time in accordance with subsections 114 (10) and (11). 4P2013
- (7) Trees required under an approved **development permit** shall not be removed or altered in any way to accommodate the placement or visibility of a **Third Party Advertising Sign**.
- (8) A **Third Party Advertising Sign** must not be located on, or attached to, a roof of a **building**. 4P2013
- (9) A freestanding **Third Party Advertising Sign** must be separated from:
- (a) a **Directional Sign**, exceeding 3.0 square metres in **sign area**, in a **street** right-of-way;
 - (b) a **street** intersection or railway crossing; and
 - (c) the curblineline or edge of a **major street, expressway** or freeway; to the satisfaction of the General Manager Transportation or his delegate.

4P2013

Height and Size of Third Party Advertising Signs

- 113 (1)** The maximum height of a wall-mounted or a freestanding-flush **Third Party Advertising Sign** is 10.5 metres and it must not extend above the **eaveline**.
- (2)** The maximum height of a freestanding **Third Party Advertising Sign** is 8.3 metres, and if any portion of a freestanding **Third Party Advertising Sign** is located within 6.5 metres of a **building** less than 8.3 metres in **height**, the **sign** must not exceed the height of that **building** or 6.5 metres, whichever is greater.

4P2013

- (2.1)** In the C-COR1, C-COR2, CC-X and CC-COR Districts, where located outside of pedestrian-oriented areas as referenced in subsection 113 (6), the maximum height of a **Third Party Advertising Sign** is 4.6 metres and the maximum **sign area** is 4.5 square metres.
- (3)** The dimensions of the **sign area** of a **Third Party Advertising Sign** must not exceed a vertical dimension of 5.8 metres by a horizontal dimension of 7.0 metres, with allowance for a 1.5 metre cut-out to the top and face and a 0.70 metre cut-out to the sides and bottom of the **Third Party Advertising Sign**.
- (4)** The maximum area of a **Third Party Advertising Sign** must not exceed 25.0 square metres and only one face of a double-faced **sign** may be used to calculate **sign area**.
- (5)** Where an existing **Third Party Advertising Sign** complies with this Bylaw, except for the provisions of this section, it may be renewed from time to time in accordance with subsections 114 (10) and (11).

4P2013

- (6) Third Party Advertising Signs** are prohibited in the following pedestrian-oriented areas:
- (a)** 9 Avenue S.E. from 8 Street S.E. to 15 Street S.E.;
 - (b)** 17 Avenue S.E. from 26 Street S.E. to 61 Street S.E.;
 - (c)** Bowness Road from 47 Street N.W. to 42 Street N.W. and from 62 Street N.W. to 66 Street N.W.;
 - (d)** Fourth Street Business Revitalization Zone;
 - (e)** Kensington/Louise Crossing Business Revitalization Zone;
 - (f)** Marda Loop Business Revitalization Zone;
 - (g)** Uptown 17 Business Revitalization Zone; and
 - (h)** Victoria Park/First Street S.W. Business Revitalization Zone, except for Olympic Way S.E.

General Rules for Third Party Advertising Signs

4P2013

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

(1.1) **Third Party Advertising Signs** with a **sign area** greater than 4.5 square metres may only be located in the CR20-C20/R20 District where:

33P2013

- (a) it forms part of a comprehensive **development**; and
- (b) it has been incorporated into the design of a **building** or structure.

(2) A **Third Party Advertising Sign** must not block natural light or the sky from the surrounding **buildings**' windows and doors.

(3) The lighting or orientation of a **Third Party Advertising Sign** must not adversely affect any neighbouring residential areas.

(4) A **Third Party Advertising Sign** must utilize lighting fixtures which are not readily discernible or obtrusive.

(5) An auxiliary **sign** or other material must not be attached to, on, above or below a **Third Party Advertising Sign**.

(6) The backs of all **Third Party Advertising Signs** and all cut-outs must be enclosed.

(7) The space between the faces of double-faced **Third Party Advertising Signs** must be enclosed.

(8) Electrical power supply to **Third Party Advertising Signs** or base landscaping must be underground unless otherwise allowed by the **Development Authority** such as, but not limited to, situations where reasonable access to an underground power source is not available or the **Third Party Advertising Sign** is located in an area where underground power has not commenced.

(9) A **development permit** for a **Third Party Advertising Sign** may only be issued for a period not exceeding five (5) years.

(10) Prior to a **development permit** expiring for a **Third Party Advertising Sign**, and upon receipt of a new **development permit** application for the same **Third Party Advertising Sign** at the same height, size and location, the **Development Authority** may apply the rules referenced in subsection (11).

(11) When considering a **development permit** application for a **Third Party Advertising Sign** referenced in subsection (10), the **Development Authority**:

- (a) must consider if the proposed **Third Party Advertising Sign** is compatible with the general architectural lines and forms of nearby **buildings** and the character of the streetscape or area within which it is to be located, and does not severely obstruct the horizon line;

- (b) must not approve the **development permit** if a **Freestanding Sign** has been approved and constructed within 30.0 metres of the **Third Party Advertising Sign**;
- (c) may only approve the **development permit** for the **Third Party Advertising sign** when the use is listed in the District;
- (d) may approve the **development permit** for the **Third Party Advertising Sign** if it is located in pedestrian-oriented areas as referenced in subsection 113 (6) at its current size and height provided the **parcel** has not been approved for redevelopment; and
- (e) may approve the **development permit** for the **Third Party Advertising Sign** if it is located in areas referenced in subsection 113 (2.1), when the height of the **sign** exceeds 4.6 metres and the area exceeds 4.5 square metres at their current size and height provided the **parcel** has not been approved for redevelopment.

Major Parks

115 Map 3 identifies the following major parks:

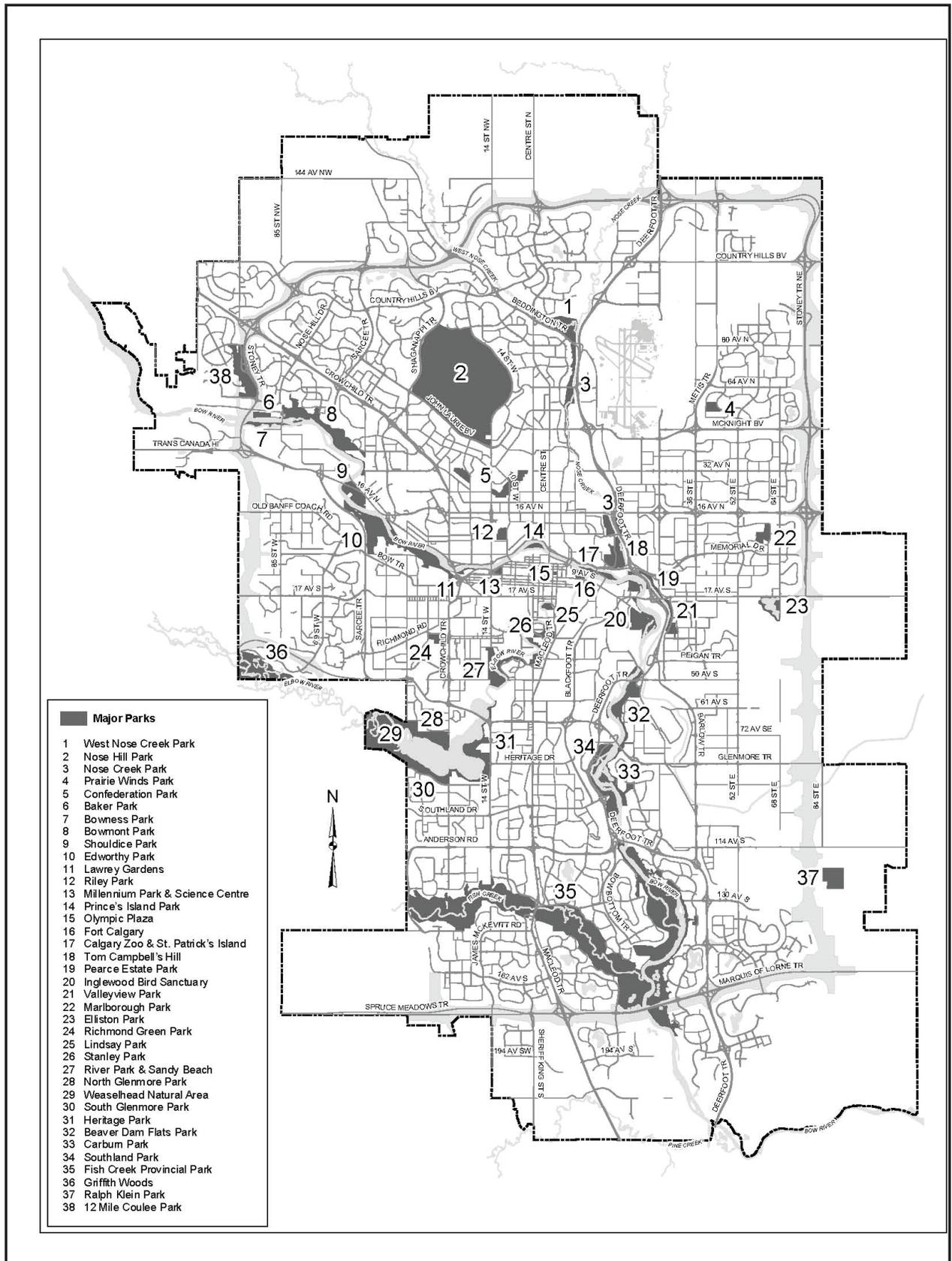
1. West Nose Creek Park
2. Nose Hill Park
3. Nose Creek Park
4. Prairie Winds Park
5. Confederation Park
6. Baker Park
7. Bowness Park
8. Bowmont Park
9. Shouldice Park
10. Edworthy Park
11. Lawrey Gardens
12. Riley Park
13. Millennium Park & Science Centre
14. Prince's Island Park
15. Olympic Plaza
16. Fort Calgary
17. Calgary Zoo & St. Patrick's Island
18. Tom Campbell's Hill
19. Pearce Estate Park
20. Inglewood Bird Sanctuary
21. Valleyview Park
22. Marlborough Park
23. Elliston Park
24. Richmond Green Park
25. Lindsay Park
26. Stanley Park
27. River Park & Sandy Beach
28. North Glenmore Park

29. Weaselhead Natural Area
30. South Glenmore Park
31. Heritage Park
32. Beaver Dam Flats Park
33. Carburn Park
34. Southland Park
35. Fish Creek Provincial Park
36. Griffith Woods
37. Ralph Klein Park
38. 12 Mile Coulee Park

9P2012

Map 3:
Major Parks

9P2012



115.1 *deleted*

30P2012, 4P2013

Prohibited Locations for Digital Third Party Advertising Signs

115.2 (1) *deleted*

30P2012, 4P2013

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

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

4P2013

4P2013

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

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

Siting of Digital Third Party Advertising Signs 30P2011

- 115.3 (1) A **Digital Third Party Advertising Sign** must not be located within 30.0 metres of any **Freestanding Sign**, facing the same oncoming traffic; 44P2013
- (2) A **Digital Third Party Advertising Sign** must be removed from a **parcel** upon expiry of the **development permit** for such a **sign** if a **development permit** application for a **Freestanding Sign** is approved within 30.0 metres of the **Digital Third Party Advertising Sign**; 44P2013
- (3) A **Digital Third Party Advertising Sign**: 4P2013
- (a) must be located at least 300.0 metres from any other **Digital Message Sign** or **Digital Third Party Advertising Sign** when measured from the closest point of the **sign** containing the **digital display** to the closest point of another **sign** containing the **digital display** when the **signs** are facing the same oncoming traffic;

- 4P2013 (b) must not be located within 75.0 metres of any **Third Party Advertising Sign** facing the same on-coming traffic and must not result in more than two (2) **signs** displaying third party advertising greater than 4.6 metres in height and 4.5 square metres in area within a 225.0 metre radius of each other facing the same **street**;
- 4P2013 (c) except where specified in subsection (d), must be located at least the following distances from any **property line** shared with a **street**:
- (i) 17.0 metres where the posted speed limit of the public thoroughfare is 100 kilometres per hour or greater;
 - (ii) 16.0 metres where the posted speed limit of the public thoroughfare is 90 kilometres per hour;
 - (iii) 14.0 metres where the posted speed limit of the public thoroughfare is 80 kilometres per hour;
 - (iv) 10.0 metres where the posted speed limit of the public thoroughfare is 70 kilometres per hour; and
 - (v) 6.0 metres where the posted speed of the public thoroughfare is 60 kilometres per hour or less.
- 4P2013 (d) may be located closer to a **property line** shared with a **street** identified in subsection (c) provided that:
- (i) the **sign** replaces an existing approved **Sign – Class F** on a **parcel**;
 - (ii) the **development permit** approving the **Sign – Class F** remains in effect; and
 - (iii) the distance from the **sign** to any **property line** is not less than that of the existing approved **Sign – Class F**.
- (4) Trees required under an approved **development permit** must not be removed or altered in any way to accommodate the placement or visibility of a **Digital Third Party Advertising Sign**.
- (5) A **Digital Third Party Advertising Sign** must not be located on, or attached to, a roof of a **building**.
- (6) A freestanding **Digital Third Party Advertising Sign** must be separated from:
- (a) a **Directional Sign**, exceeding 3.0 square metres in **sign area**, in a **street** right-of-way;
 - (b) a **street** intersection or railway crossing by at least 30.0 metres; and
 - (c) the curblineline or edge of a **major street, expressway** or freeway, to the satisfaction of the General Manager Transportation or his delegate.

Height and Size of Digital Third Party Advertising Signs

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

General Rules for Digital Third Party Advertising Signs

4P2013

- 115.5 (1)** The applicant for a *development permit* for a **Digital Third Party Advertising Sign** must show that the **Digital Third Party Advertising Sign** is compatible with the general architectural lines and forms of nearby *buildings* and the character of the streetscape or area within which it is to be located, and does not severely obstruct the horizon line.

- (1.1) Digital Third Party Advertising Signs** with a *sign area* greater than 4.5 square metres may only be located in the CR20-C20/R20 District where:

33P2013

- (a) it forms part of a comprehensive *development*; and
- (b) it has been incorporated into the design of a *building* or structure.
- (2) A Digital Third Party Advertising Sign** must not block natural light or the sky from surrounding *buildings'* windows and doors.
- (3)** The lighting or orientation of a **Digital Third Party Advertising Sign** must not adversely affect any neighbouring residential areas.
- (4)** An auxiliary *sign* or other material must not be attached to, on, above or below a **Digital Third Party Advertising Sign**.
- (5)** The backs of all **Digital Third Party Advertising Signs** and all cut-outs must be enclosed.

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

- (c) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

177 “Crematorium”

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

177.1 “Cultural Support”

33P2013

- (a) means a **use**:
 - (i) where support functions necessary for a cultural organization’s day-to-day operations are provided and which may include, but is not limited to, administrative support, meeting rooms, storage, set production and rehearsal space;
 - (ii) where the primary cultural objective of the organization, which is intended for public viewing or sale, is not located in the same **use area**; and
 - (iii) that must only be located in a publicly accessible space that has been approved by a **development permit** as a ‘Cultural Support Space’ in accordance with incentive item 8.11 of the Incentive Density Table contained in Part 13 Division 3 of this Bylaw.

- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) does not require **motor vehicle parking stalls**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

24P2011

178 “Custodial Care”

- (a) means a **use**:
 - (i) where care, accommodation and on-site professional supervision is provided to one or more persons who have been required to reside full –time in the facility as part of a conditional or early release from a correctional institution or part of an open custody program; and
 - (ii) that has at least one staff person at the facility at all times;
- (b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;
- (c) may have a maximum of 10 residents when located in a **low density residential district**;
- (d) requires a minimum of 1.0 **motor vehicle parking stalls** per two (2) resident staff and additional **motor vehicle parking stalls** may be required based on the projected level of visits by non-resident staff and visitors; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

179 “Custodial Quarters”

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

- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of **bicycle parking stalls – class 2** based on 10.0 per cent of the minimum required **motor vehicle parking stalls**.

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) 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**;
- (e) in all **commercial** and **industrial districts**, not including C-R2 and C-R3 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**;
- (f) requires a minimum of 5.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (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**;
 - (ii) that may incorporate only the following **uses** in a **Dwelling Unit** to create a **Live Work Unit** when located in the **commercial districts**, CC-EMU, CC-ET, CC-EIR or CR20-C20/R20 District:
 - (A) **Artist’s Studio**;
 - (B) **Counselling Service**;
 - (C) **Instructional Facility**;

13P2008, 39P2010,
33P2013

- (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;
- 13P2008, 39P2010
- (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**;
 - (B) **Counselling Service**;
 - (C) **Office**; and
 - (D) **Retail and Consumer Service**, provided any products sold are also made on the premises or directly related to the service provided;
- 67P2008
- (iv) that, in the **multi-residential districts**, must be contained within a **Multi-Residential Development**;
 - (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**;
- 13P2008, 9P2012
- (d) may have two persons, other than a resident of the **Live Work Unit**, working at the residence where the **use** is located; and
 - (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.

