

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
13P2008	June 1, 2008	46P2009	December 14, 2009
15P2008	June 1, 2008	38P2009	December 15, 2009
47P2008	June 1, 2008	3P2010	March 1, 2010
48P2008	June 1, 2008	11P2010	April 19, 2010
49P2008	June 1, 2008	14P2010	May 17, 2010
50P2008	June 1, 2008	26P2010	May 17, 2010
53P2008	June 1, 2008		
54P2008	May 12, 2008		
57P2008	June 9, 2008		
67P2008	October 1, 2008		
68P2008	October 6, 2008		
71P2008	December 22, 2008		
51P2008	January 4, 2009		
75P2008	January 4, 2009		
1P2009	January 26, 2009		
10P2009	April 21, 2009		
17P2009	June 1, 2009		
28P2009	July 13, 2009		
31P2009	September 14, 2009		
41P2009	October 13, 2009		

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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GO TO: The Calgary Land Use Bylaw, 1P2007

SECTION	PAGE
---------	------

PART 4: USES AND USE RULES

Division 1: General Provisions

130	Interpretation	131
131	Identification of Proposed Uses within a Development Permit Application	131
132	Commencement of Development for a Development Permit Authorizing Multiple Uses	132
133	Rules for All Uses	132
134	Uses Not Listed But Allowed in All Districts	132
134.1	Deemed Uses	132.1

Division 2: Defined Uses

135	Defined Terms	133
136	Accessory Food Service	133
137	Accessory Liquor Service	133
138	Accessory Residential Building	134
139	Addiction Treatment	134
140	Adult Mini-Theatre	135
141	Amusement Arcade	135
142	<i>deleted</i>	136
143	<i>deleted</i>	136
144	Artist's Studio	136
145	Asphalt, Aggregate and Concrete Plant	136
146	Assisted Living	137
147	Auction Market – Other Goods	138
148	Auction Market – Vehicles and Equipment	138
149	Auto Body and Paint Shop	139
150	Auto Service – Major	140
151	Auto Service – Minor	141
152	<i>deleted</i>	142
153	Beauty and Body Service	142
154	Bed and Breakfast	143
155	Beverage Container Drop-Off Depot	144
156	Billiard Parlour	144
157	<i>deleted</i>	144
158	<i>deleted</i>	144
158.1	Building Supply Centre	145
159	Bulk Fuel Sales Depot	145
160	Campground	146
161	Car Wash – Multi Vehicle	146
162	Car Wash – Single Vehicle	147
163	Catering Service – Major	148
164	Catering Service – Minor	148
165	Child Care Service	149
166	Cinema	149
167	Columbarium	150
168	Community Entrance Feature	150
169	Community Recreation Facility	151
170	Computer Games Facility	152
170.1	Conference and Event Facility	152

SECTION	PAGE
171 Contextual Single Detached Dwelling	153
172 <i>deleted</i>	153
173 <i>deleted</i>	153
174 Convenience Food Store.....	153
175 Cottage Building	154
176 Counselling Service.....	154
177 Crematorium.....	155
178 Custodial Care.....	155
179 Custodial Quarters	156
180 Dinner Theatre	165
181 Distribution Centre.....	165
182 Drinking Establishment – Large	166
183 Drinking Establishment – Medium.....	167
184 Drinking Establishment – Small.....	168
185 Drive Through.....	169
186 Dry-cleaning and Fabric Care Plant	170
187 Duplex Dwelling.....	171
188 Dwelling Unit	171
189 Emergency Shelter	171
190 Equipment Yard	172
191 Extensive Agriculture.....	173
192 Fertilizer Plant	173
193 Financial Institution.....	174
194 Firing Range.....	174
195 Fitness Centre	175
195.1 Fleet Service	175
196 <i>deleted</i>	176
197 <i>deleted</i>	176
198 Food Kiosk	176
199 Freight Yard	177
200 Funeral Home.....	177
201 Gaming Establishment – Bingo	178
202 Gaming Establishment – Casino	179
203 Gas Bar	179
203.1 General Industrial – Heavy.....	180
203.2 General Industrial – Light	181
203.3 General Industrial – Medium	182
204 Health Services Laboratory – With Clients.....	184
205 Health Services Laboratory – Without Clients.....	184
206 Hide Processing Plant.....	185
206.1 Home Based Child Care – Class 1.....	185
206.2 Home Based Child Care – Class 2.....	185
207 Home Occupation – Class 1.....	186
208 Home Occupation – Class 2.....	187
208.1 Hospital	188.1
209 Hotel.....	188.1
210 Household Appliance and Furniture Repair Service.....	188.2
211 Indoor Recreation Facility.....	189
212 <i>deleted</i>	189
213 <i>deleted</i>	189
214 <i>deleted</i>	189

SECTION	PAGE
215	<i>deleted</i> 189
216	Information and Service Provider 189
217	Instructional Facility 190
218	<i>deleted</i> 191
218.1	Inter-City Bus Terminal 191
219	Jail 191
220	Kennel 192
221	Large Vehicle and Equipment Sales 192
222	Large Vehicle Service..... 193
223	Large Vehicle Wash..... 193
224	Library 194
225	Liquor Store..... 195
226	Live Work Unit 195
227	Manufactured Home 201
228	Manufactured Home Park 201
229	<i>deleted</i> 202
230	<i>deleted</i> 202
231	<i>deleted</i> 202
232	Market 202
233	Medical Clinic 202
234	Metal Fabricator 203
235	Minor Residential Addition..... 203
236	Motion Picture Filming Location 203
237	Motion Picture Production Facility 203
238	Motorized Recreation 204
239	Multi-Residential Development..... 204
240	Multi-Residential Development – Minor..... 205
241	Municipal Works Depot 206
242	Museum..... 207
243	Natural Area 208
244	Natural Resource Extraction 208
245	Night Club..... 209
246	Office 209
247	Outdoor Café..... 210
248	Outdoor Recreation Area..... 211
249	Park 221
250	Park Maintenance Facility – Large 221
251	Park Maintenance Facility – Small 222
252	Parking Lot – Grade 222
252.1	Parking Lot - Grade (temporary) 223
253	Parking Lot – Structure..... 223
254	Pawn Shop 223
255	Performing Arts Centre..... 224
256	Personal Apparel Service 224
257	Pet Care Service 225
258	Photographic Studio 225
259	Pits and Quarries..... 226
260	Place of Worship – Large 226
261	Place of Worship – Medium 227
262	Place of Worship – Small 228
263	Post-secondary Learning Institution 229

SECTION	PAGE
264	Power Generation Facility – Large 230
265	Power Generation Facility – Medium 230
266	Power Generation Facility – Small 231
267	Print Centre 232
268	Printing, Publishing and Distributing..... 232
269	Proshop 233
270	Protective and Emergency Service 233
270.1	Public Transit System..... 234
271	Race Track 234
272	Radio and Television Studio 234
273	Recreational Vehicle Sales..... 235
274	Recreational Vehicle Service..... 235
274.1	Recycleable Construction Material Collection Depot (Temporary) 236
275	<i>deleted</i> 236
276	Refinery 236
277	Residential Care..... 237
278	Restaurant: Food Service Only – Large 237
279	Restaurant: Food Service Only – Medium 238
280	Restaurant: Food Service Only – Small 239
281	Restaurant: Licensed – Large 239
282	Restaurant: Licensed – Medium..... 240
283	Restaurant: Licensed – Small 241
284	Restored Building Products Sales Yard..... 242
285	Retail Garden Centre 242
286	Retail Store..... 243
287	Rowhouse 244
288	Salvage Processing – Heat and Chemicals 245
288.1	Salvage Yard 245
289	Sawmill 246
290	School – Private 247
291	School Authority – School 248
292	School Authority Purpose – Major 249
293	School Authority Purpose – Minor 249
294	Seasonal Sales Area 250
295	Secondary Suite 251
296	Self Storage Facility 252
297	Semi-detached Dwelling..... 252
298	Service Organization 252
299	Sign – Class A 253
300	Sign – Class B..... 255
301	Sign – Class C..... 255
302	Sign – Class D..... 256
303	Sign – Class E..... 256
304	Sign – Class F 257
305	Single Detached Dwelling 258
306	Slaughter House..... 258
307	Social Organization 259
308	Special Function Tent – Commercial..... 260
309	Special Function Tent – Recreational..... 261
309.1	Specialized Industrial 262
310	Specialty Food Store 263

SECTION		PAGE
311	Spectator Sports Facility	263
312	Stock Yard	264
313	Storage Yard.....	264
314	Supermarket.....	265
315	Take Out Food Service.....	267
316	Temporary Residential Sales Centre.....	267
317	Temporary Shelter	268
318	Tire Recycling.....	268
319	Townhouse	268
320	Tree Farm.....	269
321	Utilities.....	269
321.1	Utilities - Linear.....	270
322	Utility Building.....	270
323	Vehicle Rental – Major	271
324	Vehicle Rental – Minor	271
325	Vehicle Sales – Major.....	272
326	Vehicle Sales – Minor.....	272
327	Vehicle Storage – Large.....	273
328	Vehicle Storage – Passenger.....	274
329	Vehicle Storage – Recreational	275
330	Veterinary Clinic	276
331	Video Store.....	276
332	<i>deleted</i>	277
333	Waste Disposal and Treatment Facility	277

SECTION	PAGE
PART 5: LOW DENSITY RESIDENTIAL DISTRICTS	
Division 1: General Rules for Low Density Residential Land Use Districts	
334	Projections Into Setback Areas 279
335	Length of Portions of a Building in Setback Areas 279
336	Projections Into Front Setback Area 279
337	Projections Into Side Setback Area 280
338	Projections Into Rear Setback Area 281
338.1	Patios 281
339	Decks 282
340	Balconies 282
341	Driveways 283
342	Retaining Walls 284
343	Fences 284
343.1	Solar Collectors 284
344	Objects Prohibited or Restricted 285
345	Accessory Residential Building 285
346	Restrictions on Use of Accessory Residential Building 286
347	Contextual Single Detached Dwelling 287
348	Visibility Setback 288
349	Roof Equipment Projection 289
350	Private Maintenance Easements 289
351	Secondary Suite – Setbacks 289
352	Secondary Suite – Gross Floor Area 290
353	Secondary Suite – Outdoor Private Amenity Space 290
354	Secondary Suite – Density 290
355	Secondary Suite – Entry and Stairways 290
356	Secondary Suite – Building Height 290
357	Parcels Deemed Conforming 290
358	Dwellings Deemed Conforming 290
359	Personal Sales 291
360	Building Height in the Developing Area 292
361	Building Height on a Corner Parcel in the Developing Area 292.1
362	<i>deleted</i> 292.2
363	Approved Building Grade Plans 292.2
364	Gated Access 292.2
365	Minor Residential Addition – Semi-detached Dwelling and Duplex Dwelling 292.2
Division 2: Residential – Contextual Large Parcel One Dwelling (R-C1L) (R-C1Ls) District	
366	Purpose 293
367	Permitted Uses 293
368	Discretionary Uses 293
369	Permitted and Discretionary Uses for Parcels Designated R-C1Ls 294
370	Rules 294
371	Number of Main Residential Buildings on a Parcel 294
372	Parcel Width 294
373	Parcel Depth 294
374	Parcel Area 295

SECTION	PAGE
1160 Exclusive Use of Bicycle Parking Stalls	704
1161 Parcel Access	704

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

1162 Purpose	705
1163 Permitted Uses	705
1164 Discretionary Uses	706
1165 Rules	708
1166 Floor Area Ratio	708
1167 Building Height	709
1168 Building Orientation	709
1169 Front Setback Area	709
1170 Rear Setback Area	710
1171 Side Setback Area	710
1172 Floor Plate Restrictions	711
1173 Landscaping	711
1174 Landscaping in Setback Areas	711
1175 Location of Uses within Buildings	712
1176 Use Area	713
1177 Motor Vehicle Parking Stall Requirements	714
1178 Supplies and Products	715

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

1179 Purpose	717
1180 Permitted Uses	717
1181 Discretionary Uses	718
1182 Rules	720
1183 Floor Area Ratio	720
1184 Building Height	720
1185 Building Orientation	720
1186 Building Facade	721
1187 Vehicle Access	721
1188 Use Area	721
1189 Location of Uses within Buildings	722
1190 Front Setback Area	722
1191 Rear Setback Area	723
1192 Side Setback Area	724
1193 Floor Plate Restrictions	724
1194 Landscaping in Setback Areas	724
1194.1 Parking	725

Division 7: Rules Governing Centre City Bonus Overlays

1195 General	727
1196 Bonus Area Boundaries	727
1197 Bonus Area A	727
1198 Bonus Area B	728
1199 Bonus Area C	728

SECTION	PAGE
1200 Bonus Area D	728
1201 Bonus Area E	728
1202 Heritage Density Transfer Increase	728
1203 Bonus Earning Items	728
1204 Sustainable Building Feature Limitation	729
1205 Density Transfer Limitation	729
1206 Bonus Floor Area Calculation (Method 1)	729
1207 Bonus Floor Area Calculation (Method 2)	730
1208 Bonus Floor Area Calculation (Method 3)	730
1209 Bonus Floor Area Calculation (Method 4)	731
1210 Bonus Floor Area Calculation (Method 5)	731
1211 Bonus Floor Area Calculation (Method 6)	731
1212 Heritage Density Transfer	731
1213 Indoor Community Amenity Space	731
1214 Publicly Accessible Private Open Space	732
1215 Affordable Housing Units	732
1216 Average Land Value	732

PART 12: EAST VILLAGE DISTRICTS

Division 1: General Rules for Centre City East Village Districts

1217 General Landscaped Area Rules	733
1218 Specific Rules for Landscaped Areas	733
1219 Planting Requirements	734
1220 Low Water Irrigation System	734
1221 Amenity Space	735
1222 Visibility Setback	735
1223 Mechanical Screening	735
1224 Garbage	736
1225 Recycling Facilities	736
1226 Motor Vehicle Parking Stall Requirements	736
1227 Additional Motor Vehicle Parking Stall Requirements	738
1228 Exclusive Use of Motor Vehicle Parking Stalls	738
1229 Required Bicycle Parking Stalls	738
1230 Dwelling Unit Size	738
1231 Building Design	739
1232 Building Types	739
1233 Floor Plate Restrictions	739
1234 Riverbank Sunlight	739
1235 Storage of Goods, Materials and Supplies	739
1236 Setback	739
1237 Building Orientation	740
1238 Dwelling Units	740
1239 Liquor Stores	740
1240 Centre City East Village Special Areas	740

