Land Use Bylaw 1P2007

The Land Use Bylaw 1P2007 is comprised of thirteen parts. This binder encompasses Parts 1-9 and 11-13.
**THE CITY OF CALGARY**

**LAND USE BYLAW 1P2007**

**OFFICE CONSOLIDATION**

**BYLAWS AMENDING THE TEXT OF BYLAW 1P2007**

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**NOTE:**

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

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

Printed by the City Clerk by authority of City Council.
Land Use Planning in the Province of Alberta is regulated by the Municipal Government Act, Part 17, which contains the following purpose statement:

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

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

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

without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.
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# LAND USE BYLAW – 1P2007 July 23, 2007

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PART 1 - DIVISION 1: GENERAL INTERPRETATION

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:

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.

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.
Map 1: Application of Land Use Bylaw 1P2007

deleted
Land Use Districts and Land Use District Maps

4 (1) The City is divided into land use districts, the boundaries of which are shown on the Land Use District Maps.

(2) deleted

(3) deleted

(4) deleted

(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 and Street 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 (1) 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.

(2) The Gaming, Liquor And Cannabis Regulation has established distances from certain buildings and land from which Cannabis Stores must be separated, and also authorized municipalities to expressly vary these distances. The distances in the regulation apply to Cannabis Stores unless otherwise expressly varied in this Bylaw. The following distances in the regulation are hereby expressly varied:
(a) the distance from a **Cannabis Store** to a building containing a school or a boundary of a **parcel** of land on which the **building** is located, as described in sections 160.3(i) and 40(k) of this Bylaw; and

(b) the distance from a **Cannabis Store** to a boundary of a **parcel** of land that is designated as school reserve or municipal and school reserve under the **Municipal Government Act**, as described in sections 160.3(h) and 36(2) of this Bylaw.

**Referenced Legislation**

7 (1) Where the following enactments and Bylaws are referred to in this Bylaw, the reference is to the enactment or Bylaw as may be amended from time to time, or to any enactment or Bylaw passed in substitution therefore.

33P2013

(1.1) “+15 Policy” means the +15 Policy, October 1984.

36P2017

(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.


(6) “Controlled Streets Bylaw” means the **The Controlled Streets Bylaw**, 12M80.

56P2017


26P2010, 56P2017

(6.2) “**Historical Resources Act**”, means the **Historical Resources Act**, R.S.A. 2000.


4P2012

(9.1) “**Parks and Pathways Bylaw**”, means the **Parks and Pathways Bylaw**, 20M2003.


(13.1) “Street Bylaw” means the Street Bylaw, 20M88.


(17) “Transportation Bylaw” means The City of Calgary Transportation System Bylaw, 40M2009.


Forms of Words
8 In this Bylaw:

(a) words in the singular include the plural, and words in the plural include the singular;

(b) words using masculine gender include feminine gender, and words using feminine gender include masculine gender;

(c) words in either gender include corporations;

(d) a word or expression, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;

(e) “may” is to be construed as permissive and empowering;

(f) “must” is to be construed as a compulsory obligation;

(g) “required” is to be construed as a compulsory obligation;

(h) a “person” includes an individual, partnership, association, body corporation, trustee, executor, administrator and legal representative of a person; and

(i) an “individual” does not include a corporation or other types of persons who are not human beings.

Purpose Statements
9 (1) The purpose statements in each land use district are included to illustrate the intent of the land use district.

(2) The purpose statement relating to signs referenced in Part 3, Division 5 are included to illustrate the hierarchy of signs and the opportunity for signage on buildings and parcels.

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

Reference Aids

10 (1) For ease of reference:
(a) words that are capitalized and bold denote uses defined in Part 4;
(b) words that are italicized and bold denote terms defined in Part 1; and
(c) all other words must be given their plain and ordinary meaning as the context requires.

(2) Headings are for ease of reference only and do not affect the meaning of the provisions to which they relate.