299 “Sign – Class A”

67P2008,
35P2011

- (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;
 - (iv) “**Construction Sign**” which means a **sign** that is displayed on a **parcel** undergoing construction, which identifies the party responsible for the management of a **parcel**, a person who is furnishing labour, services, materials or financing, or the future use of the **parcel**;
 - (v) “**Directional Sign**” which means a **sign** that guides, warns or restrains people or motor vehicles and may be freestanding on a permanent structure or attached to a **building**;
 - (vi) “**Election Sign**” which means a **sign** that:
 - (A) indicates support for a candidate in a Federal, Provincial or local election;
 - (B) sets out a position or information relating to an issue in an election; or
 - (C) provides information respecting an election;
 - (vii) “**Flag Sign**” which means a **sign** that is made of fabric or flexible material attached to or designed to be flown from a permanently constructed flagpole or light standard;
 - (viii) “**Gas Bar Sign**” which means a **sign** that is accessory to a **Gas Bar**, and which may advertise services or products stored outside of a **building** such as, but not limited to, windshield wiper fluid, motor vehicle oils, firewood, ice, air and propane;

- (ix) “**Pedestrian Sign**” which means a type of **Temporary Sign** with no external supporting structure that is intended to be placed near a sidewalk to attract attention from passing pedestrians;
- (x) “**Real Estate Sign**” which means a *sign* that contains information regarding the management, sale, leasing or rental of a *parcel* or *building*;
- (xi) “**Show Home Sign**” which means a *sign* that identifies a newly constructed residential *building* as a sample of the type of *building* a builder is providing, and where prospective purchasers may acquire information regarding the community and the purchase of homes from that builder;
- (xii) “**Special Event Sign**” which means a *sign* that promotes a charitable, educational, community, civic, cultural, public health, recreational, religious or sporting event;
- (xiii) “**Temporary Sign**” which means a *sign* that is not permanently affixed to a structure or is displayed on a structure that is designed to be moved from place to place or is easily movable;
- (xiv) “**Window Sign**” which means a *sign* that is attached to, painted on or displayed on the interior or exterior of a window of a *building* so that its content is visible to a viewer outside of the *building* and:
 - (A) in the Stephen Avenue Mall heritage area, includes signs that are erected 1.8 metres or less behind a window;
 - (B) in all other areas, includes signs that are erected 0.90 metres or less behind a window; and
 - (C) does not include any type of product or window display that is intended to be visible to a viewer outside of the *building*, and
- (xv) any type of *sign* located in a *building* not intended to be viewed from outside; and

(b) is a *use* within the Signs Group in Schedule A to this Bylaw.

33P2013

35P2011

300 “Sign – Class B”

- (a) means only the following *sign* type:
 - (i) “**Fascia Sign**” which means a *sign* that:

- (A) is attached to, marked or ascribed on and is parallel to an exterior wall of a **building**; and
- (B) does not project more than 0.40 metres from the wall of a **building**; and
- (b) is a **use** within the Signs Group in Schedule A to this Bylaw.
- 301 “Sign – Class C”** 30P2011, 35P2011
- (a) means only the following **sign** type:
- (i) **“Freestanding Sign”** which means a **sign** that:
- (A) is displayed on a permanent, non-moveable structure other than a **building**;
- (B) may incorporate a **Message Sign**; and
- (C) may incorporate a **Digital Sign** that has an approved **development permit** for a **Sign – Class E**; and 4P2013
- (b) is a **use** within the Signs Group in Schedule A to this Bylaw.
- 302 “Sign – Class D”** 35P2011
- (a) means only the following **sign** types:
- (i) **“Canopy Sign”** which means a **sign** that displayed on, under or attached to a canopy, awning or marquee that is attached to an exterior wall of a **building**;
- (ii) **“Projecting Sign”** which means a **sign** that is attached to an exterior wall of a **building** and is perpendicular to the **building**; and
- (b) is a **use** within the Signs Group in Schedule A to this Bylaw.
- 303 “Sign – Class E”** 67P2008, 30P2011,
35P2011
- (a) means only the following **sign** types:
- (i) **“Digital Message Sign”** which means a **“Message Sign”**, referenced in subsection (iv) that:
- (A) displays **copy** by means of a **digital display**, but does not contain **copy** that is full motion video or otherwise gives the appearance of animation or movement; and
- (B) does not display third party advertising;
- (ii) **“Flashing or Animated Sign”** which means a **sign** with **copy** that flashes or is animated; 4P2013

- (iii) “**Inflatable Sign**” which means a *sign* consisting of, or incorporating, a display that is expanded by air or other gas to create a three-dimensional feature;
 - (iv) “**Message Sign**” which means a *sign* that is either permanently attached to a *building* or that has its own permanent structure and is designed so that *copy* can be changed on a frequent basis;
 - (v) “**Painted Wall Sign**” which means a *sign* that is painted directly onto an exterior wall of a *building*, but does not include an **Art Sign**;
 - (vi) “**Roof Sign**” which means a *sign* installed on the roof of a *building* or that projects above the *eaveline* or the parapet of a *building*;
 - (vii) “**Rotating Sign**” which means a *sign* that rotates or has features that rotate;
 - (viii) “**Temporary Sign Marker**” which means an area of a *parcel* that has been approved and demarked as a location for “**Temporary Signs**”, which for the purposes of the rules regulating *signs*, is deemed to be a *sign*; and
 - (ix) any type of *sign* that:
 - (A) does not fit within any of the *sign* types listed in **Sign – Class A, Sign – Class B, Sign – Class C, Sign – Class D, Sign – Class F or Sign – Class G**; and
 - (B) does not contain a *digital display*; and
- (b) is a *use* within the Signs Group in Schedule A to this Bylaw.

304 “Sign – Class F”

35P2011

- (a) means only the following *sign* types:

30P2011, 4P2013

- (i) “**Third Party Advertising Sign**” which means a *sign* that displays *copy* directing attention to a business, commodity, service or entertainment that is conducted, sold or offered elsewhere than on the site where the *sign* is located and does not contain a *digital display*; and

- (b) is a *use* within the Signs Group in Schedule A to this Bylaw.

30P2011

304.1 “Sign – Class G”

- (a) means only the following *sign* types:

(i) “**Digital Third Party Advertising Sign**” which means a **sign** that:

4P2013

- (A) displays **copy** directing attention to a business, commodity, service or entertainment that is conducted, sold or offered elsewhere than on the site where the **sign** is located; and
- (B) displays **copy** by means of a **digital display** but does not contain **copy** that is full motion video or otherwise gives the appearance of animation or movement; and

(b) is a **use** within the Signs Group in Schedule A to this Bylaw.

305 “Single Detached Dwelling”

12P2010

- (a) means a **building** which contains only one **Dwelling Unit** and may include a **Secondary Suite, Secondary Suite - Detached Garage** or **Secondary Suite - Detached Garden** in Districts which allow those **uses**, but does not include a **Manufactured Home**;
- (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**.

306 “Slaughter House”

- (a) means a **use**:
 - (i) where live animals are processed into food for human consumption;
 - (ii) that may have an area for supplies required to make the food products as part of the **use**;
 - (iii) that may have the functions of packaging or shipping the products made as part of the **use**;
 - (iv) that may have the function of using trailer units to keep the product on the **parcel** prior to shipping;
 - (v) that may have the administrative functions associated with the **use**; and
 - (vi) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Slaughter House** as a **use**;

- (b) is a **use** within the Direct Control Use Group in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** that is the greater of:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
 - (ii) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

307 “Social Organization”

- (a) means a **use**:
 - (i) where members of a club or group assemble to participate in recreation, social or cultural activities;
 - (ii) where there are sports, recreation, cultural, or social events for the members of the group;
 - (iii) where there may be an area for the preparation or consumption of food; and
 - (iv) that may have meeting rooms for the administration of the group;
- (b) is a **use** within the Culture and Leisure 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**, or a C-N1, C-N2, C-COR1 District;
- (d) 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 an intervening **street**;
- (e) must not have a **public area** greater than 75.0 square metres where the **use** shares a **property line** with, or is only separated by an intervening **lane** from a **residential district**, or a C-N1, C-N2, C-COR1 District;
- (f) requires 1.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for non-**assembly areas**, and 1.0 **motor vehicle parking stalls** per four (4) person capacity of the largest **assembly area** in the **building**, which is calculated by one of the following methods:

9P2012

- (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) 15 consecutive days; and
 - (ii) 30 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

10P2009, 21P2011,
4P2012**309 “Special Function – Class 2”**

- (a) means a **use** where temporary structures are erected on a **parcel** which operate as a:
 - (i) **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;** or
 - (viii) **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 a **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) requires a minimum number of **motor vehicle parking stalls** that is the greater of:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
 - (ii) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.

310 “Specialty Food Store”

32P2009

- (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**;
 - (vi) where the only mechanical systems that are not completely contained within the **building** are those systems and equipment required for air conditioning, heating or ventilation; and

- (vii) that may include a limited seating area no greater than 25.0 square metres within the total **gross floor area** of the **use**;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

311 “Spectator Sports Facility”

- (a) means a **use**:
 - (i) where sporting or other events are held primarily for public entertainment;
 - (ii) that has tiers of seating or viewing areas for spectators; and
 - (iii) that does not include **Motorized Recreation and Race Track**;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires 1.0 **motor vehicle parking stalls** per four (4) person capacity of the largest **assembly area** in the **building**, which is calculated by one of the following methods:
 - (i) one (1) person per 0.75 square metres for areas of non-fixed seating;
 - (ii) one (1) person per individual fixed seat for areas where individual fixed seats are the primary method of accommodating people;
 - (iii) one (1) person per 0.5 linear metres of bench seating; or
 - (iv) the maximum capacity of the **assembly area** as stated in the **development permit**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires a minimum number of **bicycle parking stalls – class 2** equal to 10.0 per cent of the minimum required **motor vehicle parking stalls**.

312 “Stock Yard”

- (a) means a *use*:
 - (i) where animals are temporarily penned or housed before being sold or transported elsewhere; and
 - (ii) that must be approved only on a *parcel* designated as a Direct Control District that specifically includes **Stock Yard** 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.

313 “Storage Yard”

- (a) means a *use*:
 - (i) where goods, materials and supplies are stored outside;
 - (ii) where goods, materials and supplies being stored are capable of being stacked or piled;
 - (iii) where the goods, materials and supplies stored are not motor vehicles, equipment or waste;
 - (iv) where the goods, materials and supplies are not stored in a **building**, shipping container, trailer, tent or any enclosed structure with a roof;
 - (v) where the piles or stacks of goods, materials and supplies may be packaged into smaller quantities for transportation off the *parcel*; and 9P2012
 - (vi) *deleted* 9P2012
 - (vii) that may have a **building** for the administrative functions associated with the *use*;
- (b) is a *use* within the Storage Group in Schedule A to this Bylaw;
- (c) may cover piles or stacks of goods, materials and supplies associated with the *use*, with tarps or a structure with a roof but it must be open on the sides;

- (d) requires the following minimum number of **motor vehicle parking stalls**:
 - (i) for a **building**, the greater of:
 - (A) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres; or
 - (B) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time; and
 - (ii) for outdoor storage areas:
 - (A) 0.25 stalls per 100.0 square metres of outdoor storage area for areas up to 4000.0 square metres; and
 - (B) 0.1 stalls per 100.0 square metres thereafter; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

13P2008

314 “Supermarket”

- (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;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) that is located in the C-R1 District may incorporate the following **uses** within a **Supermarket**, provided the requirements referenced in subsection (d) are satisfied:
 - (i) **Amusement Arcade**;
 - (ii) **Computer Games Facility**;
 - (iii) **Counselling Service**;
 - (iv) **Financial Institution**;

39P2010, 5P2013

- (v) **Fitness Centre;**
 - (vi) **Health Services Laboratory – With Clients;**
 - (vii) **Medical Clinic;**
 - (ix) **Office;**
 - (x) **Pet Care Service;**
 - (xi) **Print Centre;**
 - (xii) **Power Generation Facility – Small;**
 - (xiii) **Radio and Television Studio;**
 - (xiv) **Restaurant: Food Service Only – Medium;**
 - (xv) **Restaurant: Food Service Only – Small;**
 - (xvi) **Retail and Consumer Service;**
 - (xvii) **Take Out Food Service;** and
 - (xviii) **Veterinary Clinic;**
- (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**;
 - (iv) do not exceed 10.0 per cent of the **use area** of the **Supermarket** within which they are located; and
 - (v) do not have direct customer access outside of the **Supermarket** within which they are located;
- (e) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (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**.

PART 10: DOWNTOWN

Purpose, General Rules and Districts

Part 10 was deleted by 33P2013 - June 9, 2014

- (d) 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 – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small** or **Retail and Consumer Service** when located on the ground floor of a *building* is: 39P2010
- (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
- (e) for all other *uses* is the requirement referenced in Part 4.
- (3) 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; 39P2010
 - (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 – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small** or **Retail and Consumer Service** when located on the ground floor of a *building* is: 39P2010

- (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**.

Additional Motor Vehicle Parking Stall Requirements

- 1227 (1)** Unless otherwise referenced in subsection (2), all **motor vehicle parking stalls** must be located below grade.
- (2)** Visitor parking stalls may be provided at **grade**.
- (3)** Where the **parcel** shares a **property line** with a **lane**, all vehicle access to the **parcel** must be from the **lane**.
- (4)** A **Parking Lot – Grade** may only be allowed for short-stay parking of not more than four consecutive hours.

Exclusive Use of Motor Vehicle Parking Stalls

- 1228** **Motor vehicle parking stalls** required for **uses** must not be signed or in any way identified as being other than for the use of all users of the **parcel**.

Required Bicycle Parking Stalls

- 1229 (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**.

Dwelling Unit Size

- 1230** In **developments** with 50.0 or more **Dwelling Units**, a minimum of 10.0 per cent of all **Dwelling Units** must each have a minimum **gross floor area** of 55.75 square metres and a maximum **gross floor area** of 65.0 square metres.

Building Design

- 1231 (1)** All **buildings** must comply with the following general requirements:
- (a) the ceiling of the first **storey** must be a minimum of 4.0 metres from **grade**;
 - (b) the **building height** must be a minimum of 9.0 metres;
 - (c) they must have a clear architectural distinction between the second and third or third and fourth **storey**;
 - (d) mechanical equipment must not be visible from the exterior of the **building** and must be contained in the roof structure; and
 - (e) a **unit** with any portion of its floor area located on the floor closest to **grade** must have an individual, separate, direct access to **grade**.

Building Types

- 1232** In addition to the rules referenced in section 1231, all **buildings** must conform to the rules for either an **East Village – High Rise Building** or for an **East Village – Mid Rise Building**.

Floor Plate Restrictions

- 1233** The maximum **floor plate area** of any floor located above 36.0 metres from **grade** must not exceed 750.0 square metres.

Riverbank Sunlight

- 1234** **Buildings** must not place in shadow an area 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 on September 21 except areas already in shadow as a result of a **building** which was legally existing or approved prior to the effective date of this Bylaw.

Storage of Goods, Materials and Supplies

- 1235** All goods, materials and supplies associated with a **use** must be contained within a **building**.

Setback

- 1236 (1)** Unless otherwise specified in subsection (2), A **building** must not be located within 35.0 metres from the top of bank on the south side of the Bow River.
- (2)** An **Outdoor Café**, when approved with another **use** in a **building** which was legally existing or approved prior to the effective date of this Bylaw, may project into the 35.0 metre separation referenced in subsection (1), for a distance not to exceed 5.0 metres from the existing façades.

- (3) Unless otherwise referenced in a District, the minimum **building setback** is 0.0 metres.

Building Orientation

- 1237** The main **public entrance** to a **building** must face the **property line** shared with a **street**.

Dwelling Units

- 1238** **Dwelling Units** may be provided in any **building** form.

Liquor Stores

- 1239** In all Centre City East Village Districts, **Liquor Stores** must not be located 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.

Centre City East Village Special Areas

- 1240** Map 10 identifies special areas as described throughout the Centre City East Village Districts.

- (b) **Dwelling Unit;**
- (c) **Home Occupation - Class 2;**
- (d) **Office;**
- (e) **Parking Lot – Structure;**
- (f) **Place of Worship - Small;**
- (g) **Residential Care;**
- (h) **Service Organization;** and
- (i) **Social Organization.**

Use Area

1263 (1) Unless otherwise referenced in subsection (2) or (3), the maximum **use area** for **uses** on the ground floor of a **building** is 1200.0 square metres, with the following exclusions:

- (a) **Supermarkets;** and
- (b) **Retail and Consumer Service.**

39P2010

(2) Drinking Establishments – Large, Restaurant: Food Service Only – Large, and Restaurant: Licensed – Large, when located on the ground floor of a **building**, must have a maximum **use area** of 465.0 square metres.