SECTION	PAGE
Division 2: Centre City East Village Recreational District (CC-ER)	
1241 Purpose	743
1242 Permitted Uses	743
1243 Discretionary Uses	743
1244 Rules	744
1245 Building Design	744
1246 Motor Vehicle Parking Stalls.....	744
Division 3: Centre City East Village Mixed Use District (CC-EMU)	
1247 Purpose	745
1248 Permitted Uses	745
1249 Discretionary Uses	746
1250 Rules	747
1251 Density	747
1252 Location of Uses within Buildings.....	748
1253 Use Area.....	749
1254 Building Height	749
1255 Use Area Width	749
1256 Motor Vehicle Parking Stalls.....	749
Division 4: Centre City East Village Transition District (CC-ET)	
1257 Purpose	751
1258 Permitted Uses	751
1259 Discretionary Uses	752
1260 Rules	753
1261 Density	754
1262 Location of Uses within Buildings.....	754
1263 Use Area.....	755
1264 Motor Vehicle Parking Stalls.....	755
1265 Short Stay Parking Stalls.....	756
1266 Parking Stall Transfer from Municipal Historic Resource Sites	757
Division 5: Centre City East Village Primarily Residential District (CC-EPR)	
1267 Purpose	759
1268 Permitted Uses	759
1269 Discretionary Uses	760
1270 Rules	761
1271 Density	761
1272 Location of Uses within Buildings.....	762
1273 Use Area.....	762
1274 Use Area Width	763
1275 Motor Vehicle Parking Stalls.....	763

SECTION	PAGE
Division 6: Centre City East Village Integrated Residential District (CC-EIR)	
1276 Purpose	765
1277 Permitted Uses	765
1278 Discretionary Uses	766
1279 Rules	767
1280 Density	768
1281 Location of Uses within Buildings.....	768
1282 Use Area.....	770
1283 Use Area Width	770
1284 Motor Vehicle Parking Stalls.....	770
Division 7: Centre City East Village River Residential District (CC-ERR)	
1284 Purpose	771
1285 Permitted Uses	771
1286 Discretionary Uses	771
1287 Rules	772
1288 Density	772
1289 Location of Uses within Buildings.....	772
1290 Use Area.....	773
1291 Use Area Width	773
1292 Motor Vehicle Parking Stalls.....	773

SECTION	PAGE
---------	------

LIST OF SCHEDULES

Schedule A	Groups of Uses	733
Schedule B	Minimum and Specified Penalties	735

LIST OF MAPS, TABLES AND ILLUSTRATIONS

Maps

Map 1:	Application of Land Use Bylaw 1P2007	2
Map 2:	Developed Area and Developing Area	16
Map 3:	Major Parks	112
Map 4:	Deleted	127
Map 5:	Deleted	128
Map 6:	Deleted	129
Map 7:	Parking Areas Map	373
Map 7.1:	Commercial Parking Reduction Map	506.1
Map 8:	Special Purpose Transportation and Utility Corridor Area	669
Map 10:	East Village Special Areas	741

Tables

Table 1:	Road Rights-of-Way	63
Table 2:	Minimum Dimensions for Motor Vehicle Parking Stalls	115
Table 3:	Low Water Trees	365
Table 4:	Low Water Shrubs	366
Table 5:	Low Water Trees	676
Table 6:	Low Water Shrubs	677

Illustrations

Illustration 1:	Building Height in the Developing Area	290
Illustration 2:	Building Height in the Developed Area	291
Illustration 3:	Building Height and Cross Section in the Multi-Residential Contextual Grade Oriented (M-CG) District	384
Illustration 4:	Building Height and Cross Section in the Multi-Residential Contextual Low Profile (M-C1) District	392
Illustration 5:	Building Height and Cross Section in the Multi-Residential Contextual Medium Profile (M-C2) District	400
Illustration 6:	Building Height in the Multi-Residential Low Profile (M-1) District	411
Illustration 7:	Building Height in the Multi-Residential Medium Profile (M-2) District	417
Illustration 8:	Building Height in the Multi-Residential – Low Profile Support Commercial (M-X1) District	441
Illustration 9:	Building Height in Multi-Residential – Medium Profile Support Commercial (M-X2) District	448

SECTION

PAGE

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

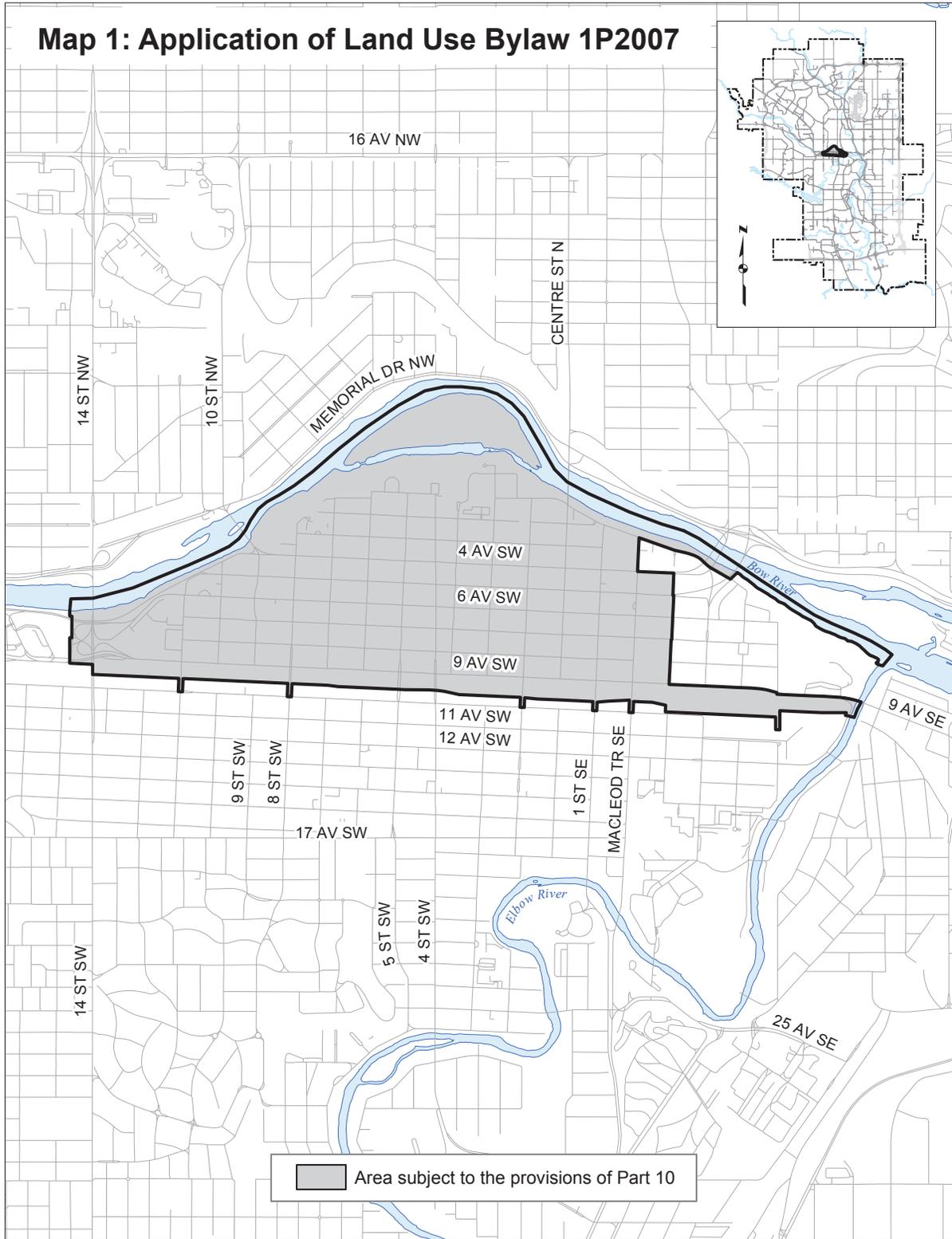
Content

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

Map 1: Application of Land Use Bylaw 1P2007



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) The portion of the Land Use District Maps that are:
- (a) shaded, including any area denoted with a Direct Control District Bylaw number, will be governed only by sections 1 through 4 inclusive of Part 1, sections 21(1), (2), 22 and 44(8), (9) of Part 2, Part 10 and the rules and **uses** contained in the applicable Direct Control District Bylaw; and 31P2009
 - (b) unshaded, including any area denoted with a Direct Control District Bylaw number, will be governed only by Parts 1 through 9 inclusive, Part 11, Part 12 and the rules and **uses** contained in the applicable Direct Control District Bylaw. 51P2008,
26P2010
- (3) For ease of reference, the shaded and unshaded portions of the Land Use District Maps are generally illustrated on Map 1 titled “Application of Land Use Bylaw 1P2007”.
- (4) Where there is a conflict between Map 1 and the Land Use District Maps, the Land Use District Maps must prevail.
- (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.
- (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.
- (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.
- (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.

26P2010

- (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*, 41M95.
- (18) “Waste Bylaw” means the *Waste Bylaw*, 20M2001.

Forms of Words

8 In this Bylaw:

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

Purpose Statements

- 9 (1) The purpose statements in each land use district are included to illustrate the intent of the land use district.
- (2) The purpose statement relating to **signs** referenced in Part 3, Division 5 are included to illustrate the hierarchy of **signs** and the opportunity for signage on **buildings** and **parcels**.

- (3) The purpose statements of a District are general and all characteristics need not be met to satisfy the intent of the District.
- (4) Where a provision is capable of two or more meanings, it must be given the meaning that is most consistent with the attainment of the purpose of the land use district.

Reference Aids

- 10 (1) For ease of reference:
- (a) words that are capitalized and bold denote **uses** defined in Part 4;
 - (b) words that are italicized and bold denote terms defined in Part 1; and
 - (c) all other words must be given their plain and ordinary meaning as the context requires.
- (2) Headings are for ease of reference only and do not affect the meaning of the provisions to which they relate.
- (3) A section number referenced in Parts 1 through 9 inclusive, Part 11 and Part 12 must be interpreted to mean such section number as contained only within Parts 1 through 9 inclusive, Part 11 and Part 12, unless otherwise stated.
- (4) A section number referenced in Part 10 must be interpreted to mean such section number as contained only within Part 10, unless otherwise stated.

51P2008, 26P2010

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.

- (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.
- (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) “**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 set back 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

26P2010

- (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.
- 26P2010 (57.2) “**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**.
- (59) “**expressway**” means a **street** identified as an **expressway/freeway** 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**.
- 51P2008 (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.
- (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:
- (a) in the case of a **parcel**, the length of the **front property line**; or
- (b) in the case of a **use**, the length of the **property line** abutting the **use**.

- (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
 - (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**.

71P2008

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.
- (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**, with:
- (a) a **gross vehicle weight** in excess of 4500 kilograms, in the case of a vehicle with **gross vehicle weight** specified by the manufacturer of the vehicle;
 - (b) a vehicle with a weight in excess of 2500 kilograms, where no **gross vehicle weight** is specified by the manufacturer of the vehicle; or
 - (c) a vehicle with an enclosed cargo area greater than 17.5 cubic metres.

- (82) “**light fixture**” means a lighting module that has one or more luminaires and luminaire holders.
- (83) “**loading stall**” means an area to accommodate a vehicle while being loaded or unloaded.
- (84) “**low density residential district**” means any one or more of the land use districts described in Part 5.
- (85) “**low water irrigation system**” means an automated underground irrigation system which includes:
- (a) a rain sensor or a soil moisture sensor;
 - (b) a flow sensor for leak detection; and
 - (c) a master valve to secure the system if a leak is detected.
- (86) “**LRT corridor**” means a **street**, **parcel** or railroad right-of-way used for a light rail transit system.
- (87) “**LRT platform**” means a platform used for embarking and disembarking light rail transit passengers.
- (88) “**LRT station**” means a light rail transit station.
- (89) “**main residential building**” means a **building** containing one or more **Dwelling Units** but does not include an **Accessory Residential Building** that contains a **Secondary Suite**.
- (90) “**major street**” means a **street** identified as a **major street** in the Transportation Bylaw.
- (91) “**modular construction**” means a method of constructing whereby most of the parts of a **building** have been constructed in an off-site manufacturing facility and transported to a **parcel** where the parts are assembled and anchored to a permanent foundation.
- (92) “**motor vehicle parking stall**” means an area for the parking of a single motor vehicle.
- (93) “**mounting height**” means the vertical distance between the lowest part of the **light fixture** and the **grade** directly below the **light fixture**.
- (94) “**multi-residential district**” means any one or more of the land use districts described in Part 6 and the CC-MH and CC-MHX districts contained in Part 11.
- (95) “**non-conforming building**” means a **building**:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the **building** or the land on which the **building** is situated becomes effective; and
 - (b) that, on the date the land use bylaw becomes effective, does not, or when constructed will not, comply with the land use bylaw.

51P2008

- (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.
- (97) “**open balcony**” means a **balcony** that is unenclosed on three sides, other than by a railing, balustrade or **privacy wall**.
- (98) “**overland flow area**” means those lands abutting the **floodway** or the **flood fringe**, the boundaries of which are indicated on the Floodway/ Flood Fringe Maps that would be inundated by shallow overland floodwater in the event of a flood of a magnitude likely to occur once in one hundred years.
- 32P2009 (99) “**parcel**” means
- (a) the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office; and
 - (b) in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-C2, R-1, R-1s, R-1N and R-2 districts, includes a **bare land unit** created under a condominium plan;”
- 47P2008 (100) “**parcel coverage**” means that portion of a **parcel** upon which covered **buildings** are located as measured from a point at **grade** directly below the outside surface of the exterior walls of a **building**, including any covered projections less than 2.4 metres above **grade**, but excluding **Accessory Residential Buildings** which in aggregate are less than 10.0 square metres.
- (101) “**parcel depth**” means the length of a line joining the mid-points of the **front property line** and the **rear property line**.
- (102) “**parcel width**” means the distance between the **side property lines** of a **parcel** measured at a right angle to the mid-point of the shortest **side property line**.
- (103) “**patio**” means an uncovered horizontal structure with a surface height, at any point, no greater than 0.60 metres above **grade**, intended for use as an outdoor **amenity space**.
- (104) “**permitted use**” means a use of land or a **building** that is listed as such **use** in a land use district or a Direct Control District Bylaw.
- (105) “**personal sale**” means the sale of goods and includes sales commonly known as garage sales, yard sales, moving sales and estate sales.