(3) deleted

(4) deleted

Validity of Provision

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

Rounding Numbers

12 Only for the purpose of confirming compliance with this Bylaw in terms of building placement on a parcel and building projection over setback areas, measurements of existing buildings shall be rounded off to the same number of significant figures as set out in this Bylaw.
Division 2: Definitions and Methods

General Definitions

13 (1) In this Bylaw, the following terms have the following meanings.

(1.1) “+15 Skywalk System” means an environmentally controlled public pedestrian walkway system consisting of +15 Skywalk System walkways and +15 Skywalk System bridges which operates through and between buildings in the Downtown.

(1.2) “+15 Skywalk System bridge” means an environmentally controlled pedestrian route located outside of a property line and which spans a road right-of-way in order to connect +15 Skywalk System walkways between buildings.

(1.3) “+15 Skywalk System Fund” means a civic fund as defined in the +15 Policy.

(1.4) “+15 Skywalk System walkway” means a publicly accessible pedestrian route through and across the second floor of a building and which is entirely contained within the property lines of a parcel.

(2) “accent lighting” means outdoor lighting that is entirely used to illuminate architectural features, art, landscaping features, monuments, or trees and is only directed at such features.

(3) “actual front setback area” means the area of a parcel defined by the front property line, the side property lines that intersect with the front property line, and a line parallel to the front property line measured at the farthest building setback from the front property line.

(4) “actual side setback area” means the area of a parcel defined by a side property line and a line parallel to that side property line measured at the farthest building setback from the side property line and terminating where that area meets the actual front setback area, the rear setback area or another actual side setback area.

(5) “adjacent” means contiguous or contiguous if not for a street, lane, river or stream.

(6) “amenity space” means a space designed for active or passive recreational use.

(7) “ancillary structure” means, with reference to building height, an essential component, other than a sign or flag pole, that protrudes above the roof of a building and which is necessary for the functioning of a building including, but not limited to:

(a) an elevator housing;
(b) a mechanical penthouse;
(c) a chimney;
(d) solar collectors;

(e) portions of a building or a structure used to provide screening of mechanical systems or equipment located outside of a building;

(f) an architectural feature commonly associated with a Place of Worship; or

(g) a Wind Energy Conversion System – Type 1 or a Wind Energy Conversion System – Type 2.

(8) “assembly area” means an area within a building where people assemble for ceremonies, religious services, educational, recreation, social or sporting events.

(9) deleted

(10) “average building reference points” means the points:

(a) determined by calculating the average of the corresponding building reference points; and

(b) expressed as geodetic elevations.

(11) “average contextual high point” means:

(a) where there are at least two other buildings on the same block face, the average of the greatest geodetic elevation of the contextual adjacent buildings, excluding ancillary structures;

(b) where there is only one other building on the same block face, the greatest geodetic elevation of such building, excluding ancillary structures; and

(c) where there is no other building on the same block face, a point 8.6 metres above the greatest geodetic elevation at grade on the subject parcel.

(12) “average grade” means, when determining the maximum area of a horizontal cross section through a building in the R-CG, M-CG, M-C1 and M-C2 Districts, the average of the four geodetic elevation points of finished grade immediately adjacent to the primary four corners of a building.

(13) “balcony” means a horizontal platform that is attached to a building above the first storey floor level and is intended for use as an outdoor amenity space.

(14) “bare land unit” means land described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provision of the Surveys Act respecting subdivision.
(15) “basement” means that portion of a building which is located below the first floor and is either partially or wholly below grade.

(16) “bay window” means a window that projects outward from the façade of a building but does not include an opening that is intended to give access to a building.

(17) “bicycle parking stall” means an area approved as bicycle parking stall – class 1 or bicycle parking stall – class 2 that is equipped to store a bicycle and must include a device:
   (a) specifically designed to park a bicycle;
   (b) designed to allow a bicycle frame and both wheels to be secured; and
   (c) designed to support the bicycle frame and both wheels; and
   (d) that is anchored to a hard surface or fixed structure.

(18) “bicycle parking stall – class 1” means a bicycle parking stall in a secured or controlled area.

(19) “bicycle parking stall – class 2” means a bicycle parking stall in an unsecured or uncontrolled area.

(19.1) “blade” means an element of a Wind Energy Conversion System rotor that extracts kinetic energy from the wind.