(3) The maximum **use area** of a:

- (a) **Accessory Food Service** is 15.0 square metres; and
- (b) **Medical Clinic** is 200.0 square metres:

Motor Vehicle Parking Stalls

1264 (1) The following **uses** do not require **motor vehicle parking stalls**:

- (a) **Cinema;**
- (b) **Drinking Establishment – Large;**
- (c) **Drinking Establishment – Medium;**
- (d) **Drinking Establishment – Small;**
- (e) **Restaurant: Food Service Only – Large;**
- (f) **Restaurant: Food Service Only – Medium;**
- (g) **Restaurant: Food Service Only – Small;**
- (h) **Restaurant: Licensed – Large;**
- (i) **Restaurant: Licensed – Medium;**
- (j) **Restaurant: Licensed – Small;** and
- (k) **Performing Art 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**.
- 39P2010, 33P2013 (4) *deleted*
- 33P2013 (5) *deleted*

33P2013

Restricted Parking Area

- 1264.1 (1) The required **motor vehicle parking stalls** for **developments** located within the Restricted Parking Area, as identified on Map 13, is:
- (a) 50.0 per cent of the required stalls referenced in section 1264; or
- (b) the **motor vehicle parking stall** requirement referenced in section 1264 where:
- (i) the **development** has a **floor area ratio** less than or equal to 3.0 when located on a **parcel** equal to or less than 1812.0 square metres;
- (ii) the stalls are required for **Assisted Living units, Dwelling Units, Hotel guest rooms or Live Work Units**, including **visitor parking stalls**; or
- (iii) a **development** has been approved for a cumulative 9300.0 square metres or greater of **gross usable floor area** for **uses** contained in the Sales Group of Schedule A to this Bylaw.
- (2) A cash-in-lieu payment for the difference between the total number of **motor vehicle parking stalls** required in section 1264 and the number of stalls allowed for in subsection (1)(a) must be provided.
- (3) Payments made under subsection (2) must be in accordance with **Council's** policy and calculated at the rate per **motor vehicle parking stall** established by **Council** at the time the payment is made.

Short Stay Parking Stalls

- 1265 (1)** The number of **motor vehicle parking stalls** allowed for in section 1264 or 1264.1, 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 1264 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**.

33P2013

Parking Stall Transfer from a Municipal Historic Resource

- 1266 (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 1264; 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 1266(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; or
 - (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**.

PART 13: COMMERCIAL RESIDENTIAL DISTRICTS

Division 1: General Rules for Commercial Residential Districts

General Landscaped Area Rules

- 1294 (1)** *Landscaped areas* must be provided in accordance with a landscape plan approved by the *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 types, species, sizes and numbers of plant material and the types of *landscaped areas*;
 - (e) details of the irrigation system;
 - (f) for *landscaped areas* using a *low water irrigation system*, the details of the system, including the extent of water delivery; and
 - (g) for *landscaped areas* with a *building* below, the following additional information must be provided:
 - (i) the location of underlying slabs and abutting walls;
 - (ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;
 - (iii) depths of the growing medium for each planting area;
 - (iv) the mature height and spread of all trees and shrubs; and
 - (v) the means of irrigating the planting areas.
- (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 a **low water irrigation system** is provided.

Planting Requirements

- 1295 (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) 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.
- (3) Coniferous trees must have a minimum height of 2.0 metres.
- (4) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.
- (5) For **landscaped areas** with a **building** below, planting areas must have the following minimum soil depths:
- (a) 1.2 metres for trees;
 - (b) 0.6 metres for shrubs; and
 - (c) 0.3 metres for all other planting areas.
- (6) The soil depths referenced in subsection (5) must cover an area equal to the mature spread of the planting material.

Low Water Irrigation System

- 1296 (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.

Additional Landscaping Rules

- 1297 (1) Unless otherwise referenced in a District, all areas of a **parcel**, except for those portions specifically required for motor vehicle access, **motor vehicle parking stalls**, **loading stalls**, garbage facilities or any purpose allowed by the **Development Authority**, must be a **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) 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

1301 Mechanical systems or equipment that are located outside of a **building** must be **screened**.

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
 - (ii) easterly 8.0 metres of the required right-of-way as stated in Part 3 Division 1 from 1:30 p.m. to 2:30 p.m. Mountain Daylight Time;

- (c) Olympic Plaza as measured on those portions contained within Plan "A", Block 52, Lots 1 to 38. OT from 12:00 p.m. to 2:00 p.m. Mountain Daylight Time;
- (d) Century Gardens as measured on those portions contained within Plan 8050EJ, Block 46, Lots B to E; Plan A1, Block 46, Lots 27-40 and Plan A1, Block 46, OT from 12:00 p.m. to 2:00 p.m. Mountain Daylight Time;
- (e) McDougall School as measured on the north half of the block bounded by 4 and 5 Avenues SW between 6 and 7 Streets SW from 12:00 p.m. to 2:00 p.m. Mountain Daylight Time;
- (f) Courthouse Block as measured on the northerly 18.0 metres of the block bounded by 6 and 7 Avenues SW between 4 and 5 Street SW from 12:00 p.m. to 2:00 p.m. Mountain Daylight Time;
- (g) Mewata Armoury as measured on the northerly 160.0 metres of the site on Plan 3445JK, Block 2 from 12:00 p.m. to 2:00 p.m. Mountain Daylight Time;
- (h) The Riverbank (not including the Riverbank Promenade and between 3 and 7 Streets SW) as measured throughout the 20.0 metre wide area abutting the southern **top of bank** of the Bow River, from 10:00 a.m. to 4:00 p.m. Mountain Daylight Time; and
- (i) The Riverbank Promenade (between 3 Street SW and Centre Street S.) as measured throughout the 9.0 metre wide area abutting the southern **top of bank** of the Bow River, from 10:00 a.m. to 4:00 p.m. Mountain Daylight Time.

Parcel Access

1304 All **developments** must comply with the access requirements of the Controlled Streets Bylaw.

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

Purpose

- 1305 (1)** The Commercial Residential District (CR20-C20/R20) is intended to be characterised by:
- (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) **Restaurant: Food Service Only – Medium;**
- (r) **Restaurant: Food Service Only – Small;**
- (s) **Restaurant: Licensed – Small;**
- (t) **Retail and Consumer Service;**
- (u) **Specialty Food Store;**
- (v) **Supermarket;**
- (w) **Take Out Food Service; and**
- (x) **Veterinary Clinic.**

(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) **Counselling Service;**
- (c) **Fitness Centre;**

- (d) **Health Services Laboratory – With Clients;**
- (e) **Medical Clinic;**
- (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.
- (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;**
 - (d) **Auction Market – Other Goods;**
 - (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;**
 - (n) **Health Services Laboratory – Without Clients;**
 - (o) **Home Occupation – Class 2;**
 - (p) **Hotel;**
 - (q) **Indoor Recreation Facility;**
 - (r) **Instructional Facility;**
 - (s) **Liquor Store;**

- (t) **Live Work Unit;**
 - (u) **Market;**
 - (v) **Night Club;**
 - (w) **Outdoor Café;**
 - (x) **Outdoor Recreation Area;**
 - (y) **Park Maintenance Facility – Small;**
 - (z) **Parking Lot – Structure;**
 - (aa) **Pawn Shop;**
 - (bb) **Performing Arts Centre;**
 - (cc) **Place of Worship – Medium;**
 - (dd) **Place of Worship – Small;**
 - (ee) **Post-Secondary Learning Institution;**
 - (ff) **Restaurant: Licensed – Large;**
 - (gg) **Restaurant: Licensed – Medium;**
 - (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;**
 - (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**:
 - (a) **Counselling Service**;
 - (b) **Custodial Care**;
 - (c) **Dwelling Unit**; and
 - (d) **Health Services Laboratory – Without Clients**.
- (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 potential heritage sites or is designated as a Municipal Historic Resource pursuant to the *Historical Resources Act*.
- (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) **Counselling Service;**
 - (d) **Custodial Care;**
 - (e) **Dwelling Unit;**
 - (f) **Health Services Laboratory – Without Clients;**
 - (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**:
- (a) **building** massing;
 - (b) façade articulation;
 - (c) textures;
 - (d) building materials; or
 - (e) 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) a minimum height of 9.0 metres from **grade**; and
 - (b) 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**.
- (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**.

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Restricted Parking Area

- 1326 (1)** Unless otherwise referenced in 1325(3) or subsection (2) the maximum number of **motor vehicle parking stalls** for **developments** located within the Restricted Parking Area, as illustrated on Map 13, is:
- (a) the minimum number of **motor vehicle parking stalls** required in section 1325 where:
 - (i) the **building** has a **floor area ratio** less than or equal to 3.0 when located on a **parcel** equal to or less than 1812.0 square metres;
 - (ii) the stalls are required for **Assisted Living, Custodial Care, Residential Care, Dwelling Units, Hotel** guest rooms or **Live Work Units**, including **visitor parking stalls**; or
 - (iii) a **development** has been approved for a cumulative 9300.0 square metres or greater of **gross usable floor area** for **uses** contained in the Sales Group of Schedule A to this Bylaw; and
 - (b) in all other cases 50.0 per cent of the required **motor vehicle parking stalls** referenced in section 1325.
- (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)** A cash-in-lieu payment for the difference between the total number of **motor vehicle parking stalls** required in section 1325 and the number of **motor vehicle parking stalls** allowed for in this section must be provided.
- (4)** Payments made under subsection (3) must be in accordance with **Council's** policy and calculated at the rate per **motor vehicle parking stall** established by **Council** at the time the payment is made.
- (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

- (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 of Calgary which must include provision for 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.

Map 14: Short Stay Parking Areas



Parking Stall Transfer from a Municipal Historic Resource

- 1328 (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:
- the **transferring parcel** is designated as a Municipal Historic Resource pursuant to the *Historical Resources Act*;
 - the additional **motor vehicle parking stalls** being transferred do not exceed 20.0 per cent of the number of **motor vehicle parking stalls** of the **development** on the **receiving parcel** in section 1325; 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) 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 floor area** that could be built on the transferring **parcel** designated as a Municipal Historic Resource pursuant to the *Municipal Historic Resources Act* at a **floor area ratio** of 7.0;
 - (b) using the **gross 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; or
 - (ii) Community Historic Resource – 25.0 per cent; and
 - (d) subtracting from the resulting number of **motor vehicle parking stalls** in subsection (c) the number of **motor vehicle parking stalls** that currently exist on the **transferring parcel**.
- (3) **Motor vehicle parking stalls** transferred to a **receiving parcel** under this section must not be provided on the **transferring parcel**.
- (4) The transfer of **motor vehicle parking stalls** to a **receiving parcel** under this section must be registered as a caveat on the Certificate of Title of the **transferring parcel**.

Location of Motor Vehicle Parking Stalls

1329 Where a **development** is located on one or more **parcels** where the cumulative **parcel** area is greater than 1812.0 square metres, all **motor vehicle parking stalls** provided, with the exception of stalls associated with a **Parking Lot – Structure** or **Parking Lot – Grade**, must be located below **grade**.

Bicycle Parking Stall Requirements

- 1330** (1) Unless otherwise referenced in this section, the minimum number of required **bicycle parking stalls – class 1** and **class 2** is the requirement referenced in Part 4.
- (2) For an **Office**, the minimum number of required:

- (a) **bicycle parking stalls - class 1** is 2.0 per 1000.0 square metres of **gross usable floor area**; and
 - (b) **bicycle parking stalls - class 2** is 2.0 per 1000.0 square metres of **gross usable floor area**.
- (3) For a **Dwelling Unit** or **Live Work Unit**, the minimum number of **bicycle parking stalls – class 1** is 1.0 per **unit** for **developments** with greater than 20.0 **units**.
- (4) Where **bicycle parking stalls – class 1** are required for an **Office** in a proposed **building**, the following amenities must be provided:
- (a) lockers at a ratio of 1.0 per 4.0 **bicycle parking stalls – class 1**; and
 - (b) where a minimum of 25.0 **bicycle parking stalls – class 1** are required:
 - (i) private change rooms at a minimum of 0.4 square metres per required **bicycle parking stalls – class 1** or 20.0 square metres, whichever is greater;
 - (ii) showers at a minimum of 0.4 square metres per required **bicycle parking stalls – class 1** or 20.0 square metres, whichever is greater; and
 - (iii) an unobstructed area for bicycle maintenance which must:
 - (A) be a minimum of 6.0 square metres; and
 - (B) have no minimum dimensions less than 2.0 metres.

Location of Bicycle Parking Stalls

1331 **Bicycle parking stalls – class 1** must be located at **grade** or within the first parkade level directly below **grade**.

Division 3: Commercial Residential District (CR20-C20/R20) Incentive Density

Incentive Density Calculation Method

- 1332** (1) The **floor area ratio** of the Commercial Residential District (CR20-C20/R20) may be increased in accordance with the incentive provisions of this Division to a maximum total of 20.0 **floor area ratio**.
- (2) The amount of additional **gross floor area** achieved by providing the requirements of the public amenity items in Table 8 are calculated as a **floor area ratio**, an Incentive Ratio or an Incentive Rate.
- (3) An Incentive Rate indicates that the amount of additional **gross floor area** will be calculated by dividing the cost of the provided public amenity item in Table 8, or the amount of contribution to a fund, by the respective Incentive Rate as established by Council where the following Incentive Rates apply:
- (a) Incentive Rate 1 is \$296.00 per square metre;
 - (b) Incentive Rate 2 is \$242.00 per square metre;
 - (c) Incentive Rate 3 is \$194.00 per square metre; and
 - (d) Incentive Rate 4 is \$43.00 per square metre.
- (4) Public amenity items that must or may be provided to achieve additional **gross floor area** are shown in Table 7.
- (5) Unless otherwise specified in this Part, a public amenity item for which additional **gross floor area** has been achieved must be maintained on the **parcel** for so long as the **development** exists.
- (6) The **Development Authority** must determine whether a proposed amenity item is appropriate for the **development**.
- (7) Where a **parcel** contains a **building** designated as a Municipal Historic Resource pursuant to the *Historical Resources Act* by a Bylaw approved by **Council**:
- (a) the maximum **floor area ratio** is the **floor area ratio** that exists at the time of designation;
 - (b) for the purpose of calculating incentive **floor area ratio** only, the difference between the maximum **floor area ratio** of a **building** designated as a Municipal Historic Resource and a **floor area ratio** of 10.0 may be transferred to another **parcel** in accordance with the incentive provisions contained in Table 8, item 8.13;
 - (c) the **floor area ratio** may be increased by up to additional 2.0 **floor area ratio** to a total of 12.0 where retention costs, which include costs for repair, restoration and improvement of the

- historic **building** as approved by the **Development Authority**, are incurred; and
- (d) the transferable **floor area ratio** achieved through retention costs is transferred as **gross floor area** and calculated by dividing the retention costs by Incentive Rate 3.
- (8) Where a **building** is legally existing or approved prior to the **parcel** being designated CR20-C20/R20 the **floor area ratio** of the **building** is deemed to conform to the minimum and maximum requirements of this Bylaw.

Table 7: Summary of Incentive Provisions

Type of <i>use</i>	<i>Parcel</i> area requirement	Max. <i>floor area ratio</i>	Additional incentive <i>floor area ratio</i>	Max. possible <i>floor area ratio</i>	Public amenity items that must be provided
Assisted Living, Dwelling Units, Live Work Units	none	3.0	12.0	15.0	Table 8 item 8.0.4(a), (b) and (c).
		3.0	17.0	20.0	Table 8 item 8.0.4(a), (b) and (c); and Combination of the public amenities in Table 8 items 8.1 to 8.28.
Hotel*	none	3.0	4.0	7.0	Table 8 item 8.0.4(a), (b) and (c).
		3.0	17.0	20.0	Table 8 item 8.0.4(a), (b) and (c); and Combination of the public amenities in Table 8 items 8.1 to 8.28.
All other uses	Less than 1812.0 square metres	3.0	6.0	9.0	Table 8 item 8.0.4(a), (b) and (c).
		3.0	17.0	20.0	Table 8 item 8.0.4(a), (b) and (c); and Combination of the public amenities in Table 8 items 8.1 to 8.28.
	Greater than or equal to 1812.0 square metres to a maximum of 3020.0 square metres	3.0	A <i>floor area ratio</i> of 6.0 decreasing proportionately to a <i>floor area ratio</i> of 4.0 as the area of the <i>parcel</i> increases to a maximum area of 3020.0 square metres	7.0 to 9.0	Table 8 item 8.0.4(a), (b) and (c).
		3.0	17.0	20.0	Table 8 item 8.0.4(a), (b) and (c); and Combination of the public amenities in Table 8 items 8.1 to 8.28.
	Greater than 3020.0 square metres	3.0	4.0	7.0	Table 8 item 8.0.4(a), (b) and (c).
		3.0	5.0	8.0	Table 8 item 8.0.4(a), (b) and (c); and Item 8.1 Contribution to Central Business District Improvement Fund .
		3.0	17.0	20.0	Table 8 item 8.0.4(a), (b) and (c); and Item 8.1 Contribution to Central Business District Improvement Fund ; and Combination of the public amenities in Table 8 items 8.2 to 8.28.

* Additional *floor area ratio* achieved through provision of public amenity items must only be used for this *use*.