- (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
- (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;

47P2008

(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;

(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.

- (ii) any **residential district**;
 - (iii) the Special Purpose – School, Park and Reserve District;
 - (iv) the Special Purpose – Community Service District;
 - (v) the Special Purpose – Recreation District;
 - (vi) the Special Purpose – Community Institution District;
 - (vii) the Special Purpose – University Research District; or
 - (viii) a Direct Control District where the **use** of the **parcel** is residential, institutional, educational, or recreational;
- (n) **a Special Function Tent – Commercial:**
- (i) if it has a **gross floor area** of 120.0 square metres or less; or
 - (ii) has a **gross floor area** greater than 120.0 square metres; and
 - (iii) is not located on a **parcel** that abuts a **residential district** or is only separated from a **residential district** by an intervening **street** or **lane**;
- (o) 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;
- (p) the **use** of all or part of a **building** or **parcel** as a **Motion Picture Filming Location** for a period not exceeding one year;
- (q) facilities required for environmental remediation;
- (r) excavation, grading or stripping provided:
- (i) the area of land to be excavated, stripped or graded is less than 1000.0 square metres;
 - (ii) it is part of a **development** for which a **development permit** has been released; or
 - (iii) the person carrying out the excavation, stripping or grading has signed a Development Agreement with the **City** for the area to be excavated, stripped or graded and that Development Agreement contemplates excavating, stripping or grading;
- (r.1) stockpiling on the same **parcel** undergoing excavation, grading or stripping;
- (s) **Utilities** installed or constructed within a **street** or a utility right-of-way;
- (t) a **Utility Building** with a **gross floor area** less than 10.0 square metres;

10P2009

14P2010

- (u) a **Power Generation Facility – Small** required for the purpose of providing electrical power for emergency or back-up purposes with a generation capacity of less than 20 kilowatts;
- (v) a **Power Generation Facility – Small** required in order to comply with the emergency power requirements of the Alberta Building Code;
- (w) the **City's** use of land which it either owns or has an equitable interest in for a purpose approved by **Council** in connection with any **Utility**;
- (x) the following projects carried on by, or on behalf of, the **City**:
 - (i) roads, traffic management projects, interchanges;
 - (ii) *deleted*
 - (iii) motor vehicle and pedestrian bridges, unless they are part of the +15 and +30 walkway systems;
 - (iv) water, sewage and storm water lines and facilities; and
 - (v) landscaping projects, parks, public tennis courts and street furniture;
- (y) the use of all or part of a **building** as a temporary polling station, returning offices' headquarters, Federal, Provincial or Municipal candidates' campaign offices and any other official temporary **use** in connection with a Federal, Provincial or Municipal election, referendum or census;
- (z) the construction of a **Contextual Single Detached Dwelling** when on a **parcel** that is identified as Block 4 Plan 9711796 or Block 6 Plan 9711978, either of which may be further subdivided from time to time;
- (aa) the construction of a **Contextual Single Detached Dwelling** when on a **parcel** that is identified as:
 - (i) Lot 1 Plan 8711504;
 - (ii) Block 3 Plan 7203JK;
 - (iii) Lots 1 through 3 Block 4 Plan 8810907;
 - (iv) Block 5 Plan 7627JK;
 - (v) Lot 1 Block 6 Plan 8811565;
 - (vi) Lots 2 through 5 Block 8 Plan 8910156;
 - (vii) Lot 1 Block 1 Plan 8810212;
 - (viii) Block 1 Plan 6368JK;
 - (ix) Lot 2 Block 1 Plan 8810882;

1P2009

57P2008

- (dd) a **sign** that is exempt from the requirement to obtain a **development permit** as specified in Part 3, Division 5; 67P2008
- (ee) A **Power Generation Facility – Small** with a total power generation capacity of 10 kilowatts or less where the **Power Generation Facility – Small**: 68P2008
- (i) does not use an internal combustion engine; and
- (ii) is located entirely within an existing approved **building**;
- (ff) **Solar collectors**, if the **building** they are on is not listed on the **City** inventory of potential heritage sites, and: 68P2008
- (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;
- (gg) a **Temporary Residential Sales Centre** located: 71P2008
- (i) in the **Developing Area**; or
- (ii) on a **parcel** identified in subsection 25(z) or 25(aa);
- (hh) **developments** as defined in Section 8(2) of Part 10, that have commenced or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to 2008 January 4; and 75P2008
- (ii) a **Home Based Child Care – Class 1**. 17P2009

25.1 The following **developments** do not require a **development permit**. 1P2009

- (a) **Public Transit System**; and
- (b) **Utilities – Linear**.

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.

49P2008

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), (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:

26P2010

- (a) **Drinking Establishment – Large** in the CC-EIR or the CC-ET districts

51P2008

- (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;

- (c) **Drive Through** in the C-N2, C-C1 or C-COR2 districts;

17P2009

- (c.1) **Home Based Child Care – Class 2**;

- (d) **Home Occupation – Class 2**;

51P2008

- (e) **Liquor Store** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X or CC-COR districts;

- (f) **Multi-Residential Development** in the **Developed Area**;

26P2010

- (f.1) **Night Club** in the CC-EIR district

51P2008

- (g) **Outdoor Café** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, I-R, S-R, CC-X or CC-COR districts;

14P2010

- (h) **Place of Worship – Large**;

14P2010

- (h.1) **Recyclable Construction Material Collection Depot (temporary)**;

- (i) **Secondary Suite;** 14P2010
- (j) **Social Organization** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, S-CI or CC-COR districts; and 51P2008, 14P2010
- (k) **Waste Disposal and Treatment Facility.** 14P2010
- (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

51P2008, 26P2010

- (e) Any **discretionary use** in the C-N1, C-N2, CC-1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, or CC-ET.
- (6) The **Development Authority** must not notice post any **development permit** applications not set out in subsections (2), (3), (4) or (5).

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:

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.	10 AVENUE S.	17 AVENUE S.	20.117	30.481	5.182 Each
1 STREET E.	17 AVENUE S.	ELBOW RIVER	20.117	30.481	5.182 Each
1 STREET W.	10 AVENUE S.	15 AVENUE S.	20.117	24.385	2.134 Each
1 STREET W.	15 AVENUE S.	17 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.	3 AVENUE N.	MEMORIAL DRIVE	20.117	24.385	2.134 Each
4 STREET E.	6 AVENUE S	9 AVENUE	20.117	24.385	2.134 Each
5 STREET W.	10 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
5 STREET W.	17 AVENUE S.	26 AVENUE S.	20.117	24.385	2.134 Each
8 STREET W.	10 AVENUE S.	15 AVENUE S.	20.117	24.385	2.134 Each
8 STREET W.	15 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
9 STREET W.	10 AVENUE S.	16 AVENUE S.	20.117	24.385	2.134 Each
9 STREET W.	16 AVENUE S.	17 AVENUE S.	20.117	24.385	2.134 Each
10 STREET W.	24 AVENUE N.	LANE S. OF 5 AVENUE N. (S. LEG)	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.	10 AVENUE S.	16 AVENUE S.	20.117	24.385	2.134 Each
11 STREET W.	16 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 S.	17 AVENUE S.	22.251	24.385	2.134 WEST
29 STREET W.	8 AVENUE N.	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
METIS TRAIL N.	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.	126 AVENUE S.	20.117	45.000	4.942 EAST
52 STREET E.	50 AVENUE S. (S. LEG)	126 AVENUE S.	20.117	45.000	19.941 WEST
53 STREET W.	VARSITY ESTATES DRIVE (N. LEG)	53 AVENUE N.	20.117	24.385	2.134 EAST
68 STREET E.	17 AVENUE S.	26 AVENUE S.	20.117	36.577	8.230 Each
83 STREET W.	BOWNESS ROAD	33 AVENUE N.	20.117	30.481	5.182 Each
85 STREET	BOWNESS ROAD	48 AVENUE N.	20.117	30.481	5.182 Each

51P2008,
26P2010

51P2008,
26P2010

Table 1: Road Rights-of-Way – continued

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
4 AVENUE S	3 STREET E	RIVERFRONT AVENUE S	20.117	22.251	2.134 SOUTH
6 AVENUE S	3 STREET E	4 STREET E	20.117	24.385	2.134 Each
7 AVENUE S	3 STREET E	4 STREET E	20.117	24.385	2.134 Each
9 AVENUE S	3 STREET E	ELBOW RIVER	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	18 STREET W.	20.117	24.385	2.134 Each
11 AVENUE S.	17 STREET W.	18 STREET W.	24.384	26.518	2.134 NORTH
11 AVENUE S.	17 STREET W	14 STREET W.	20.117	24.385	2.134 Each
11 AVENUE S.	14 STREET W	6 STREET E.	20.117	24.385	2.134 Each
12 AVENUE S.	14 STREET W.	6 STREET E.	20.117	24.385	2.134 Each
12 AVENUE S.	19 STREET W.	14 STREET W.	20.117	24.385	2.134 Each
16 AVENUE N.	13 STREET W.	5 STREET E.	20.117	40.539	15.24 SOUTH
16 AVENUE N.	13 STREET W.	5 STREET E.	20.117	40.539	5.182 NORTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	40.539	5.182 NORTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	40.539	8.230 NORTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	36.577	15.24 SOUTH
16 AVENUE N.	5 STREET E.	6 STREET E.	20.117	36.577	8.230 SOUTH
17 AVENUE S.	37 STREET W.	42 STREET W.	25.298	42.672	17.374 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 E.	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 Each
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	25.298	30.480	5.182 NORTH
42 AVENUE S.	BLACKFOOT TRAIL	CR.	20.117	30.481	5.182 Each
58 AVENUE S.	ELBOW DRIVE	12 STREET E.	25.298	27.432	2.134 NORTH
58 AVENUE S.	2 STREET W.	MACLEOD TRAIL	20.117	30.481	5.182 Each
90 AVENUE S.	BONAVENTURE DRIVE	LANE E. OF C.P.R. RIGHT-OF-WAY 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	1.5 Each
BURNSLAND RD.	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
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
GLENMORE TRAIL	52 STREET E.	WEST EDGE OF T.U.C.	20.117	60.960	12.801 NORTH
MACDONALD AVE.	ELBOW RIVER	SPILLER ROAD	20.117	24.385	2.134 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	10 AVENUE S.	12 AVENUE S.	20.117	24.385	2.134 Each
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
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.

- (a) the maximum **sign area** of the **sign** is 37.0 square metres;
and
 - (b) the maximum **height** of the **sign** is 9.0 metres.
- (7) On sites where subsection (6) applies, additional **Freestanding Identification Signs**, as referenced in section 94(3), must not exceed a maximum **sign area** of 14.0 square metres and a maximum height of 9.0 metres. 67P2008

Rules Governing Class D Signs

- 97 (1) A **Canopy Identification Sign** may be approved only in the following Districts:
- (a) the R-2M District;
 - (a.1) the CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, and CC-ET Districts; 26P2010
 - (b) all **commercial districts**;
 - (c) all **industrial districts**;
 - (d) all **multi-residential districts**; and
 - (e) all **special purpose districts**.
- (2) **Canopy Identification Signs** are subject to the rules regarding allowable combinations of **Identification Signs** referenced in section 74.
- (3) A **Canopy Identification Sign**:
- (a) may only identify by name or symbol the **use**, business or occupant of the **building** to which the canopy is attached; and
 - (b) must not have the additional elements of **Identification Signs** referenced in section 74.
- (4) The **copy** on a **Canopy Identification Sign** must not take up an area of the canopy greater than 50.0 per cent of the total of the height of the canopy multiplied by the length of the canopy.
- (5) The **Canopy Identification Sign** must not extend beyond the canopy on which it is displayed.
- (6) Canopies used for **signs** must:
- (a) have a minimum clearance of 2.4 metres;
 - (b) not extend any further than the line on which street light or power line poles are located;

- (c) not extend further than 2.4 metres from the wall of the **building** to which it is attached;
 - (d) be a maximum of 1.5 metres in height measured from the lowest point of the canopy to the highest point of the canopy; and
 - (e) be compatible with the **building** upon which they are located in terms of materials, colours, size and location on the **building**.
- (7) Where a canopy projects over **City** property, there must be a drainage system in place that is connected through the inside of the **building** to a storm sewer or dry well that prevents the discharge of water over the public sidewalk or public **street**.

Rules for Signs Under Canopies

- 26P2010
- 98 (1) The only Districts where **signs** may be displayed under a canopy are:
- (a) the R-2M District;
 - (a.1) the CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, and CC-ET Districts;
 - (b) all **commercial districts**;
 - (c) all **industrial districts**;
 - (d) all **multi-residential districts**; and
 - (e) all **special purpose districts**.
- (2) **Signs** under canopies must:
- (a) only identify by name or symbol the **use**, business or occupant of the **building** to which the canopy is attached;
 - (b) have a minimum clearance of 2.4 metres;
 - (c) be a maximum of 0.30 metres in height; and
 - (d) be a minimum of 4.5 metres from each other.

Rules for Projecting Identification Signs

- 26P2010
- 99 (1) A **Projecting Identification Sign** may be approved only in the following Districts:
- (a) the CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, and CC-ET Districts;
 - (a.1) all **commercial districts**;
 - (b) all **industrial districts**; and
 - (c) **multi-residential districts** where the site contains an approved **commercial multi-residential use**.