(20) “building” includes anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.

(21) deleted

(22) “building coverage” means the area of a parcel which is covered by a building excluding:
   (a) portions of the building located entirely below grade;
   (b) portions of the building greater than 2.4 metres above grade and with a depth less than 1.0 metres, measured from the wall directly below;
   (c) portions of eaves, roofs, pergolas and other similar elements with a depth less than 1.0 metres, measured from the wall directly below;
   (d) patios, and any covered or enclosed area located below; and
   (e) decks, landings, uncovered stairs, and any external areas located below.

(23) “building depth” means the distance from the front property line to the farthest portion of a main residential building excluding decks, eaves, landings and patios, determined by:
(a) establishing a line connecting the midpoint of the **front property line** and the midpoint of the **rear property line**; then

(b) extending a line from the portion of the **main residential building** farthest from the **front property line** to a point where it intersects the line connecting the midpoint of the **front property line** and the midpoint of the **rear property line** at a right angle; and

(c) measuring the distance from the point where the two lines intersect to the midpoint of the **front property line**.

13P2008  
(24) **“building height”** means the height of a **building**, excluding **ancillary structures**, determined:

3P2010, 27P2011  
(a) by applying the provisions of sections 360 and 361 for a **parcel** containing a **Contextual Semi-detached Dwelling**, **Contextual Single Detached Dwelling**, **Duplex Dwelling**, **Semi-detached Dwelling** or **Single Detached Dwelling**;

3P2010  
(b) **deleted**

(c) by measuring from **grade** in a **multi-residential district** where the **use** is not a **Duplex Dwelling**, **Semi-detached Dwelling** or **Single Detached Dwelling**;

(d) by measuring from **grade** in the S-CI District where provision 1057 (1) through (4) applies; and

(e) in all other cases by measuring from **grade** at any point adjacent to a **building**.

3P2010  
(25) **deleted**
(26) “building reference points” means the geodetic elevation of four points:
   (a) located at the intersection of the **front property line** and each **side property line**;
   (b) located at the intersection of the **rear property line** and each **side property line**; and
   (c) where each pair of points must be considered as corresponding.

(27) “building setback” means the distance from a **property line** to the point on a **parcel** where a **building** is located measured at a right angle from the **property line** to which it relates.

(28) “calliper” means the diameter of the trunk of a tree measured at 0.3 metres above the ground.

(28.1) “carriage house lot” means a small **parcel** containing one Dwelling Unit in a **Single Detached Dwelling** or **Semi-detached Dwelling** where the **parcel**:
   (a) shares a **side property line** or **rear property line** with a **lane**; and
   (b) is connected to a public **street** using a panhandle with a **front property line** that is between 3.0 metres and 1.5 metres in length.

(28.2) “Central Business District Improvement Fund” means a civic fund into which financial contributions made towards additional **floor area ratio** in accordance with the incentive provisions in Part 13, Division 3 are collected.

(29) “City Manager” means the Chief Administrative Officer of the City of Calgary.

(30) “City” means The City of Calgary, a municipal corporation in the Province of Alberta, or the area within the corporate limits of The City of Calgary, as the context requires.

(31) “commercial district” means any one or more of the land use districts described in Part 7 and the CC-X and CC-COR districts contained in Part 11.

(32) “commercial multi-residential uses” means any one or more of the following **uses**, when referenced in a **multi-residential district**:
   (a) **Artist’s Studio**;
   (a.1) **Convenience Food Store**;
   (b) **Counselling Service**;
   (c) **Drinking Establishment – Small**;
   (d) **Information and Service Provider**;
   (e) **Office**;
(f) Outdoor Café;
(g) Print Centre;
(h) Restaurant: Food Service Only – Small;
(i) Restaurant: Licensed – Small;
(j) Restaurant: Neighbourhood;
(k) Retail and Consumer Service;
(l) Service Organization
(m) Specialty Food Store; and
(n) Take Out Food Service.

(33) “common amenity space” means a space designed for active or passive recreational use that is provided for the use of all of the occupants of a development.