Table 8: Public Amenity Items**Overview**

8.0	On-Site Pedestrian Amenities
8.1	Contribution to Central Business District Improvement Fund Rate 2
8.2	Public Open Space
8.3	Indoor Park
8.4	Urban Grove
8.5	Public Art – On Site
8.6	Public Art – Contribution to Public Art Fund
8.7	Green Building Features
8.7.1	Environmental Roof
8.7.2	Green Wall
8.7.3	Bioretention Structure
8.7.4	District Energy Connection Ability
8.7.5	District Energy Connection
8.7.6	On-site Cogeneration Facility
8.7.7	Electric Vehicle Charging Stations
8.7.8	Additional Bicycle Parking Stalls
8.8	Bicycle Station
8.9	Transit Enhancements
8.10	Active Arts Space
8.11	Cultural Support Space
8.12	Community Support Facilities
8.13	Heritage Density Transfer
8.14	Historic Resource Retention
8.15	Density Transfer for Sunlight Preservation
8.16	Density Transfer for Adaptive Reuse
8.17	Adaptive Reuse
8.18	Design for Universal Accessibility
8.19	Dwelling Unit Mix
8.20	Innovative Public Amenity
8.21	Exceptional Design
8.22	Indoor Public Hotel Space
8.23	+15 Skywalk System Bridge
8.24	+15 Skywalk System Feature Access
8.25	Active +15 Skywalk System Walkway
8.26	Contribution to Affordable Housing Fund
8.27	Contribution to Central Business District Improvement Fund Rate 3
8.28	Contribution to Central Business District Improvement Fund Rate 4

Item No.	Public Amenity Items
8.0	<p>ON-SITE PEDESTRIAN AMENITIES</p> <p>On-site pedestrian amenities are spaces at grade and at the +15 Skywalk System level intended and designed to enable pedestrian movement. These amenities entail additional pedestrian space at grade and provisions for the connection to, and implementation of +15 Skywalk System walkways through the development. 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 floor area ratio for this item is:</p> <p>(a) a floor area ratio of 12.0 for any use 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 floor area ratio 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 development provides on-site pedestrian amenities:</p> <p>(a) the additional floor area ratio is 12.0 where all requirements of items 8.0.4 are met and the use is in the Residential Group of Schedule A of this Bylaw, with the exception of Hotel; and</p> <p>(b) the additional floor area ratio is 4.0 for all other uses where all requirements of 8.0.4 are met.</p>
8.0.3	<p>The minimum floor area ratio 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 grade pedestrian circulation – public sidewalk setback area where:</p> <p>(i) the portion of a parcel adjacent to a street 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 grade and the bottom of the storey above; and</p> <p>(B) where it is not part of an arcade, must not contain structural elements of a building between grade and the bottom of the storey above for a minimum depth of 2.2 metres;</p> <p>(b) at grade pedestrian circulation provided within a triangular area formed on a corner parcel by the two property lines, as determined by Table 1, Road Rights-of-Way, and a straight line which intersects them 7.5 metres from where they meet which:</p>

- (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.

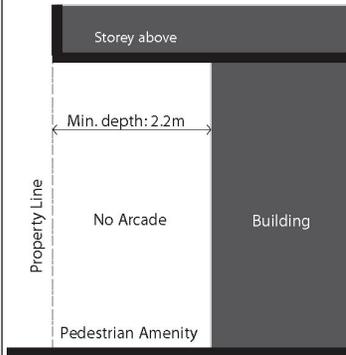
8.0.5

Diagram: (not to scale)

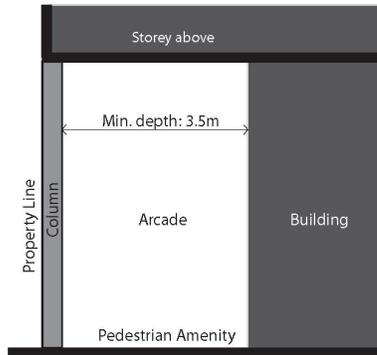
On Site Pedestrian Amenities

Section

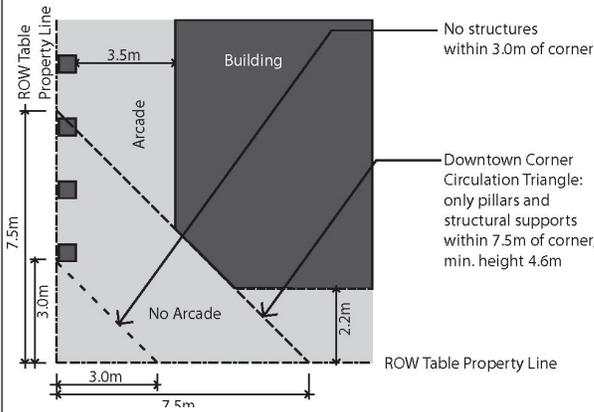
No Arcade



Arcade

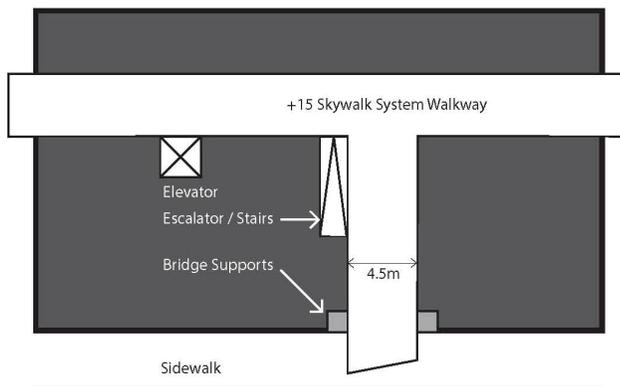


Plan View



+15 Skywalk System Provisions

Plan View



8.1	<p>CONTRIBUTION TO CENTRAL BUSINESS DISTRICT IMPROVEMENT FUND RATE 2</p> <p>Financial contributions to a dedicated fund to be used to support off-site public realm improvements in the CR20-C20/R20 district. Off site public realm improvements include, but are not limited to, improvements to public sidewalks, squares and parks and the acquisition of land for public squares and parks.</p>
8.1.1	<p>The maximum incentive <i>floor area ratio</i> for this item is 1.0.</p>
8.1.2	<p>Incentive calculation:</p> <p>Where a <i>development</i> provides a contribution to the <i>Central Business District Improvement Fund Rate 2</i> the applicable Incentive Rate is Incentive Rate 2.</p> <p>Method</p> <p>(a) where a <i>development</i> contains</p> <p>(i) a total <i>gross floor area</i> of <i>uses</i> listed in the Residential Group of Schedule A of this Bylaw that is equal to or greater than 2.0 <i>floor area ratio</i>; and</p> <p>(ii) a <i>gross floor area</i> of <i>uses</i> listed in the Residential Group of Schedule A of this Bylaw that is equal to or greater than 2.0 <i>floor area ratio</i>, no contribution to this item is required;</p> <p>(b) in all other cases the incentive <i>gross floor area</i> (square metres) = contribution amount (\$) divided by Incentive Rate 2 (\$).</p>
8.1.3	<p>The minimum <i>floor area ratio</i> that must be achieved prior to use of this item is 7.0.</p>
8.1.4	<p>Requirements:</p> <p>A contribution must be made to the <i>Central Business District Improvement Fund</i> for the <i>development</i>.</p>
8.2	<p>PUBLIC OPEN SPACE</p> <p>A public open space is a landscaped, publicly accessible, pedestrian space that is open to the sky and is located at <i>grade</i>. It may be soft or hard landscaped. The diagram in 8.2.5 illustrates a potential implementation of the requirements of 8.2.4.</p>
8.2.1	<p>The maximum incentive <i>floor area ratio</i> for this item is 4.0.</p>
8.2.2	<p>Incentive calculation:</p> <p>Where a <i>development</i> provides a public open space the Incentive Ratio is 1:5.</p> <p>Method:</p> <p>Incentive <i>gross floor area</i> (square metres) = <i>area</i> of the public open space provided (square metres) multiplied by 5.0.</p>

8.2.3	<p>Minimum Floor Area Ratio Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>
8.2.4	<p>Requirements:</p> <p>A public open space includes the following:</p> <p>(a) a location at grade or within 0.45 metres above or below grade;</p> <p>(b) a location adjacent to, and accessible from, a public sidewalk;</p> <p>(c) where the public open space shares a perimeter with a public sidewalk, hard surfaced landscaped area for a minimum of 40.0 per cent of that perimeter to enable direct pedestrian access from the sidewalk;</p> <p>(d) a building along a minimum of 70.0 per cent of one side of its perimeter;</p> <p>(e) a minimum contiguous area of the lesser of 10.0 per cent of the cumulative parcel area or:</p> <p>(i) 250.0 square metres for sites greater than or equal to 1812.0 square metres in area; or</p> <p>(ii) 150.0 square metres for sites of less than 1812.0 square metres in area;</p> <p>(f) a depth that is not greater than 3.0 times the street frontage;</p> <p>(g) a maximum combined width of all entranceways to Office of the greater of:</p> <p>(i) 25.0 per cent of the building frontages forming the public square's perimeter; and</p> <p>(ii) 15.0 metres;</p> <p>(h) where mechanical systems or equipment are located inside the perimeter of the public open space, they must be screened and their surface areas are not included in the area calculation of the public open space;</p> <p>(i) public seating as individual fixed seats or bench seating;</p> <p>(j) hard surfaced areas that exceed any minimum standards for hard surfaced landscaped areas as established in this Bylaw;</p> <p>(k) a maximum cumulative total of 50.0 per cent of the area of the public square used as an Outdoor Café;</p> <p>(l) where an Outdoor Café is enclosed by a fence, a fence design that can be removed; and</p> <p>(m) ensured public access 24 hours a day, seven days a week through a public access agreement.</p>

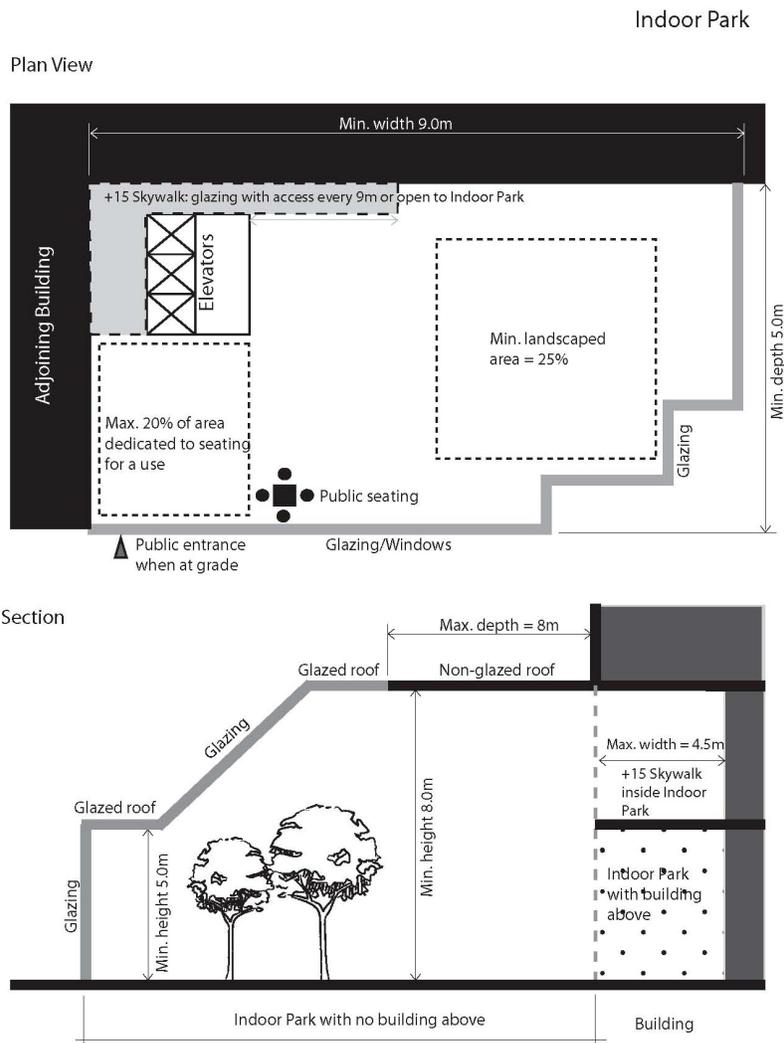
<p>8.2.5</p>	<p>Diagram: (not to scale)</p> <p>Public Open Space</p> <p>Plan View</p> <p>Min 70% of one side of perimeter enclosed</p> <p>Min. ground floor height 4.5m</p> <p>Office lobby max. 15.0m or 25% of perimeter</p> <p>Max. 50% of area dedicated to Outdoor Cafe</p> <p>Removable fence</p> <p>Non-dedicated seating</p> <p>Max... +/- 0.45m from grade</p> <p>Hard surface for 40% of sidewalk</p> <p>Pedestrian access</p> <p>Hard surface for 40% of sidewalk</p> <p>Pedestrian access</p>
<p>8.3</p>	<p>INDOOR PARK</p> <p>An indoor park is a publicly accessible, primarily glazed space containing plants that grow year round. An indoor park can either be fully integrated into the building or it can protrude, or be separate from, the building. The diagram in 8.3.5 illustrates a potential implementation of the requirements of 8.3.4.</p>
<p>8.3.1</p>	<p>The maximum incentive <i>floor area ratio</i> for this item is 4.5.</p>
<p>8.3.2</p>	<p>Incentive calculation:</p> <p>Where a development provides an indoor park:</p> <ul style="list-style-type: none"> (a) the Incentive Ratio is 1:10 for indoor park areas with building above; and (b) the Incentive Ratio is 1:15 for indoor park areas with no building above. <p>Method:</p> <ul style="list-style-type: none"> (a) incentive gross floor area (square metres) = gross floor area of the amenity space provided where there is building above (square metres) multiplied by 10.0; (b) incentive gross floor area (square metres) = gross floor area of the amenity space provided where there is no building above (square metres) multiplied by 15.0.

8.3.3	<p>Minimum Floor Area Ratio Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>
8.3.4	<p>Requirements:</p> <p>An indoor park includes the following:</p> <p>(a) a public access agreement for the hours of operation defined in the +15 Policy;</p> <p>(b) a minimum width of 9.0 metres;</p> <p>(c) a minimum horizontal depth of: 4.0 metres where there is building above; and 5.0 metres where there is no building above;</p> <p>(d) a minimum vertical clearance between floor and roof or ceiling of:</p> <p>(i) 4.0 metres where there is building above;</p> <p>(ii) 5.0 metres where there is no building above and the roof or ceiling is glazed; or</p> <p>(iii) 8.0 metres where there is no building above and the roof or ceiling is not glazed;</p> <p>(e) Where there is building above, a vertical clearance that is equal to or greater than 60.0 per cent of the horizontal depth of the indoor park space;</p> <p>(f) where there is building above, a minimum contiguous area of 100.0 square metres, excluding access ways to elevators and +15 Skywalk System walkways;</p> <p>(g) a maximum depth of non-glazed roof areas of 8.0 metres;</p> <p>(h) exterior walls that are clear glazed or consist primarily of windows except where the walls abut another parcel and where they contain structural elements of the building;</p> <p>(i) a design as a distinct space within the building that is separate from a lobby;</p> <p>(j) where at grade level it:</p> <p>(i) is visible from the public sidewalk;</p> <p>(ii) has a public entrance;</p> <p>(iii) does not contain a +15 Skywalk System walkway greater than 4.5 metres in width where the +15 Skywalk System walkway covers a portion of the indoor park;</p>

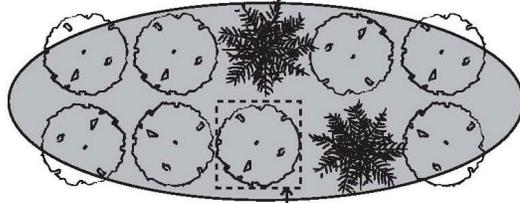
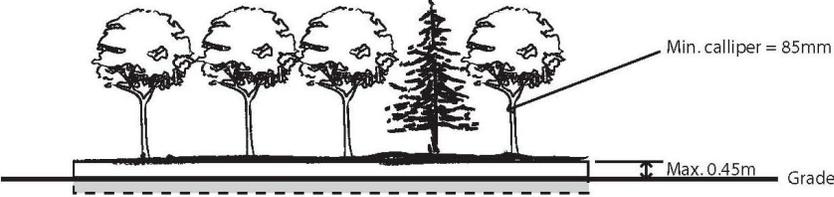
- (k) where at the **+15 Skywalk System** level it:
 - (i) is visible from the **+15 Skywalk System walkway**;
 - (ii) has direct access to **+15 Skywalk System walkway**;
 - (iii) contains for the entire length where it abuts a **+15 Skywalk System** walkway either glazed walls, with direct access between the **+15 Skywalk System** walkway and the indoor park at least every 9.0 metres, or a completely open area without barriers;
- (l) a minimum of 25.0 per cent of the **gross floor area** that is **soft surfaced landscaped area**;
- (m) public seating as individual fixed seats or bench seating; and
- (n) a maximum of 20.0 per cent of the **gross floor area** that is dedicated to seating for a **use** within the Eating and Drinking Group in Schedule A to this Bylaw.