- (2) **Projecting Identification Signs** are subject to the rules regarding allowable combinations of **Identification Signs** referenced in section 74.
- (3) The maximum number of **Projecting Identification Signs** a business may have on a business **frontage** is one.
- (4) On corner sites, a business may have a **Projecting Identification Sign** on the corner of the **building** so long as:
 - (a) the business has no other **Projecting Identification Signs** on either **frontage** that meet to form the corner of the **building**;
 - (b) the **Projecting Identification Sign** is at equal angles to the **building frontages** that meet to form the corner of the **building**; and
 - (c) the **sign area** of the **Projecting Identification Sign** does not exceed the maximum **sign area** arrived at by combining the maximum **sign area** for a single sign on a **frontage** in accordance with section 100.
- (5) Supports and structures for **Projecting Identification Signs** must either be not visible or, if visible, must be in the same style and character as, and of compatible material to, the **building** to which they are attached.
- (6) The edge of a **Projecting Identification Sign** closest to the wall of the **building** to which it is attached must not be further than 300 millimetres from the wall.
- (7) Where the **Projecting Identification Sign** relates to a **Hotel**, department store or a parking structure with a **building height** of 18.5 metres or greater, the maximum height of the 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.
- (8) Where subsection (7) does not apply, the maximum **height** of a **Projecting Identification Sign** is the lowest of:
 - (a) the **eaveline**, or the roofline of the **building** on which it is located;
 - (b) the top of the second storey window head of the **building** on which it is located; and
 - (c) 6.0 metres above **grade**.

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

Size Restrictions for Projecting Identification Signs

- 100 (1) In the C-N1, C-N2, C-C1 and I-B Districts, the maximum *sign area* for a **Projecting Identification Sign** is 2.3 square metres.
- (2) In the C-COR3 District, the maximum *sign area* for a **Projecting Identification Sign** is 9.3 square metres.
- (3) In all other *commercial* and *industrial districts*, the maximum *sign area* for a **Projecting Identification Sign** is 4.5 square metres.
- (4) In the M-H1, M-H2, M-H3, M-X1 and M-X2 Districts, the maximum *sign area* for a **Projecting Identification Sign** is 2.3 square metres.
- (5) Where one **Projecting Identification Sign** provides identification for more than one business in a *building*, the maximum *sign area* for the *sign* is the total of the allowable maximum *sign area* for each business.

Rules Governing Class E Signs

- 101 A **Sign – Class E** is never exempt from the requirement to obtain a *development permit*.

Electronic Message Sign

- 102 (1) An **Electronic Message Sign** with *copy* less than 0.15 metres high may be approved in any District.
- (2) An **Electronic Message Sign** with *copy* 0.15 metres high or larger may only be approved in a *commercial, industrial district* or CC-ER District.
- (3) An **Electronic Message Sign** with *copy* 0.15 metres high or larger must not be located within 300.0 metres of any other **Electronic Message Sign** facing the same oncoming traffic.
- (4) Subsection (3) does not apply to an **Electronic Message Sign** with *copy* that only displays the date, time or temperature.

Roof Sign

- 103 (1) A **Roof Sign** may be approved only in the following Districts:
- (a) all *commercial districts*;
- (b) all *industrial districts*; and
- (c) the S-CI or S-SPR Districts.

26P2010

- (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** shall not exceed 1/40 of the area formed by multiplying the clearance of the sign by the width of the **building**.

Painted Wall Identification Sign

- 104 (1) A **Painted Wall Identification Sign** may only be approved in: 26P2010
- (i) the CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, and CC-ET Districts
 - (ii) all **commercial districts**; and
 - (iii) all **industrial districts**.
- (2) A **Painted Wall Identification Sign** must:
- (a) identify by name or symbol only the **use**, business or occupant of the **building**; and
 - (b) not be allowed to become faded, chipped or to peel.
- (3) If the business to which the **sign** relates ceases to be located in the **building** upon which the sign is painted, the **Painted Wall Identification Sign** must be removed and the wall refinished to be consistent with the rest of the **building**.

Temporary Sign Markers and Signs on Markers

- 105 (1) A **Temporary Sign Marker** is subject to the rules regarding combinations of **Signs** referenced in section 73.
- (2) A **Temporary Sign Marker** is not allowed in any District where the **sign area** of a **Temporary Sign** is restricted to less than 1.5 square metres.
- (3) A **Temporary Sign Marker** is not allowed in those locations referenced in section 87.
- (4) 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.
- (5) If a **Temporary Sign** is intended to be illuminated, the **Temporary Sign Marker** must have an underground power supply.
- (6) Where a site is undergoing development, a **Temporary Sign Marker** must incorporate a permanent base screen which is architecturally integrated with the rest of the **development** on the site.
- (7) A **Temporary Sign Marker** must be accessible from the site on which it is located. No person may cross a different site, or **City**-owned boulevard in order to install, do maintenance on, or remove a **Temporary Sign**.
- (8) **Temporary Signs** on markers must:
- (a) be no further than 1.0 metre away from the **Temporary Sign Marker**;
 - (b) not be closer to the **street** than the **Temporary Sign Marker**; and
 - (c) comply with all applicable rules respecting **Sign – Class A**.

Strings of Pennants

- 106 (1) **Strings of Pennants** may be approved only in the I-G, I-R, I-O and I-H Districts.
- (2) **Strings of Pennants** must not be located on any site that shares a **property line** with a site where residential **uses** are allowed or which abuts a **street** where residential **uses** are allowed.
- (3) **Strings of Pennants** are not allowed in those locations referenced in section 87.

Inflatable Sign

- 107 (1) An **Inflatable Sign** is not allowed in those locations referenced in section 87.
- (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.

PART 4: USES AND USE RULES

Division 1: General Provisions

Interpretation

32P2009

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

14P2010

Identification of Proposed Uses within a Development Permit Application

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

67P2008

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

Commencement of Development for a Development Permit Authorizing Multiple Uses

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

Rules for All Uses

- 133** (1) In addition to all of the **setback area** rules required by this Bylaw, the **Development Authority** must ensure that all the setback requirements contained within the *Subdivision and Development Regulation* are satisfied.
- (2) Unless otherwise specified in a District, the minimum number of required **motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls – class 1** and **bicycle parking stalls – class 2** is the requirement specified in each **use** definition in this Part.
- (3) A change of **use** must satisfy the minimum **motor vehicle parking stall** requirement in effect for that **use** as of the date of the change of **use**.
- (4) A change of **use**:
- (a) must provide the minimum **bicycle parking stall** requirement in effect for that **use** as of the date of the change of **use**; or
- (b) is not required to provide any **bicycle parking stalls** where it occurs in a **building** that was legally constructed or approved prior to the effective date of this Bylaw.
- (5) A **building** may be constructed using **modular construction** methods but a **Manufactured Home** does not qualify as **modular construction**.

Uses Not Listed But Allowed in All Districts

- 134** (1) The following **uses** are **permitted uses** in all Districts, regardless of whether they are listed in the District:
- (a) **Motion Picture Filming Location**;
- (b) **Public Transit System**; and
- (c) **Utilities – Linear**.

1P2009

1P2009

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

154 “Bed and Breakfast”

- (a) means a **use**:
 - (i) where the provision of overnight accommodation is provided to guests, in a bedroom in a **Contextual Single Detached Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling** that is occupied by its owner or operator, who may also provide breakfast but no other meals to the guests; and
 - (ii) that must not provide liquor;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) may have a maximum of four guest bedrooms at any one time;
- (d) may not have more than one employee or business partner working on the parcel who is not a resident of the **Contextual Single Detached Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling**;
- (e) may provide meals to a guest only between the hours of 5:00 AM and 12:00 PM;
- (f) must not contain any cooking facilities in guest bedrooms;
- (g) must not display any **signs** on the **parcel**;
- (h) *deleted*
- (i) requires a minimum of 1.0 **motor vehicle parking stalls** per guest bedroom in addition to the required stalls for the **Contextual Single Detached Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling** containing the **use**;
- (j) may provide a maximum of 2.0 **motor vehicle parking stalls** in tandem to other **motor vehicle parking stalls** located on the **parcel**; and
- (k) does not require **bicycle parking stalls – class 1** or **class 2**.

13P2008

14P2010

155 “Beverage Container Drop-Off Depot”

- (a) means a **use** where bottles and other beverage containers are taken for return and reimbursement of the recycling deposit applied to the container at the time the beverage is purchased;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) must not be a combined **use** with a **Liquor Store**;
- (d) must have a loading area completely contained within the **building**, where located **adjacent** to a **parcel** designated as a **residential district**;
- (e) must **screen** a loading area when it is not completely contained within a **building**;
- (f) requires a minimum of 2.5 **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**.

156 “Billiard Parlour”

- (a) means a **use**:
 - (i) where the primary function is the rental of billiard tables, pool tables or similar games tables to the public for a fee; and
 - (ii) that may include a maximum of three (3) mechanical or electronic games that are kept for the purpose of furnishing entertainment or amusement;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 11.0 **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**.

32P2009 **157** *deleted*32P2009 **158** *deleted*

- (iv) a **use** that does not require a **private garage** or other **Accessory Residential Buildings** of the **Dwelling Unit** to be used in the operation of the **use**;
- (b) is a **use** within the Subordinate Use Group in Schedule A to this Bylaw;
- (c) is limited to a maximum of two per **Dwelling Unit**, with a combined maximum of three (3) business associated vehicle visits per week, as described in 207(a)(ii);
- (d) must not create electronic interference, dust, noise, odour, smoke or anything of an offensive or objectionable nature, which is detectable to normal sensory perception, outside the **building** containing the **use**; 67P2008
- (e) must not display any form of signage related to the **use** on the **parcel**; 14P2010
- (e.1) must not advertise the address of the **use** to the general public; 14P2010
- (f) must not occupy more than 20.0 percent of all of the floor area of the **Dwelling Unit**, or 30.0 square metres, whichever is less;
- (g) must not have any activities related to the **use** take place outside of a **building**, and there must not be any outside storage of materials, tools, products or equipment;
- (h) may have one vehicle, with a maximum **gross vehicle weight** of 4500 kilograms, that is used for purposes related to the **use**, on the **parcel** where the **use** is located;
- (i) must not directly sell any goods at the premises, unless they are incidental and related to the service provided by the **use**;
- (j) does not require additional **motor vehicle parking stalls**; and
- (k) does not require **bicycle parking stalls – class 1** or **class 2**.

208 “Home Occupation – Class 2”

- (a) means:
 - (i) an incidental **use** by a resident of a **Dwelling Unit** for a business purpose, the scale and intensity of which are limited so that no impacts of the business are observed or felt outside of the **Dwelling Unit**;
 - (ii) a **use** that may require more than three (3) business associated vehicle visits per week, where business associated vehicle visits to the **use** would include drop offs or pick ups, deliveries, and visits from customers or consultants;

14P2010

(iii) a **use** that may have a maximum of one non-resident employee at any one time working at the residence where the **use** is located; and

(iv) a **use** that may require a **private garage** or other **Accessory Residential Building** of the **Dwelling Unit** to be used in the operation of the Home Occupation;

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

(c) are limited to a maximum of one per **Dwelling Unit**;

(d) must not create electronic interference, dust, noise, odour, smoke or anything of an offensive or objectionable nature, which is detectable to normal sensory perception, outside the **building** containing the **use**;

14P2010

(e) must not display any form of signage related to the **use** on the **parcel**;

14P2010

(e.1) must not advertise the address of the **use** to the general public;

(f) must not occupy more than 20.0 per cent of all of the floor area of the **Dwelling Unit**, or 30.0 square metres, whichever is less;

(g) must not have any activities related to the **use** take place outside of a **building**, and there must not be any outside storage of materials, tools, products or equipment;

(h) may not occupy a portion of the required **motor vehicle parking stalls** for the **Dwelling Unit**;

(i) may have one vehicle, with a maximum **gross vehicle weight** of 4500 kilograms, that is used for the purposes related to the **use**;

(j) must not generate more than five (5) business associated vehicle visits to the **parcel** on any one day, to a maximum of 15 business associated vehicle visits per week;

(k) must not directly sell any goods which are not produced on the premises, unless they are incidental and related to the service provided by the **use**;

14P2010

(l) *deleted*

(m) requires a minimum of 1.0 **motor vehicle parking stalls** in addition to the **motor vehicle parking stalls** required for the **Dwelling Unit** the **use** is located in, when the number of business associated vehicle visits per week exceeds three (3); and

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

208.1 “Hospital”

14P2010

- (a) means a *use*:
 - (i) that maintains and operates facilities for both inpatient and outpatient medical care;
 - (ii) that may include long-term and short-term care, overnight stays, diagnostic, laboratory, and surgical services, for the treatment of human illness, injury, and disease; and
 - (iii) that may include the accessory *uses* necessary for the functioning of the institution;
- (b) is a *use* within the Care and Health Group in Schedule A to this Bylaw;
- (c) requires a minimum number of *motor vehicle parking stalls* based on a parking study required at the time of land use redesignation application;
- (d) requires a minimum of 1.0 *bicycle parking stalls – class 1* per 1000.0 square metres of *gross usable floor area*; and
- (e) requires a minimum of 1.0 *bicycle parking stalls – class 2* per 1000.0 square metres *gross usable floor area*.

209 “Hotel”

- (a) means a *use*:
 - (i) where sleeping accommodation, other than a **Dwelling Unit**, is provided to visitors for remuneration; and
 - (ii) that may be combined with a *use* from the Eating and Drinking Group in Schedule A when such a *use* is contained within a **Hotel**;
- (b) is a *use* within the Residential Group in Schedule A to this Bylaw;
- (c) does not have a maximum *use area* in any District;
- (d) must not have more than 20 guest rooms in the C-C2, C-COR1 and C-COR2 Districts when located within 45.0 metres of a *low density residential district*, which must be measured from the *building* containing the *use* to the nearest *property line* of a *parcel* designated as a *low density residential district*;
- (e) located in the I-B District must not have a *building height* greater than 11.0 metres where the *parcel* containing the **Hotel** shares a *property line* with a *low density residential district*; and

67P2008

67P2008

- (e.1) when it is combined with a **use** from the Eating and Drinking Group in Schedule A as allowed in subsection (a)(ii), must also comply with the rules for that **use**;
- (f) requires a minimum number of **motor vehicle parking stalls** for the sleeping accommodation that is the greater of:
 - (i) 1.0 stalls per 2.5 guest rooms: or
 - (ii) 1.0 stalls per guest room when the **parcel** on which the **building** containing the **use** is located **adjacent** to or separated by a **lane** or **street** from a **low density residential district**.
- (g) does not require **bicycle parking stalls – class 1** or **class 2**.