(34) “common amenity space – indoors” means common amenity space that is located in a building.

(35) “common amenity space – outdoors” means common amenity space that is not located in a building.

(36) “contextual adjacent buildings” means the two closest buildings to a parcel:

(a) located on the same block face not separated by a street;
(b) in the case of low density residential district where the building is on a parcel designated as a residential district; and
(c) where the building is not an Accessory Residential Building.

(37) “contextual building depth average” means:

(a) where there are at least two other buildings on the same block face, the average building depth of the contextual adjacent buildings plus 4.6 metres;
(b) where there is only one other building on the same block face, the building depth of such building plus 4.6 metres; and
(c) where there is no other building on the same block face, 65.0 per cent of parcel depth.

(38) deleted
(39) “contextual front setback” means:
   (a) where there are at least two other buildings on the same block face, the average building setback from the front property line of the contextual adjacent buildings;
   (b) where there is only one other building on the same block face, the building setback from the front property line of the contextual adjacent building; and
   (c) where there is no other building on the same block face, 3.0 metres measured from the front property line.

(40) “contextual height” means the average contextual high point, less the greatest building reference point.

(41) “contextual multi-residential setback” means:
   (a) where there are at least two other buildings on the same block face, the average building setback from the property line shared with a street of the contextual adjacent buildings;
   (b) where there is only one other building on the same block face, the building setback of such building from a property line shared with a street; and
   (c) where there is no other building on the same block face, zero metres from a property line shared with a street.

(41.1) “copy” means any image, written material, structure, graphics, pictures, logo, symbol or letters placed on a sign.

(42) “copy area” means:
   (a) a rectangular area formed by the outermost extremities of the copy contained on the sign, as illustrated in Sign Illustration 1 and includes, but is not limited to, graphics related to the specific nature of the copy; and
   (b) in the case of a sign which has copy on more than one side of the sign, the average of the total area of all sides of the sign will be used in the calculation of copy area.

Sign Illustration 1:
   Copy Area
   Subsection 13(42)
PART 1 - DIVISION 2: DEFINITIONS AND METHODS

(43) “corner parcel” means a parcel that abuts two streets which intersect at an angle not exceeding 135 degrees.

13P2008

(44) “corner visibility triangle” means a triangular area formed on a corner parcel by the two curb lines and a straight line which intersects them 7.5 metres from the corner where they meet.

13P2008, 24P2014

(45) “cottage building” means a residential building located within a Cottage Housing Cluster that is restricted in size and contains one, two or three Dwelling Units.

(46) “Council” means the municipal Council of the City.

(47) “deck” means an uncovered horizontal structure with a surface height greater than 0.6 metres above grade at any point that is intended for use as an outdoor amenity space but does not include a balcony.

24P2014

(48) “density” means the number of Dwelling Units and Live Work Units on a parcel, expressed in units per hectare or in units per parcel, but does not include Secondary Suites or Backyard Suites.

(49) “designated flood level” means that theoretical level, indicated on the Floodway/Flood Fringe Maps, to which water would rise in the event of a flood of a magnitude likely to occur once in one hundred years.

(50) “Developed Area” means the area identified as the Developed Area on the Developed Area and Developing Area Map and illustrated on Map 2.

(51) “Developing Area” means the area identified as the Developing Area on the Developed Area and Developing Area Map and illustrated on Map 2.
Map 2:
Developed Area and Developing Area
(52) “development” means:

(a) an excavation or stockpile and the creation of either of them;

(b) a building or an addition to or replacement or repair of a building, and the construction or placing of any of them on, in, over or under land;

(c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or

(d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

(53) “Development Authority” means a person or body appointed as a Development Authority as contemplated by and in accordance with the Municipal Government Act.

(54) “development completion permit” means a permit issued by a Development Authority confirming that the requirements of a development permit have been satisfactorily completed.

(55) “development permit” means a document authorizing a development, issued by a Development Authority pursuant to this Bylaw or any previous Bylaw governing land use within the City, and includes the plans and conditions of approval.