8.3.5

Diagram: (not to scale)



8.4	<p>URBAN GROVE</p> <p>An urban grove is a cohesive planting area accommodating at least 10 trees, for an average 25-year life span for each tree. The purpose of the urban grove is to contribute to greening the city by providing cohesive groups of trees in the streetscape. The diagram in 8.4.5 illustrates a potential implementation of the requirements of 8.4.4.</p>
8.4.1	<p>The maximum incentive <i>floor area ratio</i> for this item is 1.0.</p>
8.4.2	<p>Incentive calculation:</p> <p>Where a <i>development</i> provides an urban grove the Incentive Ratio is 1:8.</p> <p>Method:</p> <p>Incentive <i>gross floor area</i> (square metres) = area of the amenity space provided (square metres) multiplied by 8.0.</p>
8.4.3	<p>Minimum <i>Floor Area Ratio</i> Requirement:</p> <p>(a) for a <i>development</i> containing a Hotel in either the <i>development permit</i> where the <i>development permit</i> is not phased or the first phase of the <i>development permit</i>, where the <i>development permit</i> is phased, the minimum <i>floor area ratio</i> that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum <i>floor area ratio</i> that must be achieved prior to use of this item is: 8.0.</p>
8.4.4	<p>Requirements:</p> <p>An urban grove includes the following:</p> <p>(a) a location visible from the public sidewalk or an on-site pedestrian space;</p> <p>(b) a minimum of 10.0 trees, 60.0 per cent of which are to be of the same species;</p> <p>(c) trees of a species capable of healthy growth in Calgary that must conform to the standards of the Canadian Nursery Landscape Association;</p> <p>(d) trees with an average 25-year life span;</p> <p>(e) 9.0 square metres of planting area for each tree planted;</p> <p>(f) a maximum of 25.0 per cent coniferous trees of all trees provided;</p> <p>(g) a minimum <i>calliper</i> size of 85.0 millimetres at the time of planting for deciduous trees;</p> <p>(h) a minimum height of 3.0 metres at the time of planting for coniferous trees;</p> <p>(i) a location within 0.45 metres above the <i>grade</i> of the adjoining public sidewalk where the urban grove is provided in a raised bed; and</p> <p>(j) an underground irrigation system.</p>

<p>8.45</p>	<p>Diagram: (not to scale)</p> <p style="text-align: right;">Urban Grove</p> <p>Plan View</p>  <p style="text-align: right;">- 60% one tree species - Max. 25% conifers</p> <p>Elevation</p> 
<p>8.5</p>	<p>PUBLIC ART – ON SITE</p> <p>Public art is publicly accessible art of any kind that is permanently suspended, attached to a wall or other surface, or otherwise integrated into a development. It is privately owned and must be an original piece of art in any style, expression, genre or media, created by a recognized artist.</p>
<p>8.5.1</p>	<p>The maximum incentive floor area ratio for this item is a cumulative total of 1.5 for items 8.5 and 8.6.</p>
<p>8.5.2</p>	<p>Incentive calculation:</p> <p>Where a development provides public art – on site the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = value of the artwork (\$) divided by Incentive Rate 1 (\$).</p> <p>Where a development provides both items 8.5 and 8.6, the total additional gross floor area is the sum of items 8.5 and 8.6 and must not exceed 1.5 floor area ratio.</p>
<p>8.5.3</p>	<p>Minimum Floor Area Ratio Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>

8.5.4	<p>Requirements:</p> <p>Public art – on site includes the following:</p> <p>(a) artwork, the minimum value of which must be:</p> <p>(i) \$200000.00 for sites equal to or greater than 1812.0 square metres in area; or</p> <p>(ii) \$50000.00 for sites of less than 1812.0 square metres in area;</p> <p>(b) the work of a recognized artist, i.e. created by a practitioner in the visual arts;</p> <p>(c) a location in a publicly accessible area; and</p> <p>(d) a minimum of 75.0 per cent of the artwork located either:</p> <p>(i) outdoors, at grade and visible from the public sidewalk;</p> <p>(ii) on the building's exterior and visible from the public sidewalk; or</p> <p>(iii) in the +15 Skywalk System walkway or in an indoor park and visible from the publicly accessible landscaped areas or the public sidewalk at all times.</p>
8.6	<p>PUBLIC ART – CONTRIBUTION TO PUBLIC ART FUND</p> <p>Public art – contribution to public art fund is a financial contribution to a civic fund with the purpose of providing art on public land in the CR20-C20/R20 District.</p>
8.6.1	<p>The maximum incentive floor area ratio for this item is a cumulative total of 1.5 for items 8.5 and 8.6.</p>
8.6.2	<p>Incentive calculation:</p> <p>Where a development provides a contribution to the public art fund the Incentive Rate is Incentive Rate 2.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = value of the contribution to the public art fund (\$) divided by Incentive Rate 2 (\$).</p>
8.6.3	<p>Minimum Floor Area Ratio Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>
8.7	<p>GREEN BUILDING FEATURES</p> <p>Green building features are physical components of a building that contribute to improving the local environment adjacent to the building. Improvements focus on enhancing air quality, reducing stormwater runoff, and improving the visual environment.</p>
8.7.0(a)	<p>The maximum incentive floor area ratio for items 8.7.1 to 8.7.8 is a cumulative total of 2.5 for any combination of items 8.7.1 to 8.7.8.</p>

8.7.0(b)	<p>Incentive calculation:</p> <p>See incentive items 8.7.1 - 8.7.8.</p>
8.7.0(c)	<p>Minimum Floor Area Ratio Requirement:</p> <p>(i) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of items 8.7.1 to 8.7.8 is: 7.0; and</p> <p>(ii) in all other cases the minimum floor area ratio that must be achieved prior to use of items 8.7.1 to 8.7.8 is: 8.0.</p>
8.7.1	<p>ENVIRONMENTAL ROOF</p> <p>An environmental roof is a roof that is designed to retain stormwater on site or to contain plants.</p>
8.7.1(a)	<p>The maximum incentive floor area ratio for this item is 0.7.</p>
8.7.1(b)	<p>Incentive calculation:</p> <p>Where a development provides an environmental roof the Incentive Ratio is 1:5.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = surface area of environmental roof (square metres) multiplied by 5.0.</p>
8.7.1(c)	<p>Minimum Floor Area Ratio Requirement:</p> <p>(i) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(ii) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>

8.7.1(d)	<p>Requirements:</p> <p>An environmental roof includes the following:</p> <ul style="list-style-type: none"> (i) roof area that is: <ul style="list-style-type: none"> (I) permanently planted with vegetation and equipped with a growing medium and irrigation systems; or (II) equipped with water collection and/or filtration systems designed to collect rainwater for reuse or to minimize stormwater runoff; and (ii) walkways necessary for maintenance with a maximum width of 1.0 metre.
8.7.2	<p>GREEN WALL</p> <p>A green wall is an indoor vertical, <i>soft surfaced landscaped area</i>. The diagram in 8.7.2(e) illustrates a potential implementation of the requirements of 8.7.2(d).</p>
8.7.2(a)	<p>The maximum incentive floor area ratio for this item is 1.0.</p>
8.7.2(b)	<p>Incentive Calculation:</p> <p>Where a <i>development</i> provides a green wall the Incentive Ratio is 1:5 based on the vertical surface area of the green wall.</p> <p>Method:</p> <p>Incentive <i>gross floor area</i> (square metres) = vertical surface area (square metres) multiplied by 5.0.</p>
8.7.2(c)	<p>Minimum Floor Area Ratio Requirement:</p> <ul style="list-style-type: none"> (i) for a <i>development</i> containing a <i>Hotel</i> in either the <i>development permit</i> where the <i>development permit</i> is not phased or the first phase of the <i>development permit</i>, where the <i>development permit</i> is phased, the minimum <i>floor area ratio</i> that must be achieved prior to use of this item is: 7.0; and (ii) in all other cases the minimum <i>floor area ratio</i> that must be achieved prior to use of this item is: 8.0.
8.7.2(d)	<p>Requirements:</p> <p>A green wall includes the following:</p> <ul style="list-style-type: none"> (i) a minimum vertical surface area of 20.0 square metres; (ii) a minimum of 80.0 per cent of its vertical surface area covered by vegetation; (iii) a location indoors and at-<i>grade</i> and/or at the <i>+15 Skywalk System</i> level; (iv) where located at-<i>grade</i> level, it fronts on to and is visible from the public sidewalk, <i>grade</i> level open space or on-site pedestrian space; and (v) where located at the <i>+15 Skywalk System</i> level, it fronts on to and is visible from the <i>+15 Skywalk System</i>.

<p>8.7.2(e)</p>	<p>Diagram: (not to scale)</p> <p style="text-align: right;">Green Wall</p> <p>Side Front</p> <p>Wall</p> <p>Structure/irrigation system</p> <ul style="list-style-type: none"> - natural plants - indoors - visible <ul style="list-style-type: none"> - Min. vertical surface area = 20.0m² - Soft surfaced landscaped - 80% covered by vegetation
<p>8.7.3</p>	<p>BIORETENTION STRUCTURE</p> <p>A bioretention structure is a structural framework that is inserted into the soil that transfers loads from the surface through the soil layers. The purpose of the structure is to retain and filter stormwater on site, to support evapotranspiration of retained stormwater and provide uncompacted planting soil for trees. The diagram in 8.7.3(e) illustrates a potential implementation of the requirements of 8.7.3(d).</p>
<p>8.7.3(a)</p>	<p>The maximum incentive <i>floor area ratio</i> for this item is 1.5.</p>
<p>8.7.3(b)</p>	<p>Incentive calculation:</p> <p>Where a development provides a bioretention structure 0.1 floor area ratio for every 100.0 square metres of installed bioretention structure.</p>
<p>8.7.3(c)</p>	<p>Minimum <i>Floor Area Ratio</i> Requirement:</p> <ul style="list-style-type: none"> (i) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and (ii) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.

8.7.3(d)

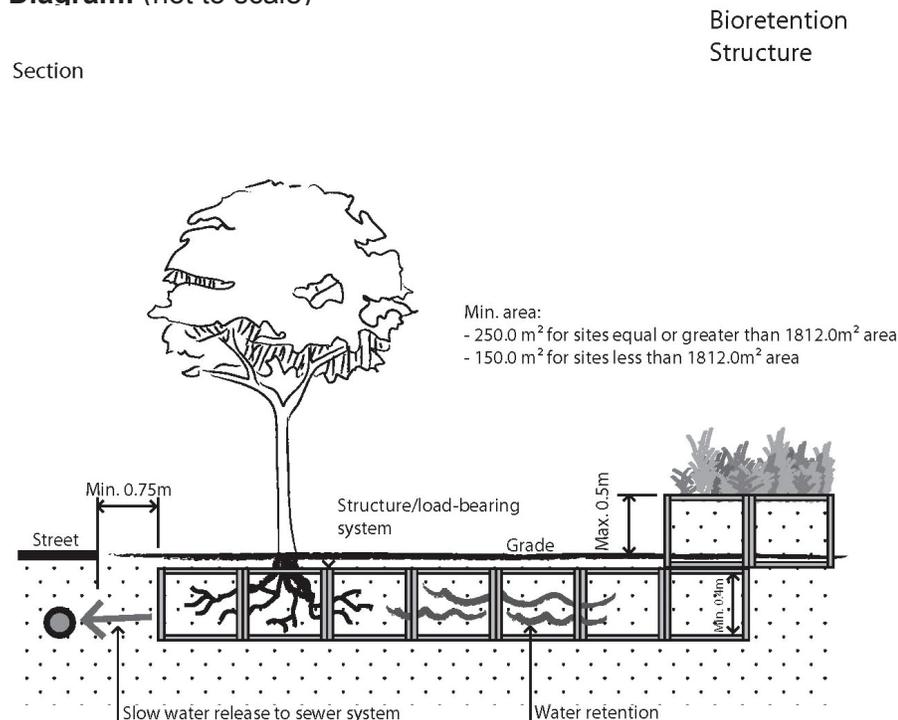
Requirements:

A bioretention structure includes the following:

- (i) a minimum area of:
 - (I) 250.0 square metres for sites equal to or greater than 1812.0 square metres in area; or
 - (II) 150.0 square metres for sites of less than 1812.0 square metres in area;
- (ii) a structural grid with a minimum depth of 0.4 metres to transfer surface loads through the soil layers;
- (iii) installation in a location greater than 0.75 metres horizontal distance from a **street**;
- (iv) a design to retain stormwater and either:
 - (I) slowly discharge it into the municipal storm sewer system; or
 - (II) re-use it on site; and
 - (III) prevent seepage into groundwater below;
- (v) a design to accommodate municipal utility and infrastructure systems;
- (vi) a location not above the first **storey**;
- (vii) a location within 0.5 metres of the **grade** of the adjoining public sidewalk where installed in planters or raised beds; and
- (viii) where they occupy the same area, no application in combination with incentive item 8.7.1.

8.7.3(e)

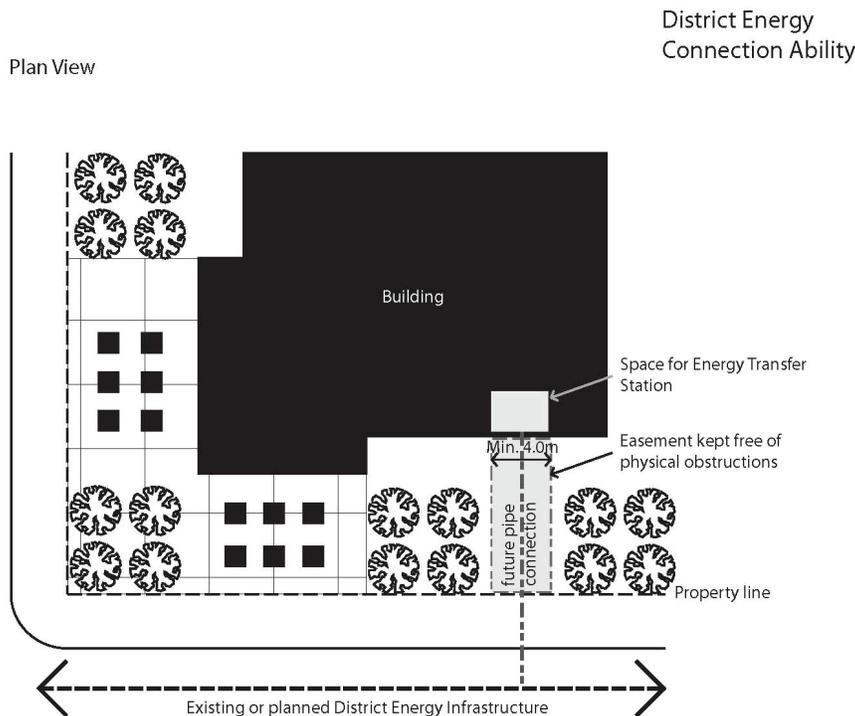
Diagram: (not to scale)



8.7.4	<p>DISTRICT ENERGY CONNECTION ABILITY</p> <p>District energy connection ability is the preservation of site areas from physical obstructions that would preclude or make unviable a connection to district energy infrastructure in the future. The diagram in 8.7.4(e) illustrates a potential implementation of the requirements of 8.7.4(d).</p>
8.7.4(a)	<p>The maximum incentive <i>floor area ratio</i> for this item is 0.5.</p>
8.7.4(b)	<p>Incentive calculation:</p> <p>Where a development provides district energy connection ability the additional floor area ratio is 0.5.</p>
8.7.4(c)	<p>Minimum Floor Area Ratio Requirement:</p> <ul style="list-style-type: none"> (i) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and (ii) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.
8.7.4(d)	<p>Requirements:</p> <p>A district energy connection ability includes the following:</p> <ul style="list-style-type: none"> (i) maintenance on the parcel until the development has been connected to and utilizes energy from district energy infrastructure; (ii) demonstration of the ability of a building to connect to existing or proposed district energy infrastructure by providing: <ul style="list-style-type: none"> (I) space allocated for an energy transfer station at ground level or below (energy transfer station is defined as the mechanical interface between the district energy system and the building heating system located in the building - commonly known as a plate and frame heat exchanger and includes all heat transfer equipment, measurement equipment and control systems); (II) a heat distribution system that can accommodate the primary heat source at ground level or below; and (III) an easement with a minimum width of 4.0 metres registered on the certificate of title for the parcel for a thermal pipe from the property line to the building and through the building to the allocated energy transfer station location; and (iii) no application in combination with incentive items 8.7.5 and 8.7.6.

8.7.4(e)

Diagram: (not to scale)



8.7.5

DISTRICT ENERGY SYSTEM CONNECTION

District energy connection is the connection to a *district energy* system and the utilization of its thermal energy in the *development*. The diagram in 8.7.5(e) illustrates a potential implementation of the requirements of 8.7.5(d).

8.7.5(a)

The maximum incentive *floor area ratio* for this item is 2.5.

8.7.5(b)

Incentive calculation:

Where a *development* provides a district energy system connection:

- (i) the additional *floor area ratio* for the connection to *district energy* infrastructure is 0.5;
- (ii) the additional *floor area ratio* for every *storey* of the *building* for the first 25 *storeys* above *grade* is 0.05; and
- (iii) the additional *floor area ratio* for every *storey* of the *building* above 25 *storeys* above *grade* is 0.025.

8.7.5(c)

Minimum Floor Area Ratio Requirement:

- (i) for a *development* containing a **Hotel** in either the *development permit* where the *development permit* is not phased or the first phase of the *development permit*, where the *development permit* is phased, the minimum *floor area ratio* that must be achieved prior to use of this item is: 7.0; and
- (ii) in all other cases the minimum *floor area ratio* that must be achieved prior to use of this item is: 8.0.