210 “Household Appliance and Furniture Repair Service”

15P2008

- (a) means a **use**:
 - (i) where furniture, electronic equipment and appliances that are used in the home, are repaired, refinished or refurbished;
 - (ii) that is entirely within a **building**;
 - (iii) where the maximum **gross floor area** is 465.0 square metres; and
 - (iv) that may provide for the incidental sale of products relating to the services being provided;
- (b) is a **use** within the Industrial Support Group in Schedule A to this Bylaw;
- (c) must have all products and materials associated with the **use** stored entirely within a **building**;
- (d) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (e) does not require **bicycle parking stalls – class 1**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

211 “Indoor Recreation Facility”

- (a) means a **use**:
- (i) contained within a **building** that has been specifically built or adapted to provide athletic, recreation or leisure activities; 32P2009
 - (ii) where the specifically built facilities are things such as swimming pools, skating rinks, or gymnasia;
 - (iii) that may have outdoor sports fields on the same **parcel** as the **building**; and
 - (iv) that may provide a seating area for the occasional viewing of the sport or athletic activity associated with the **use**;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;
- (c) requires a minimum of 5.0 **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 number of **bicycle parking stalls – class 2** based on 10.0 per cent of the minimum required **motor vehicle parking stalls**.

212 *deleted* 32P2009

213 *deleted* 32P2009

214 *deleted* 32P2009

215 *deleted* 32P2009

216 “Information and Service Provider”

- (a) means a **use**:
- (i) where services, expertise or access to information, other than professional services, are provided to a broad spectrum of the public without appointment;
 - (ii) that may have a counter where the clients may take a number or wait in a line to be served; and
 - (iii) that does not have facilities for the storage, production or sale of goods directly to the public;
- (b) is a **use** within the Personal Service Group in Schedule A to this Bylaw;

- (c) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) requires a minimum of 1.0 **bicycle parking stalls – class 1** per 1000.0 square metres of **gross usable floor area**; and
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 1000.0 square metres of **gross usable floor area**.

32P2009

217 “Instructional Facility”

- (a) means a **use**:
 - (i) where instruction, training or certification in a specific trade, service or skill are provided;
 - (ii) that includes, but is not limited to, instruction and training in building trades, dance, music, martial arts, cooking, computers, driving, climbing, gymnastics and other similar instruction;
 - (iii) where the instruction, training or certification is provided to individuals engaged in a scheduled program of instruction and must not be available to a broad spectrum of the public on a drop-in basis; and
 - (iv) that is not a **School – Private, School Authority – School** or a **Post-secondary Learning Institution**;
- (b) is a **use** within the Teaching and Learning Group in Schedule A to this Bylaw;
- (c) when located in the C-N1, C-N2, and C-COR1 Districts, must not exceed 30 people, including both students and teachers, at any given time;
- (d) may provide all, or part, of the instruction or training outside of a **building** when located in the I-G or S-CRI Districts;
- (e) may be located within a **building** containing a **Post-secondary Learning Institution**:
 - (i) when the **building** is on a **parcel** designated as S-CI District; and
 - (ii) when there are no **signs** of any type, related to the **Instructional Facility**, located outside of the **building**;
- (f) requires the following minimum number of **motor vehicle parking stalls**:
 - (i) 1.0 stalls per five (5) students based on the maximum number of students at the **use** at any given time stated in the **development permit** when the **use** has 30 students or less; or

14P2010

- (ii) 1.0 stalls per three (3) students based on the maximum number of students at the **use** at any given time stated in the **development permit** when the **use** has more than 30 students; 14P2010
- (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**.

218 *deleted* 14P2010

218.1 “Inter-City Bus Terminal” 14P2010

- (a) means a **use**:
 - (i) that utilizes public or commercial transit vehicles for pick-up or drop-off of passengers;
 - (ii) that may include loading and unloading areas, freight handling, shelters, restrooms, concessions, benches, information offices, other office uses, parking, ticket sales, and landscaping;
 - (iii) where transit modes served may include, without limitation, bus services, taxi, commuter rail, and light rail;
 - (iv) that may be designed for the parking of motor-driven buses; and
 - (v) that may allow for the storing of goods and supplies or motor vehicles such as buses, and other transit vehicles;
- (b) is a **use** within the Direct Control Uses in Schedule A to this Bylaw;
- (c) requires a minimum number of **motor vehicle parking stalls** based on a parking study required at the time of land use redesignation application;
- (d) requires a minimum of 8.0 **bicycle parking stalls – class 1**; and
- (e) requires a minimum of 10.0 **bicycle parking stalls – class 2** or 10.0 per cent of the minimum required **motor vehicle parking stalls**, whichever is greater.

219 “Jail”

- (a) means a **use**:
 - (i) where people are confined in lawful detention; and
 - (ii) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Jail** 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.

220 “Kennel”

- (a) means a **use**:
 - (i) where domestic animals are boarded overnight or for periods greater than 24 hours;
 - (ii) that does not include **Pet Care Service, Veterinary Clinic** or Veterinary Hospital;
 - (iii) that may provide for the incidental sale of products relating to the services provided by the **use**; and
 - (iv) that includes outside enclosures, pens, runs or exercise areas;
- (b) is a **use** within the Agriculture and Animal Group in Schedule A to this Bylaw;
- (c) must be a minimum distance of 150.0 metres from a **residential district**, which must be measured from the **building** containing the **use** to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (e) does not require **bicycle parking stalls – class 1** or **class 2**.

221 “Large Vehicle and Equipment Sales”

14P2010

- (a) means a **use** where **large vehicles** and equipment used in road construction, building construction, agricultural operations, oil and gas operations or other similar industries are sold, rented or leased;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not have an outdoor speaker system;
- (d) may only store or display vehicles and equipment on portions of the **parcel** approved exclusively for storage or display;
- (e) must only accept deliveries and offloading of vehicles within a designated area on the **parcel**;
- (f) must provide a stall for every inventory vehicle on the **parcel**, which must be shown on the plan submitted for a **development permit**;

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

222 “Large Vehicle Service”

- (a) means a **use** where vehicles with a **gross vehicle weight** greater than 4500 kilograms undergo maintenance and repair;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) requires a minimum of 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; and
- (d) does not require **bicycle parking stalls – class 1** or **class 2**.

223 “Large Vehicle Wash”

- (a) means a **use** where vehicles with a **gross vehicle weight** greater than 4500 kilograms are washed;
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;
- (d) must provide at least two (2) vehicle stacking spaces when the **use** only has one wash bay door;
- (e) where located within 23.0 metres of a **residential district**, must have any vacuum cleaners situated:
 - (i) within the **building**; or
 - (ii) within a **screened** enclosure that:

47P2008

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

224 “Library”

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

- (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) in the **commercial districts**, when listed as a **use**, may incorporate only the following **uses** in a **Dwelling Unit** to create a **Live Work Unit**:
 - (A) **Artist’s Studio**;
 - (B) **Beauty and Body Service**;
 - (C) **Counselling Service**;
 - (D) **Instructional Facility**;

13P2008

- (E) **Office;**
- (F) **Personal Apparel Service;**
- (G) small appliance repair; and
- (H) sales of crafts and jewellery that are made on the premises;

13P2008

(iii) In the ***multi-residential districts***, when it is a listed ***use***, may incorporate only the following ***uses*** in a **Dwelling Unit** to create a **Live Work Unit**:

- (A) **Artist's Studio;**
- (B) **Beauty and Body Service;**
- (C) **Counselling Service;**
- (D) **Office;** and
- (E) repair or sales of apparel, crafts and jewelry that are made on the premises;

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

(d) may have two persons, other than a resident of the **Live Work Unit**, working at the residence where the ***use*** is located;

(e) requires a minimum number of ***motor vehicle parking stalls*** and ***bicycle parking stalls – class 1*** or ***class 2*** in accordance with the District the ***use*** is listed in.

227 “Manufactured Home”

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

15P2008

228 “Manufactured Home Park”

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

32P2009 **229** *deleted*

32P2009 **230** *deleted*

32P2009 **231** *deleted*

232 **“Market”**

- (a) means a **use**:
 - (i) where individual vendors provide goods for sale directly to the public;
 - (ii) where the goods may be sold both inside and outside of a **building**;
 - (iii) where the vendors may change on a frequent or seasonal basis;
 - (iv) where the goods being sold are finished consumer goods, food products, produce, handcrafted articles, antiques or second hand goods;
 - (v) where the items being sold are not live animals;
 - (vi) that does not have seating area for the public that is greater than 75.0 square metres; and
 - (vii) that does not include a **Retail Store** or **Supermarket**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) requires 4.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (d) does not require **bicycle parking stalls – class 1**; and
- (e) requires **bicycle parking stalls – class 2** based on 5.0 per cent of the minimum required **motor vehicle parking stalls**.

233 **“Medical Clinic”**

- (a) means a **use** where human health services that are preventative, diagnostic, therapeutic or rehabilitative are provided without overnight accommodation for patients;
- (b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;

245 “Night Club”

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

246 “Office”

- (a) means a *use*:
 - (i) where business people, professional, clerical and administrative staff work in fields other than medical or counselling fields;
 - (ii) that provides services to either a select clientele or no clients, and therefore has limited contact with the public at large;

67P2008

- (iii) that may have a reception area;
- (iv) that may contain work stations, boardrooms, and meeting rooms; and
- (v) that does not have facilities for the production or sale of goods directly to the public inside the **use**;
- (b) is a **use** within the Office Group in Schedule A to this Bylaw;
- (c) *deleted*
- (d) requires a minimum of 2.0 motor vehicle parking stalls per 100.0 square metres of **gross usable floor area**;
- (e) requires a minimum of 1.0 **bicycle parking stalls – class 1** per 1000.0 square metres of **gross usable floor area**; and
- (f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 1000.0 square metres **gross usable floor area** for **Offices** greater than 1000.0 square metres.

247 “Outdoor Café”

14P2010

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

51P2008, 26P2010

- (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**.

257 “Pet Care Service”

- (a) means a **use**:
 - (i) where small animals are washed, groomed, trained or boarded;
 - (ii) where the animals must not be boarded overnight; and
 - (iii) that may have the incidental sale of products relating to the services provided by the **use**;
- (b) is a **use** within the Personal Service Group in Schedule A to this Bylaw;
- (c) must not have any outside enclosures, pens, runs or exercise areas;
- (d) *deleted*
- (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**.

14P2010

258 “Photographic Studio”

- (a) means a **use**:
 - (i) where portrait and professional photographic services are provided;
 - (ii) where film or digital images are processed and finished only for the services provided for the **use**; and
 - (iii) that may have the incidental sale of products relating to the services provided by the **use**;
- (b) is a **use** within the Personal Service Group in Schedule A to this Bylaw;
- (c) requires a minimum of 4.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;

- (d) requires no **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**.

259 “Pits and Quarries”

- (a) means a **use**:
 - (i) where earth, clay, gravel, sand, stone or other forms of aggregate are extracted from the **parcel**;
 - (ii) where material that is extracted may be stockpiled on the **parcel**; and
 - (iii) that must be approved only on a **parcel** designated as a Direct Control District that specifically includes **Pits and Quarries** 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.

260 “Place of Worship – Large”

- (a) means a **use**:
 - (i) where people assemble for religious or spiritual purposes;
 - (ii) where the largest **assembly area** of the **use** is equal to or greater than 500.0 square metres;
 - (iii) that may provide occasional refuge for people;
 - (iv) that may have rooms for the administrative functions of the **use**;
 - (v) that may have a **Child Care Service** within the **building**;
 - (vi) that may have a food preparation area, kitchen and seating area available for the users of the **use**; and
 - (vii) that may have a maximum of three **Dwelling Units**;
- (b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;

41P2009

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**;
 - (vi) that does not involve the production or sale of goods, materials and supplies as part of the **use**; and
 - (vii) that may have a **building** for the administrative functions associated with the **use**;
- (b) is a **use** within the Storage Group in Schedule A to this Bylaw;
- (c) may cover piles or stacks of goods, materials and supplies associated with the **use**, with tarps or a structure with a roof but it must be open on the sides;
- (d) requires the following minimum number of **motor vehicle parking stalls**:
- (i) for a **building**, the greater of:
 - (A) 1.0 stalls per 100.0 square metres of **gross usable floor area** for the first 2000.0 square metres, and then 1.0 stalls for each subsequent 500.0 square metres: or
 - (B) 1.0 stalls per three (3) employees based on the maximum number of employees at the **use** at any given time; and
 - (ii) for outdoor storage areas:
 - (A) 0.25 stalls per 100.0 square metres of outdoor storage area for areas up to 4000.0 square metres; and
 - (B) 0.1 stalls per 100.0 square metres thereafter; and
- (e) does not require **bicycle parking stalls – class 1 or class 2**.

314 “Supermarket”

- (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; and
 - (v) that may include a limited seating area no greater than 15.0 square metres for the consumption of food prepared on the premises;

13P2008

- (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) **Beauty and Body Service;**
 - (iii) **Computer Games Facility;**
 - (iv) **Counselling Service;**
 - (v) **Financial Institution;**
 - (vi) **Fitness Centre;**
 - (vii) **Health Services Laboratory – with Clients;**
 - (viii) **Household Appliance and Furniture Repair Service;**
 - (ix) **Medical Clinic;**
 - (x) **Office;**
 - (xi) **Personal Apparel Service;**
 - (xii) **Pet Care Service;**
 - (xiii) **Photographic Studio;**
 - (xiv) **Print Centre;**
 - (xv) **Power Generation Facility – Small;**
 - (xvi) **Radio and Television Studio;**
 - (xvii) **Restaurant: Food Service Only – Medium;**
 - (xviii) **Restaurant: Food Service Only – Small;**
 - (xix) **Take Out Food Service;**
 - (xx) **Veterinary Clinic; and**
 - (xxi) **Video Store;**
- (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**.