8.7.5(d)

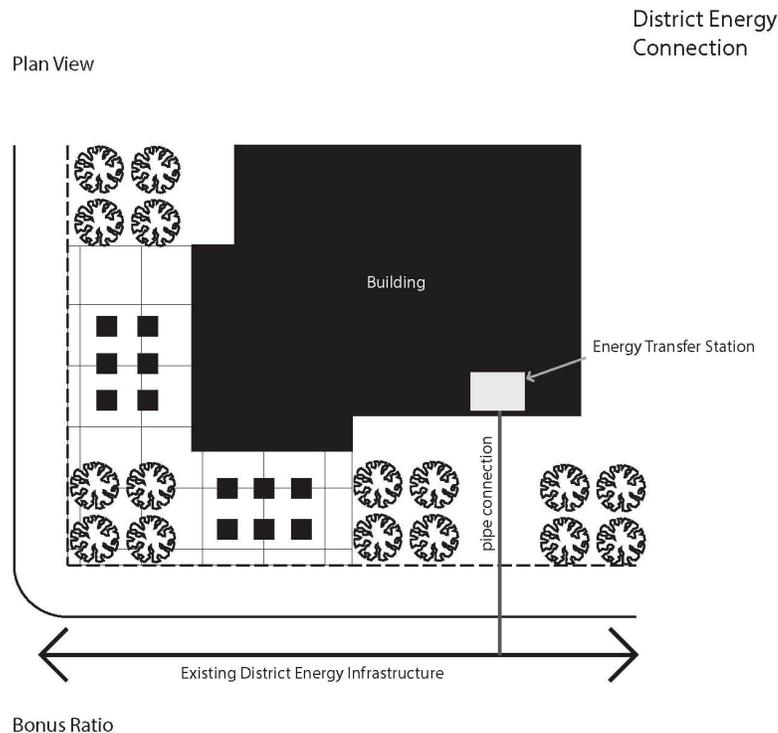
Requirements:

A district energy system connection includes the following:

- (i) connecting the **building** to a **district energy** system and use of the thermal energy from the **district energy** system in the **building**;
- (ii) connection infrastructure that includes:
 - (I) space allocated for an energy transfer station at ground level or below; (energy transfer station is defined as the mechanical interface between the **district energy** system and the **building** heating system located in the **building** - commonly known as a plate and frame heat exchanger and includes all heat transfer equipment, measurement equipment and control systems).
 - (II) a heat distribution system that can accommodate the primary heat source at ground level or below; and
 - (III) an easement with a minimum width of 4.0 metres registered on the certificate of title for the **parcel** for a thermal pipe from the **property line** to the **building** and through the **building** to the allocated energy transfer station location; and
- (iii) no application in combination with incentive item 8.7.4 or 8.7.6.

8.7.5(e)

Diagram: (not to scale)



8.7.6	<p>ON-SITE COGENERATION FACILITY</p> <p>An on-site cogeneration facility is equipping a building with combined heat and power or combined heat, power and cooling machinery to serve the building.</p>
8.7.6(a)	<p>The maximum incentive floor area ratio for this item is 2.0.</p>
8.7.6(b)	<p>Incentive calculation:</p> <p>Where a development provides an on site cogeneration facility:</p> <ul style="list-style-type: none"> (i) the additional floor area ratio for the connection to district energy infrastructure is 0.5; (ii) the additional floor area ratio for every storey of the building for the first 25 storeys above grade is 0.05; and (iii) the additional floor area ratio for every storey of the building above 25 storeys above grade is 0.025.
8.7.6(c)	<p>Minimum Floor Area Ratio Requirement:</p> <ul style="list-style-type: none"> (i) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and (ii) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.
8.7.6(d)	<p>Requirements:</p> <p>An on-site cogeneration facility includes:</p> <ul style="list-style-type: none"> (i) a combined heat and power, cogeneration or trigeneration system in the building; (ii) a design to utilize thermal energy resulting from electricity production to heat and/or cool the building; (iii) high-efficiency cogeneration, meaning an energy efficiency level of 80.0 per cent or greater; and (iv) an easement with a minimum width of 4.0 metres registered on the certificate of title for the parcel for a thermal pipe from the property line to the building and through the building to the allocated energy transfer station location; and (v) no application in combination with incentive item 8.7.4 or 8.7.5.
8.7.7	<p>ELECTRIC VEHICLE CHARGING STATIONS</p> <p>Electric vehicle charging stations are purpose built, electrical outlets located in, or adjacent to, selected motor vehicle parking stalls designed to provide battery recharging ability to electric vehicles using the stalls.</p>
8.7.7(a)	<p>The maximum incentive floor area ratio for this item is 1.0.</p>

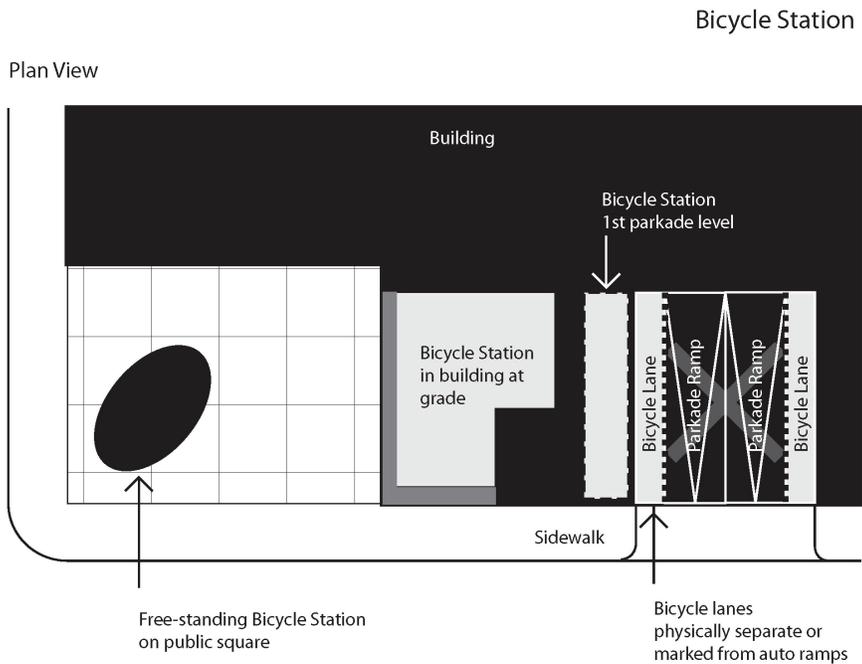
8.7.7(b)	<p>Incentive calculation:</p> <p>Where a development provides electric vehicle charging stations the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = cost of installed charging stations (\$) divided by Incentive Rate 1 (\$).</p>
8.7.7(c)	<p>Minimum Floor Area Ratio Requirement:</p> <p>(i) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(ii) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>
8.7.7(d)	<p>Requirements:</p> <p>An electric vehicle charging station includes the following:</p> <p>(i) 1.0 battery charging unit with a minimum 220.0 Volt capacity or fast charging ability for each motor vehicle parking stall; and.</p> <p>(ii) signage indicating which motor vehicle parking stalls are equipped with charging stations.</p>
8.7.8	<p>ADDITIONAL BICYCLE PARKING STALLS</p> <p>Additional bicycle parking stalls is the provision of supplementary bicycle parking stalls – class 1 and associated change room facilities in addition to the minimum required bicycle parking stalls – class 1 of the development. The additional bicycle parking stalls – class 1 and associated facilities provided may be integrated into the stalls and facilities required by the development with no physical separation.</p>
8.7.8(a)	<p>The maximum incentive floor area ratio for this item is 1.0.</p>
8.7.8(b)	<p>Incentive calculation:</p> <p>Where a development provides additional bicycle parking stalls the Incentive Ratio is 1:7.5.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = gross floor area provided for bicycle parking stalls – class 1 and change rooms (square metres) multiplied by 7.5.</p>

8.7.8(c)	<p>Minimum Floor Area Ratio Requirement:</p> <ul style="list-style-type: none"> (i) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and (ii) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.
8.7.8(d)	<p>Requirements:</p> <p>Additional bicycle parking stalls include the following:</p> <ul style="list-style-type: none"> (i) bicycle parking stalls – class 1 located either within the building or in a separate structure on the site; (ii) a change room located either within the building or in a separate structure on the site with a minimum area of 20.0 square metres that contains: <ul style="list-style-type: none"> (I) 1.0 locker for every 4.0 bicycle parking stalls – class 1; (II) 1.0 shower for every 4.0 bicycle parking stalls – class 1; and (III) 1.0 grooming station consisting of wash basin, mirror and electrical outlet for every 4.0 bicycle parking stalls – class 1; and (iii) an area of 0.4 square metres for each locker and 0.4 square metres for each shower; (iv) use only by the tenants of the development; and (v) a location together with the minimum required bicycle parking stalls – class 1.
8.8	<p>BICYCLE STATION</p> <p>A bicycle station is a facility which provides secure bicycle parking for public use either on a long-term basis or on a short-term, on-demand basis. It provides facilities to its users that include showers, lockers, toilets and grooming stations and may also contain space for retail and service activities.</p> <p>A bicycle station does not replace the required bicycle parking stalls of the use, but is instead intended for use by third parties outside of the development. The diagram in 8.8.5 illustrates a potential implementation of the requirements of 8.8.4.</p>
8.8.1	<p>The maximum incentive floor area ratio for this item is 2.0.</p>
8.8.2	<p>Incentive calculation:</p> <p>Where a development provides a bicycle station the Incentive Ratio is 1:7.5.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = gross floor area provided for the bicycle station (square metres) multiplied by 7.5.</p>

8.8.3	<p>Minimum Floor Area Ratio Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>
8.8.4	<p>Requirements:</p> <p>A bicycle station includes the following:</p> <p>(a) bicycle parking stalls – class 1 that are not required bicycle parking stalls – class 1 located either within the building or in a separate structure on the site;</p> <p>(b) a change room located either within the building or in a separate structure on the site containing a minimum of the following facilities:</p> <p>(i) 1.0 shower for every 10.0 bicycle parking stalls – class 1 greater than the minimum requirement for the first 200.0 bicycle parking stalls – class 1; and</p> <p>(ii) 1.0 grooming station consisting of wash basin, mirror and electrical outlet for every 10.0 bicycle parking stalls – class 1 greater than the minimum requirement for the first 200.0 bicycle parking stalls – class 1; and</p> <p>(iii) 1.0 toilet for every 25.0 bicycle parking stalls – class 1 greater than the minimum requirement for the first 100.0 bicycle parking stalls – class 1; and</p> <p>(iv) 1.0 locker for every 4.0 bicycle bicycle parking stalls – class 1;</p> <p>(c) use by the public and no reservation for the sole use of the tenants of the development;</p> <p>(d) for calculation purposes an area of 0.4 square metres for each locker and 0.4 square metres for each shower;</p> <p>(e) a bicycle repair space of at minimum 2.0 metres by 3.0 metres in dimension;</p> <p>(f) where retail and service uses are contained within the Bicycle Station their floor areas are included in the incentive gross floor area;</p> <p>(g) where located in a parkade:</p> <p>(i) is on the closest parkade level to grade and physically separated from the motor vehicle parking stalls;</p> <p>(ii) no access provided only by stairs;</p> <p>(iii) bicycle lanes in parkade ramps where these are shared with motor vehicles.</p>

8.8.5

Diagram: (not to scale)



8.9

TRANSIT ENHANCEMENTS

Transit enhancements is the construction of structures either as part of a **building** or as a separate structure that provide shelter from the elements to transit service users and that provide an amenity and design standard exceeding standard transit facilities.

8.9.1

The maximum incentive **floor area ratio** for this item is 0.5.

8.9.2

Incentive calculation:

Where a **development** provides a transit shelter the Incentive Rate is Incentive Rate 1.

Method:

Incentive **gross floor area** (square metres) = sum of construction cost of the public transit shelter (\$) divided by Incentive Rate 1 (\$).

8.9.3

Minimum Floor Area Ratio Requirement:

- (a) for a **development** containing a **Hotel** in either the **development permit** where the **development permit** is not phased or the first phase other **development permit**, where the **development permit** is phased, the minimum **floor area ratio** that must be achieved prior to use of this item is: 7.0; and
- (b) in all other cases the minimum **floor area ratio** that must be achieved prior to use of this item is: 8.0.

8.9.4	<p>Requirements:</p> <p>A transit enhancement includes the following:</p> <ul style="list-style-type: none"> (a) a location on the parcel and adjacent to, and accessible from, a public sidewalk; (b) construction to a standard approved by the Development Authority; (c) public access during transit operating hours; (d) climate controlled from October to May; and (e) exterior walls that consist primarily of windows that are clear glazed except where the walls abut a building and where they contain structural elements of the building.
8.10	<p>ACTIVE ARTS SPACE</p> <p>Active arts space is publicly accessible, internal space that provides accommodation for one of the various branches of creative activity concerned with the production of imaginative designs, sounds or ideas. Active arts space is intended for activities that require public accessibility, e.g. performances, exhibitions.</p>
8.10.1	<p>The maximum incentive floor area ratio for this item is 4.0.</p>
8.10.2	<p>Incentive calculation:</p> <p>Where a development provides active arts space the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = cost of active arts space (\$) plus the capitalized, future operating costs* (not including taxes) divided by Incentive Rate 1 (\$).</p> <p>* Future operating costs are calculated by multiplying \$3,324.68 m² by the amount of active arts space provided in square metres (this is the Net Present Value of operating costs based on \$20 per square foot, a 2% cost escalation, a 6% discount rate, and a 25 year period)</p>
8.10.3	<p>Minimum Floor Area Ratio Requirement:</p> <ul style="list-style-type: none"> (a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and (b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.

8.10.4

Requirements:

Active arts space includes the following:

- (a) a location:
 - (i) at **grade** or at the **+15 Skywalk System** level;
 - (ii) fronting on to, with direct access to and visible from the public sidewalk, **grade** level open space, **+15 Skywalk System** or on-site pedestrian areas;
- (b) entranceways and lobbies that are clear glazed where they abut a public sidewalk at **grade** or the **+15 Skywalk System**;
- (c) public access through a public access agreement for the hours of operation defined in the +15 Policy;
- (d) an agreement establishing the conditions for a long-term lease for the active arts space to be entered into by **The City** or its designated representative ("the tenant") and the **building** owner, such lease to contain the following terms:
 - (i) a minimum term of 25.0 years;
 - (ii) a total rent of \$11.0 per square metre per year, subject to (d)(iv);
 - (iii) subject to (d)(iv) and (v) the **building** owner will pay the normal **building** operating and capital costs attributable to the active arts space including without limitation property taxes if applicable, security, maintenance, repair, cleaning, property management fees and related costs up to the amount per square metre that would normally be charged to office tenants in the building;
 - (iv) the tenant will be responsible for all extraordinary operating and capital costs that are attributable to the active arts space, such as additional security costs associated with the use of the space or special events, additional cleaning necessitated by events in the space, and maintenance and repair of the tenant's fixtures and equipment. **The City** will provide appropriate security to ensure that the tenant pays its costs and does not permit any liens to be placed on the property;
 - (v) upon expiry of the lease, the owner may elect, at the owner's sole and absolute discretion, to renew the lease on the same terms and conditions or to not renew the lease, in which case the tenant will vacate the space upon lease expiry;
 - (vi) if at any time during the term of the lease the space remains unoccupied or unused for 12 consecutive months the owner has the option of terminating the lease upon giving **The City** 30 days written notice, provided that the conditions of (d)(vii) are met;

	<p>(vii) that in the event of termination prior to the end of the 25-year term of the lease, The City will receive financial compensation for the space as calculated as the lesser of Incentive Rate 2 or the fair market value based on the gross floor area of the amenity space as estimated by an independent appraiser and, in addition, any portion of the unused, capitalized operating costs which were included in the original incentive gross floor area calculation; and</p> <p>(viii) the lease will define the nature of the uses or tenants that are deemed eligible to occupy the space. Eligible activities will include artist studios, exhibition space, performing arts space and rehearsal spaces.</p>
<p>8.11</p>	<p>CULTURAL SUPPORT SPACE</p> <p>Cultural support space is an internal space that provides accommodation for one of the various branches of creative activity concerned with the production of imaginative designs, sounds or ideas. Cultural support space is intended for activities that do not require public accessibility, e.g. administration, rehearsal space, storage.</p>
<p>8.11.1</p>	<p>The maximum incentive <i>floor area ratio</i> for this item is 4.0.</p>
<p>8.11.2</p>	<p>Incentive calculation:</p> <p>Where a development provides cultural support space the Incentive Rate is Rate 1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = cost of cultural support space (\$) plus the capitalized, future operating costs* (not including taxes) divided by Incentive Rate 1 (\$).</p> <p>* Future operating costs are calculated by multiplying \$3,324.68 m² by the amount of cultural support space provided in square metres (this is the Net Present Value of operating costs based on \$20 per square foot, a 2% cost escalation, a 6% discount rate, and a 25 year period)</p>
<p>8.11.3</p>	<p>Minimum <i>Floor Area Ratio</i> Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>

8.11.4

Requirements:

A cultural support space includes the following:

- (a) access to the tenant during the **building's** normal office hours unless otherwise agreed upon in the lease agreement;
- (b) a location above **grade** where the space is used for administration;
- (c) an agreement establishing the conditions for a long-term lease for the cultural support space to be entered into by **The City** or its designated representative ("the tenant") and the **building** owner, such lease to contain the following terms:
 - (i) a minimum term of 25.0 years;
 - (ii) a total rent of \$11.0 per square metre per year, subject to (c)(iv);
 - (iii) subject to (c)(iv) and (v) the **building** owner will pay the normal **building** operating and capital costs attributable to the cultural support space including without limitation property taxes if applicable, security, maintenance, repair, cleaning, property management fees and related costs up to the amount per square metre that would normally be charged to office tenants in the building;
 - (iv) the tenant will be responsible for all extraordinary operating and capital costs that are attributable to the cultural support space, such as additional security costs associated with the use of the space, additional cleaning necessitated by use of the space, and maintenance and repair of the tenant's fixtures and equipment. **The City** will provide appropriate security to ensure that the tenant pays its costs and does not permit any liens to be placed on the property;
 - (v) upon expiry of the lease, the owner may elect, at the owner's sole and absolute discretion, to renew the lease on the same terms and conditions or to not renew the lease, in which case the tenant will vacate the space upon lease expiry;
 - (vi) if at any time during the term of the lease the space remains unoccupied or unused for 12 consecutive months the owner has the option of terminating the lease upon giving **The City** 30 days written notice, provided that the conditions of (c)(vii) are met;
 - (vii) that in the event of termination prior to the end of the 25-year term of the lease, **The City** will receive financial compensation for the space as calculated as the lesser of Incentive Rate 2 or the fair market value based on the **gross floor area** of the amenity space as estimated by an independent appraiser and, in addition, any portion of the unused, capitalized operating costs which were included in the original incentive **gross floor area** calculation; and
 - (viii) the lease will define the nature of the uses or tenants that are deemed eligible to occupy the space. Eligible activities will include administration and storage.

8.12	<p>COMMUNITY SUPPORT FACILITIES</p> <p>Community support facilities are spaces allocated to specific uses that have been determined by The City to support community activity and functionality.</p>
8.12.1 8.12.2	<p>The maximum incentive <i>floor area ratio</i> for this item is 2.0.</p> <p>Incentive calculation:</p> <p>Where a development provides community support facilities the Incentive Ratio is 1:1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = gross floor area provided for the community support facility (square metres) multiplied by 1.0.</p>
8.12.3	<p>Minimum <i>Floor Area Ratio</i> Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>
8.12.4	<p>Requirements:</p> <p>Community support facilities includes the following:</p> <p>(a) provision of space for one or more of the following uses:</p> <ul style="list-style-type: none"> (i) Assisted Living; (ii) Child Care Service; (iii) Community Recreation Facility; (iv) Custodial Care; (v) Fitness Centre; (vi) Indoor Recreation Facility; (vii) Instructional Facility; (viii) Library; (ix) Museum; (x) Performing Arts Centre; (xi) Place of Worship – Large; (xii) Place of Worship – Medium; (xiii) Place of Worship – Small; (xiv) Post Secondary Learning Institution; (xv) Protective and Emergency Service;

	<ul style="list-style-type: none"> (xvi) Residential Care; (xvii) School – Private; (xviii) School Authority – School; (xix) School Authority Purpose – Major; (xx) Service Organization; (xxi) Social Organization; and (xxii) Supermarket; <p>(b) the identification in floor plans of the proposed building of the space that is to be allocated to the community support facility; and</p> <p>(c) the requirement for a development permit upon change of use.</p>
<p>8.13</p>	<p>HERITAGE DENSITY TRANSFER</p> <p>Heritage density transfer is the transfer to a receiving parcel of floor area ratio that could have been achieved on a source parcel were it not for the development constraints imposed by the retention and preservation of a historic building and its designation as a Municipal Historic Resource.</p>
<p>8.13.1</p>	<p>The maximum incentive floor area ratio for this item is 5.0.</p>
<p>8.13.2</p>	<p>Incentive calculation:</p> <p>Where a development provides a heritage density transfer the additional gross floor area is directly transferred in square metres.</p> <p>Method:</p> <p>The gross floor area is transferred as a square metre value to the receiving parcel and the transfer is registered as a caveat on the Certificate of Title of the source parcel(s).</p>
<p>8.13.3</p>	<p>Minimum Floor Area Ratio Requirement:</p> <ul style="list-style-type: none"> (a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and (b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.

8.13.4	<p>Requirements:</p> <p>A heritage density transfer includes:</p> <ul style="list-style-type: none"> (a) a transfer agreement that is registered on the Certificate of Title of the parcel(s) from which the density has been transferred; (b) a land use redesignation of the parcel from which the density has been transferred to a Direct Control District in which the allowable maximum floor area ratio remaining after the transfer is regulated; (c) a land use redesignation of the receiving parcel to a Direct Control District in which the allowable maximum floor area ratio achieved through the transfer is regulated; (d) a maximum of 5.0 floor area ratio of the receiving parcel, calculated in square metres that has been achieved through heritage density transfer; (e) transfers only to receiving parcels located within the Commercial Residential district; (f) transfers only from parcels where legal protection through designation as a Municipal Historic Resource has been completed; and (g) only a one-time transfer from the parcel from which the density has been transferred to the receiving parcel with no further transfer possibility.
8.14	<p>HISTORIC RESOURCE RETENTION</p> <p>Historic resource retention is incentive gross floor area for the retention, restoration and preservation of entire buildings, or building features of historic significance on the parcel of the development. Although all efforts should be undertaken to retain and preserve the entire building on site, where it is impractical to do so the retention of individual building features that are of historic significance also provides for this incentive density.</p>
8.14.1	<p>The maximum incentive floor area ratio for this item is 5.0.</p>
8.14.2	<p>Incentive calculation:</p> <p>Where a development provides historic resource retention:</p> <ul style="list-style-type: none"> (a) the Incentive Rate for the retention of a building feature is Incentive Rate 2; and (b) the Incentive Rate for the retention of the entire historic building is Incentive Rate 3. <p>Method:</p> <p>Incentive gross floor area (square metres) = marginal extra cost of retention of the historic resource (\$) divided by Incentive Rate 2 (\$) in the case of the retention of building features or Incentive Rate 3 in the case of the retention of the entire building.</p> <p>Cost of retention includes costs for repair, restoration and improvement.</p>

8.14.3	<p>Minimum Floor Area Ratio Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>
8.14.4	<p>Requirements:</p> <p>Historic resource retention includes:</p> <p>(a) where the building is listed on the Inventory of Evaluated Historic Resources;</p> <p>(b) maintaining the historic resource or building feature in its approved location on the parcel or within the building where it is incorporated into a new building;</p> <p>(c) an agreement between the Development Authority and the developer establishing the total cost of retention of the heritage resource prior to approval; and</p> <p>(d) designation of the historic resource as a Municipal Historic Resource pursuant to the <i>Historical Resources Act</i> by a Bylaw approved by Council.</p>
8.15	<p>DENSITY TRANSFER FOR SUNLIGHT PRESERVATION</p> <p>Density transfer for sunlight preservation is the transfer of that floor area ratio that could have been achieved on a parcel were it not for a development constraint imposed by rules protecting specific public spaces from being cast in shadow. The difference in density between the source development's achievable floor area ratio and the potential floor area ratio assumed for the development had it not been constrained by sunlight protection aspects may be transferred to a receiving parcel to increase its floor area ratio.</p>
8.15.1	<p>The maximum incentive floor area ratio for this item is 2.0.</p>
8.15.2	<p>Incentive calculation:</p> <p>Where a development provides a density transfer for sunlight preservation the additional gross floor area is directly transferred in square metres.</p> <p>Method:</p> <p>The gross floor area is transferred as a square metre value to the receiving parcel and the transfer is registered as a caveat on the Certificate of Title of the source parcel(s).</p>

8.15.3	<p>Minimum Floor Area Ratio Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>
8.15.4	<p>Requirements:</p> <p>A transfer for sunlight preservation includes the following:</p> <p>(a) a transfer agreement that is registered on the Certificate of Title of the parcel(s) from which the density has been transferred;</p> <p>(b) a land use redesignation of the parcel from which the density has been transferred to a Direct Control District in which the allowable maximum floor area ratio remaining after the transfer is regulated;</p> <p>(c) a land use redesignation of the receiving parcel to a Direct Control District in which the allowable maximum floor area ratio achieved through the transfer is regulated;</p> <p>(d) a maximum of 2.0 floor area ratio of the receiving parcel, calculated in square metres, achieved through density transfer for sunlight preservation; and</p> <p>(e) compliance with section 1311.</p>
8.16	<p>DENSITY TRANSFER FOR ADAPTIVE REUSE</p> <p>Density transfer for adaptive reuse is the transfer to a receiving parcel of floor area ratio that has been achieved by the adaptive reuse of buildings or significant portions of buildings on a source parcel as defined in 8.17.</p>
8.16.1	<p>The maximum incentive floor area ratio for this item is 1.0.</p>
8.16.2	<p>Incentive calculation:</p> <p>Where a development provides a density transfer for adaptive reuse the additional gross floor area is directly transferred in square metres.</p> <p>Method:</p> <p>The gross floor area is transferred as a square metre value to the receiving parcel and the transfer is registered as a caveat on the Certificate of Title of the source parcel(s).</p>
8.16.3	<p>Minimum Floor Area Ratio Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>

8.16.4	<p>Requirements:</p> <p>A density transfer for the adaptive reuse includes:</p> <ul style="list-style-type: none"> (a) a transfer agreement that is registered on the Certificate of Title of the parcel(s) from which the density has been transferred; (b) a land use redesignation of the parcel from which the density has been transferred to a Direct Control District in which the allowable maximum floor area ratio remaining after the transfer is regulated; (c) a land use redesignation of the receiving parcel to a Direct Control District in which the allowable maximum floor area ratio achieved through the transfer is regulated; (d) a maximum of 1.0 floor area ratio of the receiving parcel, calculated in square metres that has been achieved through density transfer for the adaptive reuse of buildings; (e) transfers only to receiving parcels designated with the CR20-C20/R20 district; and (f) transfers only from source buildings that have redeveloped in accordance with the requirements of item 8.17.
8.17	<p>ADAPTIVE REUSE</p> <p>Adaptive reuse is the retention and reuse of an existing building or significant portions of the building's structure on the parcel.</p>
8.17.1	<p>The maximum incentive floor area ratio for this item is 2.0.</p>
8.17.2	<p>Incentive calculation:</p> <p>Where a development provides the requirements of 8.17.4 the Incentive Ratio is 1:2.0.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = gross floor area of the retained building (square metres) multiplied by 2.0.</p>
8.17.3	<p>Minimum Floor Area Ratio Requirement:</p> <ul style="list-style-type: none"> (a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and (b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.

8.17.4	<p>Requirements:</p> <p>Adaptive reuse includes the following:</p> <ul style="list-style-type: none"> (a) the redevelopment of an existing building; (b) the retention of 75.0 per cent of the gross floor area of the building; and (c) proper removal of recyclable materials prior to demolition.
8.18	<p>DESIGN FOR UNIVERSAL ACCESSIBILITY</p> <p>Design for universal accessibility is the design of a unit to meet enhanced accessibility standards that exceed any minimum standards as established in this Bylaw.</p>
8.18.1	<p>The maximum incentive floor area ratio for this item is 1.0</p>
8.18.2	<p>Incentive calculation:</p> <p>Where a development provides a unit designed for enhanced accessibility the Incentive Ratio is 1:1.5.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = gross floor area of units designed in accordance with enhanced accessibility standards (square metres) multiplied by 1.5.</p>
8.18.3	<p>Minimum Floor Area Ratio Requirement:</p> <ul style="list-style-type: none"> (a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and (b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.
8.18.4	<p>Requirements:</p> <p>A design for universal accessibility includes the following:</p> <ul style="list-style-type: none"> (a) a smooth, unobstructed floor space of a minimum dimension of 1800.00 millimetres length and 1800.00 millimetres width in each kitchen, bathroom and hallway to enable the turning of a wheelchair or mobility device; (b) hallways with a width greater than 1.0 metres and no changes in floor level; (c) a bedroom, kitchen and a bathroom on the same floor as the entrance to the unit; (d) a step-free entrance to the unit; and (e) an accessible motor vehicle parking stall, with a minimum width of 4.0 metres, associated with each unit designed in accordance with these requirements.

8.19	<p>DWELLING UNIT MIX</p> <p>Dwelling unit mix is the construction of units containing 3 or more bedrooms.</p>
8.19.1	<p>The maximum incentive floor area ratio for this item is 2.0.</p>
8.19.2	<p>Incentive calculation:</p> <p>Where a development provides units containing 3.0 or more rooms designed as bedrooms the Incentive Ratio is 1:2.0.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = gross floor area of units containing 3.0 or more bedrooms (square metres) multiplied by 2.0.</p>
8.19.3	<p>Minimum Floor Area Ratio Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>
8.19.4	<p>Requirements:</p> <p>A development with a dwelling unit mix includes the following:</p> <p>(a) the provision of units comprised of 3.0 or more bedrooms;</p> <p>(b) two bedrooms with 1.0 or more windows in each;</p> <p>(c) a natural source of light in each bedroom;</p> <p>(d) a minimum gross floor area of 9.0 square metres for each bedroom;</p> <p>(e) a separate living area separate from each bedroom in each unit; and</p> <p>(f) a minimum gross floor area of 100.0 square metres for each unit.</p>
8.20	<p>INNOVATIVE PUBLIC AMENITY</p> <p>An innovative public amenity is a building feature that has not been considered under any of the other incentive items in this table, but which is determined by the Development Authority to provide a benefit to the public.</p>
8.20.1	<p>The maximum incentive floor area ratio for this item is 1.0.</p>

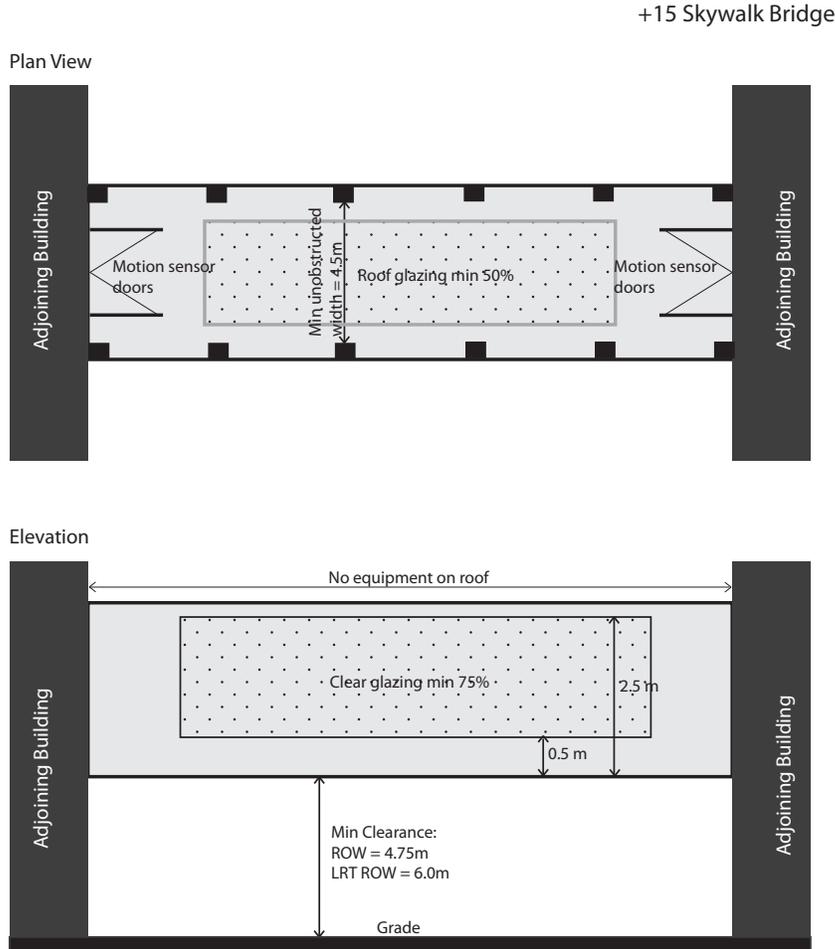
8.20.2	<p>Incentive calculation:</p> <p>Where a development provides an innovative amenity the Incentive Rate is Incentive Rate 1.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = cost of amenity (\$) divided by Incentive Rate 1 (\$).</p>
8.20.3	<p>Minimum Floor Area Ratio Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>
8.20.4	<p>Requirements:</p> <p>An innovative public amenity includes the following:</p> <p>(a) a benefit to the community in which the density is being accommodated;</p> <p>(b) no items or amenities that are achievable or required through other means, including the other incentive amenity items in this table;</p> <p>(c) no standard features of a building;</p> <p>(d) an amount of additional floor area ratio commensurate with the cost of the amenity item provided;</p> <p>(e) where located at the +15 Skywalk System level, front on to, be visible from and have direct access to +15 Skywalk System; and</p> <p>(f) the sole discretion of the Development Authority to determine whether the proposed amenity feature is considered an innovative public amenity.</p>
8.21	<p>EXCEPTIONAL DESIGN</p> <p>Exceptional design is such that it incorporates architectural and urban design features and/or technologies that are deemed by the Development Authority to significantly enhance through visual and functional impacts the character of the urban environment.</p>
8.21.1	<p>The maximum incentive floor area ratio for this item is 1.0.</p>
8.21.2	<p>Incentive calculation:</p> <p>Where a development has been determined by the Development Authority to provide the requirements of 8.21.4, the additional floor area ratio is 1.0.</p>