- (z) **Specialty Food Store;**
- (aa) **Take Out Food Service;**
- (bb) *deleted*
- (cc) **Veterinary Clinic;** and
- (dd) **Video Store.**

71P2008

Discretionary Uses

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

67P2008

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

Rules

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

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

Garbage

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

Fences

- 904 (1)** When a **parcel** shares a **property line** with a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, an **LRT corridor**, or a **commercial, residential or special purpose districts**, a **fence** with a minimum height of 2.0 metres must be provided for **screening** along the **property line**.
- (2)** There is no restriction to the height of a **fence** at any point along a **property line** shared with another **industrial district**.

Solar Collectors

68P2008

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

Display and Sales Area

32P2009

- 904.2 (1)** Unless otherwise referenced in subsection (3), a **use** that is not defined in Part 4 as having a sales or rental function may accommodate a display and sales area provided the products displayed or sold are associated with the **use**.

-
- (2) The maximum floor area of a display and sales area located in a **building** is the greater of:
- (i) 38.0 square metres; or
 - (ii) 20.0 per cent of the **gross floor area** of the **use** to a maximum of 465.0 square metres
- 14P2010 (3) A display and sales area must not be allowed if it would result in the **use** operating exclusively as a **Retail Store**.

32P2009

Outdoor Product Display Area

904.3 A **use** may accommodate an outdoor product display area provided:

- (a) the products displayed are associated with the **use**;
- (b) it is not located within a required **setback area**;
- (c) it is separate and distinct from areas of the **parcel** used for the storage of materials, goods or equipment; and
- (d) it is shown on a plan approved as part of a **development permit**.

Parcel Access

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

Division 2: Industrial – General (I-G) District

Purpose

32P2009

- 906** The Industrial – General District is intended to be characterized by:
- (a) a wide variety of light and medium general industrial **uses** and a limited number of support commercial **uses**;
 - (b) **parcels** typically located in internal locations;
 - (c) the application of discretion for **parcels** that share a **property line** with a **major street** or **expressway** to ensure an appropriate interface and compliance with **City** plans and policies;
 - (d) a limited number of non-industrial **uses** that may be appropriate due to **building** or **parcel** requirements generally found in industrial areas;
 - (e) **uses** and **buildings** that may have little or no relationship to **adjacent parcels**;
 - (f) appropriate controls to ensure **screening** of any outdoor activities; and
 - (g) limits on sales and office activities in order to preserve a diverse industrial land base.

Permitted Uses

32P2009

- 907** (1) The following **uses** are **permitted uses** in the Industrial – General District:
- (a) **Park**;
 - (b) **Sign – Class A**;
 - (c) **Sign – Class B**;
 - (d) **Sign – Class D**; and
 - (e) **Utilities**.
- (2) Unless otherwise referenced in subsection 908(1), the following **uses** are **permitted uses** in the Industrial – General District:
- (a) **Auto Body and Paint Shop**;
 - (b) **Auto Service – Major**;
 - (c) **Auto Service – Minor**;
 - (d) **Beverage Container Drop-Off Depot**;
 - (e) **Car Wash – Multi-Vehicle**;
 - (f) **Car Wash – Single Vehicle**;

- (g) **Catering Service – Major;**
- (h) **Catering Service – Minor;**
- (i) **Crematorium;**
- (j) **Distribution Centre;**
- (k) **Dry-cleaning and Fabric Care Plant;**
- (l) **Fleet Service;**
- (m) **Freight Yard;**
- (n) **General Industrial – Light;**
- (o) **General Industrial – Medium;**
- (p) **Large Vehicle Service;**
- (q) **Large Vehicle Wash;**
- (r) **Motion Picture Production Facility;**
- (s) **Municipal Works Depot;**
- (t) **Parking Lot – Grade;**
- (u) **Parking Lot – Structure;**
- (v) **Power Generation Facility – Medium;**
- (w) **Power Generation Facility – Small;**
- (x) **Protective and Emergency Service;**
- (y) **Recreational Vehicle Service;**
- (y.1) **Sign – Class C;**
- (z) **Specialty Food Store;**
- (aa) **Utility Building;**
- (bb) **Vehicle Storage – Large;**
- (cc) **Vehicle Storage – Passenger; and**
- (dd) **Vehicle Storage – Recreational.**

14P2010

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

Purpose

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

Permitted Uses

- 1042** The following **uses** are **permitted uses** in the Special Purpose – Recreation District:
- (a) **Natural Area**;
 - (b) **Park**;
 - (c) **Park Maintenance Facility – Small**;
 - (d) **Power Generation Facility – Small**;
 - (e) **Sign – Class A**;
 - (f) **Special Function Tent – Recreational**; and
 - (g) **Utilities**.

Discretionary Uses

- 1043 (1)** The following **uses** are **discretionary uses** in the Special Purpose – Recreation District:
- (a) **Community Entrance Feature**;
 - (b) **Community Recreation Facility**;
 - (c) **Food Kiosk**;
 - (d) **Indoor Recreation Facility**;
 - (e) **Library**;
 - (f) **Museum**;

- (g) **Outdoor Café;**
- (h) **Outdoor Recreation Area;**
- (i) **Park Maintenance Facility – Large;**
- (j) **Performing Arts Centre;**
- (k) **Power Generation Facility – Medium;**
- (l) **Protective and Emergency Service;**
- (m) **Service Organization;**
- (n) **Sign – Class B;**
- (o) **Sign – Class C;**
- (p) **Sign – Class D;**
- (q) **Sign – Class E;**
- (q.1) **Sign – Class F;**
- (r) **Spectator Sports Facility; and**
- (s) **Utility Building.**

14P2010

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

- (a) **Accessory Liquor Service;**
- (a.1) **Beauty and Body Service;**
- (b) **Child Care Service;**
- (b.1) **Conference and Event Facility;**
- (c) **Medical Clinic;**
- (d) **Proshop;**
- (e) **Restaurant: Food Service Only – Medium;**
- (f) **Restaurant: Food Service Only – Small;**
- (g) **Restaurant: Licensed – Medium; and**
- (h) **Restaurant: Licensed – Small.**

67P2008

67P2008

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

- (a) **Proshop;**
- (b) **Restaurant: Food Service Only – Small; and**
- (c) **Restaurant: Licensed – Small.**

67P2008

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

Rules

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

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

Use Area

1045 (1) Unless otherwise referenced in subsections (2), there is no **use area** requirement in the Special Purpose – Recreation District.

- (2) The maximum cumulative **use area** for all:
- (a) **Medical Clinics** is 1000.0 square metres;
- (b) **Proshops** is 465.0 square metres; and
- (c) **Child Care Services** is 1000.0 square metres.

Front Setback Area

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

Rear Setback Area

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

Side Setback Area

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

Landscaping In Setback Areas

- 1049** (1) All **setback areas** on a **parcel**, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the **Development Authority**, must be a **soft surfaced landscaped area**.
- (2) Where a **setback area** shares a **property line** with an **LRT corridor, street** or **parcel** designated as a **residential district**, the **setback area** must provide a minimum of:
- (a) 1.0 trees and 2.0 shrubs for every 30.0 square metres; or
 - (b) 1.0 trees and 2.0 shrubs for every 50.0 square metres, where irrigation is provided by a **low water irrigation system**.
- (3) Where a **setback area** shares a **property line** with a **lane** or **parcel** designated as a **commercial, industrial** or **special purpose district**, the **setback area** must provide a minimum of:

PART 12: CENTRE CITY EAST VILLAGE DISTRICTS

Division 1: General Rules for Centre City East Village Districts

General Landscaped Area Rules

- 1217 (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*; and
 - (e)** details of the irrigation system.
- (3)** The *landscaped areas* shown on the landscape plan, approved by the *Development Authority* must be maintained on the *parcel* for so long as the *development* exists.
- (4)** All *soft surfaced landscaped areas* must be irrigated by an underground irrigation system, unless a *low water irrigation system* is provided.

Specific Rules for Landscaped Areas

- 1218 (1)** A minimum of 30.0 per cent of the area of the *parcel* must be a *landscaped area*.
- (2)** Any part of the *parcel* used for motor vehicle access, *motor vehicle parking stalls*, loading stalls or garbage facilities must not be included in the calculation of a *landscaped area*.
- (3)** *Landscaped areas* provided at *grade* or below 36.0 metres above *grade* may be credited towards the *landscaped area* requirement.
- (4)** 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*.
- (5)** 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 (4); or
 - (b) have a sidewalk connecting that **public entrance** to a public sidewalk.
- (6) Every **building** on a **parcel** must have at least one sidewalk connecting the parking area to the **public entrances** of the **building**.
- (7) 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**.
- (8) 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.

Planting Requirements

- 1219 (1) Any trees or shrubs provided in satisfaction of the **landscaped area** requirement must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.
- (2) A minimum of 25.0 per cent of all trees planted must be coniferous.
- (3) Deciduous trees must have a minimum **calliper** of 50.0 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting.
- (4) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must have a minimum of 3.0 metres in height at the time of planting.
- (5) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

Low Water Irrigation System

- 1220 (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.

Amenity Space

- 1221** (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) 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**:
- (a) must provide a **balcony**, **deck** or **patio** and at least one of the following as permanent features:
 - (i) a barbeque; or
 - (ii) seating; and
 - (b) must be used in the calculation of the required **landscaped area** when located below 25.0 metres above **grade**.

Visibility Setback

- 1222** **Buildings**, finished **grade** of a **parcel** and vegetation within a **corner visibility triangle** must not be located between 0.75 metres and 4.6 metres above the lowest elevation of the **street**.

Mechanical Screening

- 1223** Mechanical systems or equipment that are located outside of a **building** must be **screened**.

Garbage

- 1224** Garbage containers and waste material must be stored inside a **building** that contains another approved **use**.

Recycling Facilities

- 1225** Recycling facilities must be provided for every **building** containing **Dwelling Units** or **Office uses**.

Motor Vehicle Parking Stall Requirements

- 1226** (1) For **development** containing **Dwelling Units** or **Live Work Units**, the minimum **motor vehicle parking stall** requirement:
- (a) for each **Dwelling Unit** or **Live Work Unit** is 0.75 stalls for resident parking;
 - (b) for each **Dwelling Unit** is 0.1 **visitor parking stalls** per **unit**; and
 - (c) for each **Live Work Unit** is 0.5 **visitor parking stalls** per **unit**.
- (2) For **development** on parcels 0.4 hectares or less, the minimum **motor vehicle parking stall** requirement:
- (a) for a **Pet Care Service, Photographic Studio** and **Print Centre** is:
 - (i) 2.0 stalls per 100.0 square metres of **gross usable floor area** when those **uses** are located in a **building** which was legally existing or approved prior to the effective date of this Bylaw; or
 - (ii) the minimum requirement for the **uses** as referenced in Part 4 when those **uses** are located in a **building** approved after the effective date of this Bylaw;
 - (b) for an **Office**, when located on floors above the ground floor is:
 - (i) 1.0 stalls per 100.0 square metres of **gross usable floor area**; and
 - (ii) the cumulative number of stalls referenced in subsection (i) must be reduced by 0.75 stalls per 50.0 square metres of total **gross usable floor area** to a maximum reduction of 1.5 stalls;
 - (c) for a **Retail Store** is:
 - (i) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;

- (d) for a **Beauty and Body Service, Computer Games Facility, Convenience Food Store, Drinking Establishment – Small, Drinking Establishment – Medium, Information and Service Provider, Liquor Store, Outdoor Café, Personal Apparel Service, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small** or **Retail Store** when located on the ground floor of a **building** is:
- (i) 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; or
 - (ii) 0.0 **motor vehicle parking stalls** where:
 - (I) the **building** contains a **Dwelling Unit, Hotel, Live Work Unit, or Office** above the ground floor; or
 - (II) 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 Store** is:
 - (i) 4.0 stalls per 100.0 square metres of total **gross usable floor area** when located on floors above the ground floor;
 - (c) for a **Beauty and Body Service, Computer Games Facility, Convenience Food Store, Drinking Establishment – Small, Drinking Establishment – Medium, Information and Service Provider, Liquor Store, Outdoor Café, Personal Apparel Service, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Licensed – Medium, Restaurant: Licensed – Small** or **Retail Store** when located on the ground floor of a **building** is:

- (i) 1.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**; or
- (ii) 0.0 **motor vehicle parking stalls** where:
 - (I) the **building** contains a **Dwelling Unit**, **Hotel**, or **Office** above the ground floor; or
 - (II) 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.



Division 2: Centre City East Village Recreational District (CC-ER)

Purpose

1241 The Centre City East Village Recreational District is intended to be characterized by:

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

Permitted Uses

1242 The following **uses** are **permitted uses** in the Centre City East Village Recreational District:

- (a) **Park;**
- (b) **Protective and Emergency Service;**
- (c) **Special Function Tent – Commercial;**
- (d) **Special Function Tent – Recreational;** and
- (e) **Utilities.**

Discretionary Uses

1243 The following **uses** are **discretionary uses** in the Centre City East Village Recreational District:

- (a) **Community Entrance Feature;**
- (b) **Food Kiosk;**
- (c) **Market;**
- (d) **Outdoor Café;**
- (e) **Restaurant: Food Service Only – Small;**
- (f) **Restaurant: Licensed – Small;**
- (g) **Sign – Class A;**
- (h) **Sign – Class B;**
- (i) **Sign – Class D;**
- (j) **Sign – Class E;**
- (k) **Take Out Food Service;** and
- (l) **Utility Building.**

Rules

1244 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Centre City East Village Districts referenced in Part 12, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses and Use Rules referenced in Part 4.

Building Design

1245 (1) The area illustrated as Area A on Map 10 may have up to three **buildings** with:

- (a) a maximum total combined **gross floor area** of 200.0 square metres;
- (b) a maximum of 100.0 square metres for each **building**; and
- (c) a maximum **building height** for each **building** of 10.0 metres, not to exceed one **storey**.

(2) The area illustrated as Area B on Map 10 is allowed a maximum of one **building** with:

- (a) a maximum **gross floor area** of 100.0 square metres; and
- (b) a maximum **building height** of 10.0 metres, not to exceed one **storey**.