8.21.3	<p>Minimum Floor Area Ratio Requirement:</p> <p>(a) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</p> <p>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</p>
8.21.4	<p>Requirements:</p> <p>Exceptional design includes two or more of the following:</p> <p>(a) building massing, orientation and façade design not commonly implemented in the CR20-C20/R20 District and that contributes to a memorable skyline and urban environment;</p> <p>(b) building envelope designs employing materials or technology that have a positive effect on the public realm and are not commonly implemented in the CR20-C20/R20 District;</p> <p>(c) a floor plan that is not typical of Office buildings in the CR20-C20/R20 District;</p> <p>(d) improvements to the pedestrian environment in terms of sunlight penetration; and</p> <p>(e) a positive contribution through architecture, urban design and uses to the vibrancy and activity of the pedestrian environment and the building's interfaces with the public realm at grade.</p>
8.22	<p>INDOOR PUBLIC HOTEL SPACE</p> <p>Indoor public hotel space is publicly accessible indoor space that can be used by Hotel guests, conference attendees and the general public without having to be guests of the Hotel or customers of a use within the building. Restaurant, lounge, café, retail and conference use areas, when located at grade and at the +15 Skywalk System level in the building – and one storey above for conference facilities – and open to the public are considered to be indoor public space.</p>
8.22.1	<p>The maximum incentive floor area ratio for this item is for this item 8.0.</p>
8.22.2	<p>Incentive Calculation:</p> <p>Where a Hotel development provides:</p> <p>(a) indoor public hotel space that is conference facility space the Incentive Ratio is: 1:18; and</p> <p>(b) for all other indoor hotel public spaces the Incentive Ratio is 1:10.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = gross floor area of the amenity space provided (square metres) multiplied by 10.0 or 18.0 for conference facilities.</p>

8.22.4	The minimum <i>floor area ratio</i> that must be achieved prior to use of this item is 7.0
8.22.5	<p>Requirements:</p> <p>An indoor public hotel space includes the following:</p> <ul style="list-style-type: none"> (a) a design as a distinct space within the <i>building</i> that does not contain a guest reception area or administration offices; (b) where the space is not a conference facility, public accessibility through a public access agreement during normal operating hours; and (c) where conference facilities area located at the <i>+15 Skywalk System</i> level, a location with direct access to <i>+15 Skywalk System</i>; and (d) where the <i>building</i> meets the exceptional design criteria of item 8.21.
8.23	<p>+15 SKYWALK SYSTEM BRIDGE</p> <p>The <i>+15 Skywalk System bridge</i> is the construction of a bridge in accordance with the +15 Policy. The diagram in 8.23.5 illustrates a potential implementation of the requirements of 8.23.4.</p>
8.23.1	The maximum incentive <i>floor area ratio</i> for this item is 1.0 <i>floor area ratio</i> for each <i>+15 Skywalk System bridge</i> and a maximum of 2.0 <i>floor area ratio</i> in total.
8.23.2	<p>Incentive calculation:</p> <p>Where a <i>development</i> provides a <i>+15 Skywalk System bridge</i>:</p> <ul style="list-style-type: none"> (a) where more than 50.0 per cent of the floor area of the bridge is below a glazed roof, the floor area is calculated at a ratio of 1:22.5; and (b) in all other cases the Incentive Ratio is 1:20. <p>Method:</p> <p>Incentive <i>gross floor area</i> (square metres) = <i>gross floor area</i> of the bridge provided (square metres) multiplied by 20.0 or 22.5.</p>
8.23.3	The minimum <i>floor area ratio</i> that must be achieved prior to use of this item is 11.0.
8.23.4	<p>Requirements:</p> <p>A <i>+15 Skywalk System bridge</i> includes the following:</p> <ul style="list-style-type: none"> (a) a location within the boundaries of the <i>+15 Skywalk System</i> as identified in the +15 Policy and Centre City Plan and in locations approved by the <i>Development Authority</i>; (b) a design in accordance with the +15 Policy; (c) an environmentally controlled space; and (d) construction simultaneously with the <i>development</i> and completion with the <i>development</i>.

8.23.5

Diagram: (not to scale)



8.24

+15 SKYWALK SYSTEM FEATURE ACCESS

A **+15 Skywalk System** feature access is either an escalator or stair that creates a focal point within a **+15 Skywalk System**. Its main function is to emphasize through visibility and direct access the entrance to the **+15 Skywalk System** and allow efficient pedestrian movement between **grade** and the **+15 Skywalk System** level. The diagram in 8.24.5 illustrates a potential implementation of the requirements of 8.24.4.

8.24.1

The maximum incentive floor area ratio for this item is 1.0.

8.24.2

Incentive calculation:

Where a **development** provides a **+15 Skywalk System** feature access the Incentive Ratio is 1:30.

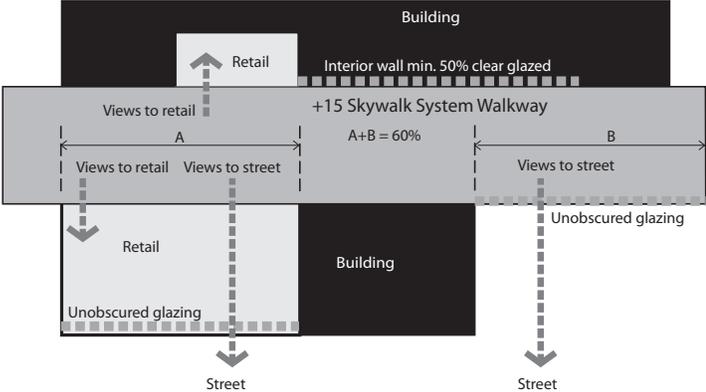
Method:

Incentive **gross floor area** (square metres) = footprint floor area of the escalator or stair provided (square metres) multiplied by 30.0.

8.24.3

The minimum floor area ratio that must be achieved prior to use of this item is 11.0.

<p>8.24.4</p>	<p>Requirements:</p> <p>A +15 Skywalk System feature access includes the following:</p> <ul style="list-style-type: none"> (a) a design in accordance with the +15 Policy; (b) providing access between grade and the +15 Skywalk System level in both directions; (c) minimum tread widths of: <ul style="list-style-type: none"> (i) 0.8 metres for an escalator; or (ii) 2.0 metres for a stair; (d) a location directly visible and accessible from the public sidewalk; (e) signage; and (f) accessibility to the public in accordance with the +15 Policy.
<p>8.24.5</p>	<p>Diagram: (not to scale)</p> <p style="text-align: right;">+15 Skywalk Feature Access</p> <p>Plan View</p>
<p>8.25</p>	<p>ACTIVE +15 SKYWALK SYSTEM WALKWAY</p> <p>A +15 Skywalk System walkway has enhanced design elements compared to the standard requirements of the +15 Policy. It is a positive contribution to the +15 Skywalk System through visible retail spaces and views of the city. The diagram in 8.25.5 illustrates a potential implementation of the requirements of 8.25.4.</p>
<p>8.25.1</p>	<p>The maximum incentive floor area ratio for this item is 1.0.</p>
<p>8.25.2</p>	<p>Incentive calculation:</p> <p>Where a development provides an active +15 Skywalk System walkway the Incentive Ratio is 1:4.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = gross floor area of the active +15 Skywalk System Walkway provided (square metres) multiplied by 4.0.</p>

<p>8.25.3</p>	<p>The minimum <i>floor area ratio</i> that must be achieved prior to use of this item is 11.0.</p>
<p>8.25.4</p>	<p>Requirements:</p> <p>An active +15 Skywalk System Walkway includes the following:</p> <ul style="list-style-type: none"> (a) a design in accordance with the +15 Policy; (b) either of the following along a minimum of 60.0 per cent of the +15 Skywalk System walkway (excluding elevator cores and sections containing structural elements of the building): <ul style="list-style-type: none"> (i) glazing with unobscured glass providing a view to the street; (ii) unobstructed views to external windows glazed with unobscured glass providing views to the adjacent streets, or (iii) unobstructed views to active retail or commercial uses; and (c) a minimum of 50.0 per cent of the interior wall of the +15 Skywalk System walkway that is clear glazed with the exception of sections containing structural elements of the building.
<p>8.25.5</p>	<p>Diagram: (no to scale)</p> <div style="text-align: right; margin-bottom: 10px;">Active +15 Skywalk System Walkway</div> <p>Plan View</p>  <p>The diagram illustrates a plan view of an active +15 Skywalk System Walkway. A central grey horizontal bar represents the walkway, labeled '+15 Skywalk System Walkway' with 'A+B = 60%' below it. Above the walkway is a dark grey 'Building' with an upward arrow labeled 'Retail'. A dashed line indicates 'Interior wall min. 50% clear glazed'. Below the walkway is another dark grey 'Building' with a downward arrow labeled 'Retail'. The walkway is divided into sections 'A' and 'B'. Section 'A' has 'Views to retail' and 'Views to street' indicated by dashed arrows. Section 'B' has 'Views to street' indicated. 'Unobscured glazing' is shown at the bottom of the walkway, with dashed arrows pointing to 'Street' on both sides.</p>
<p>8.26</p>	<p>CONTRIBUTION TO AFFORDABLE HOUSING FUND</p> <p>Contribution to Affordable Housing Fund is a financial contribution to a civic fund to be used to support off-site development of affordable or non-market housing.</p>
<p>8.26.1</p>	<p>The maximum incentive <i>floor area ratio</i> for this item is 2.0.</p>
<p>8.26.2</p>	<p>Incentive calculation:</p> <p>Where a development provides a contribution to a civic fund for affordable housing or non-market housing the Incentive Rate is Incentive Rate 3.</p> <p>Method:</p> <p>Incentive gross floor area (square metres) = contribution amount (\$) divided by Incentive Rate 3 (\$).</p>

8.26.3	The minimum <i>floor area ratio</i> that must be achieved prior to use of this item is 11.0.
8.26.4	<p>Requirements:</p> <p>A Contribution to the Affordable Housing Fund includes:</p> <p>(a) a financial contribution to a civic fund; and</p> <p>(b) achievement of an additional 8.0 <i>floor area ratio</i> through public amenity items 8.0 to 8.25, of which 1.0 <i>floor area ratio</i> must be a contribution to the <i>Central Business District Improvement Fund</i> at Incentive Rate 2 in accordance with item 8.1.</p>
8.27	<p>CONTRIBUTION TO CENTRAL BUSINESS DISTRICT IMPROVEMENT FUND RATE 3</p> <p>Financial contributions to a dedicated fund to be used to support off-site public realm improvements in the CR20-C20/R20 District. Off site public realm improvements include, but are not limited to, improvements to public sidewalks, squares and parks and the acquisition of land for public squares and parks.</p>
8.27.1	The maximum incentive <i>floor area ratio</i> for this item is 4.0.
8.27.2	<p>Incentive calculation:</p> <p>Where a <i>development</i> provides a contribution to the <i>Central Business District Improvement Fund</i> Rate 3 the Incentive Rate is Incentive Rate 3.</p> <p>Method:</p> <p>Incentive <i>gross floor area</i> (square metres) = contribution amount (\$) divided by Incentive Rate 3 (\$).</p>
8.27.3	The minimum <i>floor area ratio</i> that must be achieved prior to use of this item is 11.0.
8.27.4	<p>Requirements:</p> <p>A contribution to the <i>Central Business District Improvement Fund</i> Rate 3 includes the following:</p> <p>(a) achievement of an additional 8.0 <i>floor area ratio</i> through public amenity items 8.0 to 8.26, of which 1.0 <i>floor area ratio</i> must be a contribution to the <i>Central Business District Improvement Fund</i> at Incentive Rate 2 in accordance with item 8.1.</p>
8.28	<p>CONTRIBUTION TO CENTRAL BUSINESS DISTRICT IMPROVEMENT FUND RATE 4</p> <p>Financial contributions to a dedicated fund to be used to support off-site public realm improvements in the central business district. Off site public realm improvements include, but are not limited to, improvements to public sidewalks, squares and parks and the acquisition of land for public squares and parks.</p>
8.28.1	The maximum incentive <i>floor area ratio</i> for this item is 3.0.

8.28.2	<p>Incentive calculation:</p> <p>Where a <i>development</i> provides a contribution to the Central Business District Improvement Fund Rate 4 the Incentive Rate is Incentive Rate 4.</p> <p>Method:</p> <p>Incentive <i>gross floor area</i> (square metres) = contribution amount (\$) divided by the Incentive Rate 4 (\$)</p>
8.28.3	<p>The minimum <i>floor area ratio</i> that must be achieved prior to use of this item is 15.0.</p>
8.28.4	<p>Requirements:</p> <p>A contribution to the Central Business District Improvement Fund rate 4 includes the following:</p> <p>(a) achievement of an additional 12.0 <i>floor area ratio</i> through public amenity items 8.0 to 8.26, of which 1.0 <i>floor area ratio</i> must be a contribution to the Central Business District Improvement Fund at Incentive Rate 2 in accordance with item 8.1.</p>

SCHEDULE A

Groups of Uses

AGRICULTURE AND ANIMAL GROUP

Extensive Agriculture
Kennel
Tree Farm
Veterinary Clinic

AUTOMOTIVE SERVICE GROUP

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

CARE AND HEALTH GROUP

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

CULTURE AND LEISURE GROUP

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

DIRECT CONTROL USES

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

EATING AND DRINKING GROUP

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

GENERAL INDUSTRIAL GROUP

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

INDUSTRIAL SUPPORT GROUP

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

INFRASTRUCTURE GROUP

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

RESIDENTIAL GROUP

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

SALES GROUP

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

SIGNS GROUP

Community Entrance Feature

Sign – Class A

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

Sign – Class B

Fascia Sign

Sign – Class C

Freestanding Sign

Sign – Class D

Canopy Sign
 Projecting Sign

Sign – Class E

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

Sign – Class F

Third Party Advertising Sign

Sign – Class G

Digital Third Party Advertising Sign

STORAGE GROUP

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

SUBORDINATE USE GROUP

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

TEACHING AND LEARNING GROUP

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

SCHEDULE B
Minimum and Specified Penalties

General Offences			
Section	Offence	Minimum Penalty First Offence	Specified Penalty First Offence
23	Fail to obtain DP	\$1500	\$3000
	Fail to comply with DP / DP conditions	\$1500	\$3000
47(1)	Occupy or commence use prior to DCP	\$1500	\$3000
47(5)	Fail to allow inspection / hinder Inspector	\$1500	\$3000
47(8)	Fail to retain DCP on premises	\$200	\$400
Lighting Offences			
63	Fail to shield	\$100	\$200
65	Exceed mounting height	\$100	\$200
66	Fail to recess on canopy	\$100	\$200
Sign Offences			
70, 71	Fail to comply with Comprehensive Sign Program	\$500	\$1000
73(1)	Sign not located on a parcel	\$100	\$300
73(2)	Display Third Party Advertising	\$500	\$1000
73(6)	Sign too close to curb	\$100	\$500
73(8)	Sign in corner visibility triangle	\$100	\$500
73(9)	Sign in required road rights-of-way setback	\$100	\$300
73(11)	Unauthorized projection over sidewalks or road rights-of-way	\$100	\$200
73(12)	Damage landscaping	\$100	\$500
75	Fail to maintain sign	\$100	\$200
78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 90	Fail to comply with Rules for Sign – Class A	\$100	\$200
89	Fail to comply with Rules for Temporary Signs	\$200	\$400
92, 93	Fail to comply with Rules for Fascia Signs	\$200	\$400
95, 96, 97	Fail to comply with Rules for Freestanding Signs	\$200	\$400
99, 100	Fail to comply with Rules for Canopy Signs	\$200	\$400

Section	Offence	Minimum Penalty First Offence	Specified Penalty First Offence
101, 102	Fail to comply with Rules for Projecting Signs	\$200	\$400
74,104, 105,106, 107,108, 109,110, 111,112, 113,114, 115.1, 115.2, 115.3, 115.4 and 115.5	Fail to comply with Rules for Class E, Class F and Class G Signs and Rules for signs with Digital Displays	\$500	\$1000
Use Rules Offences			
117	Fail to identify stalls through signage	\$500	\$1000
119	Stalls used for Unauthorized Purpose	\$500	\$1000
122	Fail to comply with Parking Stall Standards	\$500	\$1000
123	Fail to comply with Loading Stall Standards	\$500	\$1000
125	Fail to comply with Bicycle Stall Standards	\$500	\$1000
Use Rules Offences			
Part 4	Fail to comply with Rules relating to Uses	\$200	\$400
Low Density Residential Offences			
342(1)	Retaining Wall Exceed Height	\$500	\$1000
342(2)	Retaining Wall not meet Separation Requirement	\$500	\$1000
343	Fail to comply with Fence Rules	\$200	\$400
344	Have prohibited/restricted object	\$200	\$400
345, 346	Fail to comply with Accessory Building Rules	\$200	\$400
348	Fail to comply with Corner Visibility Rules	\$200	\$400
359	Fail to comply with Personal Sales Rules	\$200	\$400
Commercial Offences			
696	Fail to screen mechanical	\$200	\$1000
697	Fail to enclose garbage	\$200	\$1000

Schedule B has been amended by the following bylaws: 30P2011, 35P2011