Motor Vehicle Parking Stalls

1246 The minimum number of required **motor vehicle parking stalls**, **visitor parking stalls**, and **bicycle parking stalls – class 1** and **class 2** is the amount specified in the General Rules for Centre City East Village Districts referenced in Part 12, Division 1.

Division 3: Centre City East Village Mixed Use District (CC-EMU)

Purpose

1247 The Centre City East Village Mixed Use District is intended to provide for:

- (a) a mix of commercial and residential **uses**;
- (b) **uses** that are sensitive to adjacent districts that allow for primarily residential **uses**;
- (c) a range of intensity of **development** where intensity is measured by **floor area ratio**; and
- (d) a **building** form that is street oriented at **grade**.

Permitted Uses

1248 (1) The following **uses** are **permitted uses** in the Centre City East Village Mixed Use District:

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

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

- (a) **Accessory Food Service**;
- (b) **Accessory Liquor Service**;
- (c) **Beauty and Body Service**;
- (d) **Convenience Food Store**;
- (e) **Fitness Centre**;
- (f) **Information and Service Provider**;
- (g) **Museum**;
- (h) **Personal Apparel Service**;
- (i) **Pet Care Service**;

- (j) **Photographic Studio;**
- (k) **Restaurant: Food Service Only – Small;**
- (l) **Retail Store;** and
- (m) **Take Out Food Service.**

Discretionary Uses

- 1249 (1)** The following *uses* are ***discretionary uses*** in the Centre City East Village Mixed Use District only if they were legally existing or approved prior to the effective date of this Bylaw:
- (a) **Parking Lot – Grade.**
- (2)** *Uses* listed in subsection 1248(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Centre City East Village Mixed Use District.
- (3)** The following *uses* are ***discretionary uses*** in the Centre City East Village Mixed Use District:
- (a) **Assisted Living;**
 - (b) **Child Care Service;**
 - (c) **Community Entrance Feature;**
 - (d) **Drinking Establishment – Medium;**
 - (e) **Drinking Establishment – Small;**
 - (f) **Dwelling Unit;**
 - (g) **Home Occupation - Class 2;**
 - (h) **Hotel;**
 - (i) **Live Work Unit;**
 - (j) **Medical Clinic;**
 - (k) **Office;**
 - (l) **Outdoor Café;**
 - (m) **Post-secondary Learning Institution;**
 - (n) **Residential Care;**
 - (o) **Restaurant: Food Service Only – Medium;**
 - (p) **Restaurant: Licensed – Medium;**
 - (q) **Restaurant: Licensed – Small;**
 - (r) **School – Private;**
 - (s) **School Authority - School;**

- (t) **Seasonal Sales Area;**
 - (u) **Service Organization;**
 - (v) **Sign – Class B;**
 - (w) **Sign – Class C;**
 - (x) **Sign – Class D;**
 - (y) **Sign – Class E;**
 - (z) **Social Organization;** and
 - (aa) **Utility Building.**
- (4) The following **uses** are additional **discretionary uses** when they face a **street** located within Area C as illustrated on Map 10:
- (a) **Market;**
 - (b) **Specialty Food Store;** and
 - (c) **Veterinary Clinic.**
- (5) The following **uses** are additional **discretionary uses** when located within **buildings** designated as a Municipal Historic Resources pursuant to the *Historical Resources Act*:
- (a) **Restaurant: Food Service Only – Large;** and
 - (b) **Restaurant: Licensed – Large.**

Rules

1250 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Centre City East Village Districts referenced in Part 12, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and
- (c) the applicable Uses and Use Rules referenced in Part 4.

Density

- 1251** (1) The maximum **floor area ratio** for **development** on **parcels** when located within Area C as illustrated on Map 10 is 3.0.
- (2) For all other **parcels**, the maximum **floor area ratio** is:
- (a) 6.65 for an **East Village – High Rise Building;** and
 - (b) 5.65 for an **East Village – Mid Rise Building.**
- (3) In this section, for the purpose of calculating **floor area ratio**:
- (a) the **gross floor area** for the following **uses** must be excluded from the calculation to a maximum of 1.0 **floor area ratio**:
 - (i) **Child Care Service;**

- (ii) **Community Entrance Feature;**
 - (iii) **Museum;**
 - (iv) **Protective and Emergency Service;**
 - (v) **School – Private;**
 - (vi) **Service Organization;**
 - (vii) **Social Organization;** and
 - (viii) **Utilities;** and
- (b) the total density transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act*, may be excluded to a maximum of 3.0 **floor area ratio**.

Location of Uses within Buildings

1252 (1) The following **uses** may only be located on the first or second **storey** of a **building** when they face a **street** located within Area D as illustrated on Map 10:

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Beauty and Body Service;**
- (d) **Convenience Food Store;**
- (e) **Drinking Establishment – Medium;**
- (f) **Drinking Establishment – Small;**
- (g) **Information and Service Provider;**
- (h) **Medical Clinic;**
- (i) **Museum;**
- (j) **Outdoor Café;**
- (k) **Personal Apparel Service;**
- (l) **Pet Care Service;**
- (m) **Photographic Studio;**
- (n) **Restaurant: Food Service Only – Medium;**
- (o) **Restaurant: Food Service Only – Small;**
- (p) **Restaurant: Licensed – Medium;**
- (q) **Restaurant: Licensed – Small;**
- (r) **Retail Store;**
- (s) **Seasonal Sales Area;** and
- (t) **Take Out Food Service.**

Use Area

- 1253** (1) Unless otherwise referenced in subsections (2) or (3), the maximum **use area** for **uses** on the ground floor of a **building** is 465.0 square metres.
- (2) Unless otherwise referenced in subsection (3), there is no maximum **use area** requirement for **uses** located on upper floors.
- (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:

Building Height

- 1254** For **buildings** located within Area C as illustrated on Map 10 the maximum **building height** is 14.5 metres, not to exceed 3 **storeys**.

Use Area Width

- 1255** For **parcels** located within Area C as illustrated on Map 10:
- (a) a **use area** may have a maximum of one entrance on each **street** and the maximum width of a **use area** on the ground floor that faces a **street** is 7.5 metres in width.

Motor Vehicle Parking Stalls

- 1256** The minimum number of required **motor vehicle parking stalls**, **visitor parking stalls**, and **bicycle parking stalls – class 1** and **class 2** is the required amount specified in the General Rules for Centre City East Village Districts referenced in Part 12, Division 1.

Division 4: Centre City East Village Transition District (CC-ET)

Purpose

1257 The Centre City East Village Transition District is intended to provide for:

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

Permitted Uses

1258 (1) The following **uses** are **permitted uses** in the Centre City East Village Transition District:

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

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

- (a) **Accessory Food Service;**
- (b) **Accessory Liquor Service;**
- (c) **Beauty and Body Service;**
- (d) **Convenience Food Store;**
- (e) **Financial Institution;**
- (f) **Fitness Centre;**
- (g) **Information and Service Provider;**
- (h) **Museum;**

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

Discretionary Uses

1259 (1) The following *uses* are **discretionary uses** in the Centre City East Village Transition District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) **Parking Lot – Grade.**

(2) *Uses* listed in subsection 1258(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Transition District.

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

- (a) **Assisted Living;**
- (b) **Child Care Service;**
- (c) **Community Entrance Feature;**
- (d) **Drinking Establishment – Large;**
- (e) **Drinking Establishment – Medium;**
- (f) **Drinking Establishment – Small;**
- (g) **Dwelling Unit;**
- (h) **Home Occupation - Class 2;**
- (i) **Hotel;**
- (j) **Library;**
- (k) **Live Work Unit;**
- (l) *deleted*
- (m) **Market;**

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

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

- (a) **Liquor Store.**

Rules

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

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

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

Density

- 1261 (1)** The maximum **floor area ratio** is 7.0.
- (2)** In this section, for the purpose of calculating **floor area ratio** for an East Village – High Rise Building:
- (a) the following **uses** must be excluded from the calculation to a maximum of 1.0 **floor area ratio**:
 - (i) **Child Care Service**;
 - (ii) **Library**;
 - (iii) **Museum**;
 - (iv) **Performing Arts Centre**;
 - (v) **Place of Worship - Small**;
 - (vi) **Protective and Emergency Service**;
 - (vii) **School – Private**;
 - (viii) **School Authority – School**;
 - (ix) **Service Organization**;
 - (x) **Social Organization**; and
 - (xi) **Utilities**.
 - (b) the following must be excluded from the calculation of **floor area ratio**:
 - (i) the total **gross floor area** of a **unit** that is located on the floor closest to **grade**, and must have an entrance that is visible from the **street** that the **unit** faces;
 - (ii) the total **gross floor area** of any **storey** partially or wholly located below **grade**;
 - (iii) the total **gross floor area** of a **Post-secondary Learning Institution**, to a maximum of 4.0 **floor area ratio**; and
 - (iv) the total **gross floor area** of density transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* to a maximum of 3.0 **floor area ratio**.

Location of Uses within Buildings

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

- (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 Store.**
- (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**.
- (4) The minimum number of **motor vehicle parking stalls** provided on a **parcel** may be restricted to 50.0 per cent of the number required for the **uses** on that **parcel** except where:
- (a) the area of the **parcel** is less than 1800.0 square metres and the **development** has a density of 3.0 **floor area ratio** or less;
 - (b) the **use** is located on the ground floor of a **building** where the remainder of the **gross floor area** of the **building** is occupied by **units**; and
 - (c) a **Liquor Store**, **Retail Store**, or a **use** listed in the Personal Service Group in Schedule A to this Bylaw, comprises 9300.0 square metres or greater of **gross floor area** when those **uses** are located on or above the second **storey**.
- (5) A cash-in-lieu payment must be provided for the difference between the total number of required **motor vehicle parking stalls** and the number of **motor vehicle parking stalls** provided within the **development**. Such payment must be in accordance with **Council's** policy and calculated at the rate per **motor vehicle parking stalls** established by **Council** at the time the payment is made.

Short Stay Parking Stalls

- 1265 (1) For the purposes of this Division:
- (a) "parking area - short stay" means an area designed for the parking of motor vehicles within a **building** where:
 - (i) the vehicle remains parked for no more than 4 hours at one time; and
 - (ii) there is convenient pedestrian access to the street level and publicly accessible **uses** within the **development**.

- (b) “scramble parking” means a parking area where the **motor vehicle parking stalls** are not assigned to individual users or vehicles and access is available to vehicles wishing to park for no more than four hours at one time.
- (2) The number of **motor vehicle parking stalls** for **uses** which are restricted in Section 1263(4), may be increased subject to the following conditions:
- (a) up to a total of 10.0 additional **motor vehicle parking stalls** may be provided where such stalls are:
- (i) located in a portion of the **development** approved and assigned for use as a “parking area – short stay”; or
 - (ii) included in a parking area which is operated as part of a “scramble parking” arrangement that members of the public have access to; 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 10.0 per cent of the number of stalls required or 125.0 stalls, whichever is less, may be required where such stalls are:
- (i) located in a portion of the **development** approved and assigned for use as a “parking area – short stay”; and
 - (ii) identified through appropriate signage, as “parking area - short stay” stalls; and
 - (iii) prominently signed at the street level indicating the availability and conditions of use of such stalls.
- (c) when approving a **development permit** incorporating “parking area – short stay” stalls, provided under 1264(1)(a), the **development** will be required to:
- (i) indicate the mechanism by which the **development** will be managed to ensure the operation of the stalls as “parking area - short stay” stalls only; and
 - (ii) establish a mechanism to monitor the operation of the stalls as “parking area – short stay”.

Parking Stall Transfer from Municipal Historic Resource Sites

1266 (1) For the purposes of this Division:

- (a) “**Transferring Parcel**” means the **parcel**, comprising the area of the Municipal Historic Resource in the Centre City East Village Transition District, in which **motor vehicle parking stalls** have not been provided and in which will transfer those **motor vehicle parking stalls** to the **Receiving Parcel**.

- (b) “**Receiving Parcel**” means the **parcel**, comprising the area of the Municipal Historic Resource in the Centre City East Village Transition District, in which will receive the transfer of **motor vehicle parking stalls** from the **Transferring Parcel**.
- (2) A **Transferring Parcel** may transfer to the **Receiving Parcel**, **motor vehicle parking stalls** which have not been provided on the **Transferring Parcel** subject to the following:
- (a) the **Transferring Parcel** is designated as a Municipal Historic Resource pursuant to the Historical Resources Act by a bylaw approved by City Council prior to the transfer of the **motor vehicle parking stalls** to a **Receiving Parcel**;
- (b) transfer to a **Receiving Parcel** has occurred no later than 2011 December 31st, has not been the subject of a density transfer pursuant to section 42.3(5)(h) of Part 10 of this Bylaw and is listed as a City-Wide Historic Resource or a Community Historic Resource on the City of Calgary’s Inventory of Evaluated Historic Resources as approved from time to time by the Calgary Heritage Authority; and
- (c) the number of **motor vehicle parking stalls** which may be transferred to a **Receiving Parcel** is determined by the following:
- (i) calculating the amount of **development** that could be built on the area of the **Transferring Parcel** that is designated as a Municipal Historic Resource at 7.0 **floor area ratio**;
- (ii) calculating the total **motor vehicle parking stall** requirement for that amount of **development** at a ratio of 1.0 **motor vehicle parking stall** per 150.0 square metres of **gross floor area**;
- (iii) based on the categorization of the **Transferring Parcel** on the City of Calgary’s List of Potential Heritage Sites take the following percentage of that figure for:
- (I) City-Wide Historic Resource – 50.0 per cent; and
- (II) Community Historic Resource – 25.0 per cent; or
- (d) subtracting from the resulting figure the number of **motor vehicle parking stalls** contained within a **building** existing on the **Transferring Site**.

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

Purpose

1267 The Centre City East Village Primarily Residential District is intended to provide for:

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

Permitted Uses

1268 (1) The following **uses** are **permitted uses** in the Centre City East Village Primarily Residential District:

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

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

- (a) **Accessory Food Service;**
- (b) **Beauty and Body Service;**
- (c) **Convenience Food Store;**
- (d) **Financial Institution;**
- (e) **Fitness Centre;**
- (f) **Information and Service Provider;**
- (g) **Personal Apparel Service;**
- (h) **Photographic Studio;**
- (i) **Print Centre;**

- (j) **Restaurant: Food Service Only – Small;**
- (k) **Retail Store;**
- (l) **Specialty Food Store;**
- (m) **Take Out Food Service;** and
- (n) **Video Store.**

Discretionary Uses

- 1269 (1)** The following *uses* are **discretionary uses** in the Centre City East Village Primarily Residential District only if they were legally existing or approved prior to the effective date of this Bylaw:
- (a) **Parking Lot – Grade.**
- (2)** *Uses* listed in subsection 1268(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village Primarily Residential District.
- (3)** The following *uses* are **discretionary uses** in the Centre City East Village Primarily Residential District:
- (a) **Assisted Living;**
 - (b) **Child Care Service;**
 - (c) **Community Entrance Feature;**
 - (d) **Community Recreation Facility;**
 - (e) **Drinking Establishment – Small;**
 - (f) **Dwelling Unit;**
 - (g) **Home Occupation - Class 2;**
 - (h) **Hotel;**
 - (i) **Indoor Recreation Facility;**
 - (j) **Live Work Unit;**
 - (k) **Medical Clinic;**
 - (l) **Office;**
 - (m) **Outdoor Café;**
 - (n) **Outdoor Recreation Area;**
 - (o) **Place of Worship – Small;**
 - (p) **Residential Care;**
 - (q) **Restaurant: Licensed – Small;**
 - (r) **School – Private;**

- (s) **School Authority – School;**
- (t) **Seasonal Sales Area;**
- (u) **Service Organization;**
- (v) **Sign – Class B;**
- (w) **Sign – Class C;**
- (x) **Sign – Class D;**
- (y) **Sign – Class E;**
- (z) **Social Organization; and**
- (aa) **Utility Building.**

Rules

1270 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) The General Rules for Centre City East Village Districts referenced in Part 12, Division 1;
- (b) The Rules Governing All Districts referenced in Part 3; and
- (c) The applicable Uses and Use Rules referenced in Part 4.

Density

1271 (1) The maximum **floor area ratio** for **development** is:

- (a) 6.65 for an **East Village – High Rise Building**; and
- (b) 5.65 for an **East Village – Mid Rise Building**.

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

- (a) the **gross floor area** for the following **uses** must be excluded from the calculation to a maximum of 1.0 **floor area ratio**:
 - (i) **Child Care Service;**
 - (ii) **Community Recreation Facility;**
 - (iii) **Indoor Recreation Facility;**
 - (iv) **Place of Worship - Small;**
 - (v) **Protective and Emergency Service;**
 - (vi) **School – Private;**
 - (vii) **School Authority – School;**
 - (viii) **Service Organization;**
 - (ix) **Social Organization; and**

(x) **Utilities.**

- (b) the total density transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* to a maximum of 3.0 **floor area ratio**.

Location of Uses within Buildings

1272 The following **uses** may only be located on the first or second **storey** of a **building**:

- (a) **Accessory Food Service;**
- (b) **Beauty and Body Service;**
- (c) **Convenience Food Store;**
- (d) **Drinking Establishment – Small;**
- (e) **Financial Institution;**
- (f) **Information and Service Provider;**
- (g) **Outdoor Café;**
- (h) **Personal Apparel Service;**
- (i) **Photographic Studio;**
- (j) **Print Centre;**
- (k) **Restaurant: Food Service Only – Small;**
- (l) **Restaurant: Licensed – Small;**
- (m) **Retail Store;**
- (n) **Seasonal Sales Area;**
- (o) **Specialty Food Store;**
- (p) **Take Out Food Service;** and
- (q) **Video Store.**

Use Area

- 1273 (1)** Unless otherwise specified in subsection (3) the maximum **use area** for uses on the ground floor of a **building** is 465.0 square metres.
- (2)** Unless otherwise specified in subsection (3) there is no maximum **use area** requirement for **uses** located on upper floors.
- (3)** The maximum **use area** of a:
- (a) **Accessory Food Service** is 15.0 square metres; and
 - (b) **Medical Clinic** and **Office** is 200.0 square metres:

Use Area Width

- 1274** The maximum width of a ***use area*** on the ground floor that faces a ***street*** is 7.5 metres with the exception of ***use areas*** on the ground floor fronting 9 Avenue SE which may have a maximum width of 15.0 metres.

Motor Vehicle Parking Stalls

- 1275** The minimum number of required ***motor vehicle parking stalls***, ***visitor parking stalls***, and ***bicycle parking stalls – class 1*** and ***class 2*** is the required amount specified in the General Rules for Centre City East Village Districts referenced in Part 12, Division 1.

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

Purpose

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

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

Permitted Uses

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

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

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

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

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

Discretionary Uses

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

(a) **Parking Lot – Grade.**

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

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

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

- (n) **Indoor Recreation Facility;**
 - (o) **Library;**
 - (p) **Live Work Unit;**
 - (q) **Medical Clinic;**
 - (r) **Office;**
 - (s) **Outdoor Café;**
 - (t) **Parking Lot- Grade (temporary);**
 - (u) **Parking Lot – Structure;**
 - (v) **Performing Arts Centre;**
 - (w) **Post-secondary Learning Institution;**
 - (x) **Residential Care;**
 - (y) **Restaurant: Food Service Only – Large;**
 - (z) **Restaurant: Food Service Only – Medium;**
 - (aa) **Restaurant: Licensed – Medium;**
 - (bb) **Restaurant: Licensed – Small;**
 - (cc) **Seasonal Sales Area;**
 - (dd) **Sign – Class B;**
 - (ee) **Sign – Class C;**
 - (ff) **Sign – Class D;**
 - (gg) **Sign – Class E;**
 - (hh) **Supermarket; and**
 - (ii) **Utility Building.**
- (4) The following **uses** are additional **discretionary uses** when located on the ground floor, facing a street located within Area F as illustrated on Map 10:
- (a) **Drinking Establishment – Large;**
 - (b) **Night Club; and**
 - (c) **Restaurant: Licensed – Large.**

Rules

1279 In addition to the rules in this District, all **uses** in this District must comply with:

- (a) the General Rules for Centre City East Village Districts referenced in Part 12, Division 1;
- (b) the Rules Governing All Districts referenced in Part 3; and

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

Density

- 1280 (1)** The maximum **floor area ratio** for **development** is:
- (a) 6.65 for an **East Village – High Rise Building**; and
- (b) 7.0 for an **East Village – Mid Rise Building**.
- (2)** In this section, for the purpose of calculating **floor area ratio** for an **East Village – High Rise Building**:
- (a) the following **uses** must be excluded from the calculation to a maximum of 1.0 **floor area ratio**:
- (i) **Child Care Service**;
 - (ii) **Community Recreation Facility**;
 - (iii) **Conference and Event Facility**;
 - (iv) **Indoor Recreation Facility**;
 - (v) **Library**;
 - (vi) **Museum**;
 - (vii) **Performing Arts Centre**;
 - (viii) **Protective and Emergency Service**; and
 - (ix) **Utilities**;
- (b) The following **uses** must be excluded from the calculation of **floor area ratio** for an **East Village – High Rise Building**:
- (i) the total **gross floor area** of a **Post-secondary Learning Institution** to a maximum of 4.0 **floor area ratio**; and
 - (ii) the total **gross floor area** of density transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* to a maximum of 3.0 **floor area ratio**.

Location of Uses within Buildings

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

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

- (bb) **Take Out Food Service**; and
- (cc) **Video Store**.

Use Area

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

Use Area Width

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

Motor Vehicle Parking Stalls

- 1283** The minimum number of required **motor vehicle parking stalls**, **visitor parking stalls**, and **bicycle parking stalls – class 1** and **class 2** is the required amount specified in the General Rules for Centre City East Village Districts referenced in Part 12, Division 1.

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

Purpose

1284 The Centre City East Village River Residential District is intended to provide for:

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

Permitted Uses

1285 The following **uses** are **permitted uses** in the Centre City East Village River Residential District:

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

Discretionary Uses

1286 (1) **Uses** listed in subsection 1288(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Centre City East Village River Residential District.

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

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

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

Rules

- 1287 (1)** In addition to the rules in this District, all **uses** in this District must comply with:
- (a) The General Rules for Centre City East Village Districts referenced in Part 12, Division 1;
 - (b) The Rules Governing All Districts referenced in Part 3; and
 - (c) The applicable Uses and Use Rules referenced in Part 4.

Density

- 1288 (1)** The maximum **floor area ratio** is 5.0.
- (2)** In this section, for the purpose of calculating **floor area ratio**:
- (a) the following **uses** must be excluded from the calculation to a maximum of 1.0 **floor area ratio**:
 - (i) **Child Care Service;**
 - (ii) **Protective and Emergency Service;** and
 - (iii) **Utilities.**
 - (b) the total **gross floor area** of density transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* to a maximum of 3.0 **floor area ratio**; and

Location of Uses within Buildings

- 1289 (1)** The following **uses** must only be located on the first or second **storey** of a **building**:
- (a) **Outdoor Café;**
 - (b) **Restaurant: Food Service Only – Medium;**
 - (c) **Restaurant: Food Service Only – Small;**
 - (d) **Restaurant: Licensed – Medium;** and

- (e) **Restaurant: Licensed – Small.**
- (2) The following **uses** may not be located on the first **storey** of a **building**:
 - (a) **Dwelling Unit.**

Use Area

- 1290 (1) The maximum **use area** for **uses** on the ground floor of a **building** is 465.0 square metres.
- (2) There is no maximum **use area** requirement for **uses** located on upper floors.

Use Area Width

- 1291 The maximum width of a **use area** on the ground floor that faces a **street** is a maximum of 7.5 metres.

Motor Vehicle Parking Stalls

- 1292 The minimum number of required **motor vehicle parking stalls**, **visitor parking stalls**, and **bicycle parking stalls – class 1** and **class 2** is the required amount specified in the General Rules for Centre City East Village Districts referenced in Part 12, Division 1.

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
Health Services Laboratory – With Clients
Hospital
Medical Clinic
Residential Care

CULTURE AND LEISURE GROUP

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

DIRECT CONTROL USES

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

EATING AND DRINKING GROUP

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

GENERAL INDUSTRIAL GROUP

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

INDUSTRIAL SUPPORT GROUP

Artist's Studio
Beverage Container Drop-Off Depot
Building Supply Centre
Health Services Laboratory – Without Clients
Household Appliance and Furniture Repair
Service
Motion Picture Production Facility
Recyclable Construction Material Collection
Depot (temporary)
Specialty Food Store.

INFRASTRUCTURE GROUP

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

OFFICE GROUP

Counselling Service
Office
Service Organization

PERSONAL SERVICE GROUP

Beauty and Body Service
Funeral Home
Information and Service Provider
Personal Apparel Service
Pet Care Service
Photographic Studio
Print Centre

RESIDENTIAL GROUP

Assisted Living
 Contextual Single Detached Dwelling
 Cottage Building
 Duplex Dwelling
 Dwelling Unit
 Hotel
 Live Work Unit
 Manufactured Home
 Manufactured Home Park
 Minor Residential Addition
 Multi-Residential Development
 Multi-Residential Development – Minor
 Rowhouse
 Secondary Suite
 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
 Large Vehicle and Equipment Sales
 Liquor Store
 Market
 Pawn Shop
 Recreation Vehicle Sales
 Restored Building Products Sales Yard
 Retail Garden Centre
 Retail Store
 Supermarket
 Temporary Residential Sales Centre
 Vehicle Rental – Major
 Vehicle Rental – Minor
 Vehicle Sales – Major
 Vehicle Sales – Minor
 Video Store

SIGNS GROUP

Community Entrance Feature

Sign – Class A

Address Sign
 Art Sign
 Banner Sign
 Construction Sign
 Directional Sign
 Election Sign
 Flag Sign
 Government Sign
 Property Management Sign
 Real Estate Sign
 Show Home Sign
 Special Event Sign
 Temporary Sign
 Window Identification Sign
 Any type of sign located in a building and not intended to be viewed from outside

Sign – Class B

Fascia Identification Sign

Sign – Class C

Freestanding Identification Sign

Sign – Class D

Canopy Identification Sign
 Projecting Identification Sign

Sign – Class E

Electronic Message Sign
 Flashing and Animated Sign
 Inflatable Sign
 Message Sign
 Painted Wall Identification Sign
 Roof Sign
 Rotating Sign
 Strings of Pennants
 Temporary Sign Marker
 Any type of sign that employs stereo optic, video, motion picture, laser or other projection device
 Any type of sign that does not fit within any of the sign types listed in Classes A, B, C, D or F

Sign – Class F

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
 Proshop
 Seasonal Sales Area
 Special Function Tent – Commercial
 Special Function Tent – Recreational

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	Fail to comply with comprehensive Sign Approval	\$500	\$1000
72(1)	Display 3 rd Party Advertising	\$500	\$1000
72(6)	Sign too close to curb	\$100	\$500
72(8)	Sign in visibility triangle	\$100	\$500
72(9)	Sign in road ROW setback	\$100	\$300
72(11)	Sign not on private property	\$100	\$300
72(12)	Unauthorized projection	\$100	\$200
72(13)	Damage landscaping	\$100	\$500
76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86	Fail to comply with Rules Regarding Specific Class A Signs	\$100	\$200
87	Fail to comply with Rules for Temporary Signs	\$100	\$200
89	Fail to comply with Rules for Fascia Identification Signs	\$200	\$400
91, 92, 93, 94, 95, 96	Fail to comply with Rules for Freestanding Identification Signs	\$200	\$400
97, 98	Fail to comply with Rules for Canopy Identification Signs/ Signs under canopy	\$200	\$400
99, 100	Fail to comply with Rules for Projecting Identification Signs	\$200	\$400

Section	Offence	Minimum Penalty First Offence	Specified Penalty First Offence
102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114	Fail to comply with Rules for Class E & Class F Signs	\$500	\$1000
Parking Stall, Bicycle Parking Stall and Loading Stall 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