(55.1) “digital display” means a device intended to display copy using electronic screens, projection, television, computer video monitors, liquid crystal displays (LCD), light emitting diode (LED) displays, or any other similar electronic, computer generated or digital technology.

(56) “dilapidated vehicle” means a vehicle that is:

(a) incapable of being safely operated;

(b) partially or fully dismantled; or

(c) substantially damaged.

(57) “discretionary use” means a use of land or a building that is listed as such use in a land use district or a Direct Control District Bylaw.

(57.1) “district energy” means infrastructure consisting of insulated pipes, pumps, metering systems and thermal production facilities capable of transferring heat energy through a controlled conductive medium carried between multiple sites for uses including, but not limited to, space heating, chilled water, domestic hot water heating and industrial processes, A district energy system may be designed to serve any group of buildings by means of one or a combination of thermal or energy heat plants and pipe systems.
(57.2) deleted
(57.3) deleted

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

(59) “expressway” means a street identified as a Skeletal Road in the Transportation Bylaw.

(60) “fence” means a structure which may be used to prevent or restrict passage, to provide visual screening, sound attenuation, yard décor, protection from dust or the elements, or to mark a boundary.

(61) “flood fringe” means those lands abutting the floodway, the boundaries of which are indicated on the Floodway/Flood Fringe Maps that would be inundated by floodwaters of a magnitude likely to occur once in one hundred years.

(62) “floodway” means the river channel and adjoining lands indicated on the Floodway/Flood Fringe Maps that would provide the pathway for flood waters in the event of a flood of a magnitude likely to occur once in one hundred years.

(63) “floor area ratio” means the quotient of the total gross floor area of all buildings on a parcel divided by the area of the parcel.

(63.1) “floor plate area” means the horizontal cross-section of a floor, between the floor and the next floor above, measured to the glass line, or where there is no glass line, to the outside surface of the exterior walls and includes all mechanical equipment areas and all open areas inside a building that do not contain a floor, including atriums, elevator shafts, stairwells and similar areas.

(63.2) “freight rail corridor” means one of the following fifteen rights-of-way for a freight rail operation excluding spur lines, as indicated, by area, on Map 3.1:

(a) Area 1: means areas between Centre Street S and 15 St SW;
(b) Area 2: means areas between 15 Street SW and south of 16 Avenue NW;
(c) Area 3: means areas between south of 16 Avenue NW and west to the City limits;
(d) Area 4: means areas between east of 12 Street SE and south of Bow River;
(e) Area 5: means areas between south of Bow River and 64 Avenue NE;
(f) Area 6: means areas between 64 Avenue NE and north to the city limits;
(g) Area 7: means areas between 12 Street SE underpass and 26 Avenue SE;
### Map 3.1 - Freight Rail Corridors

#### Legend

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<td>Area 15</td>
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</tbody>
</table>

The map illustrates various freight rail corridors with corresponding numbered areas, indicated by the legend. Each area is labeled with a number, and the map provides a north reference to orient the viewer correctly.
(h) Area 8: means areas between 26 Avenue SE and 58 Avenue SE;

(i) Area 9: means areas between 58 Avenue SE and south to the city limits;

(j) Area 10: means areas between Centre Street S and Deerfoot Trail;

(k) Area 11: means areas between Deerfoot Trail and southeast to the city limits;

(l) Area 12: means areas between 50 Avenue SE and east of 54 Street SE;

(m) Area 13: means areas between east of 54 Street SE and northeast to the city limits;

(n) Area 14: means areas between the at-grade crossing on 50 Avenue SE and east of 52 Street SE; and

(o) Area 15: means areas between east of 50 Avenue SE and east to the city limits.

(64) “frequent bus service” means bus service which has a frequency of at least one bus every 20 minutes on weekdays from 6:30 AM to 6:00 PM and a frequency of at least one bus every 30 minutes on weekday evenings from 6:00 PM to the end of service and on weekends during the times of service.

(65) “frontage” means the linear length of a property line shared with a street.

(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.
“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.

“General Manager” means the City Manager or the City Manager’s designate.

“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.

“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.

“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.

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

“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;
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(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.

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

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

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

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

(76) "landing" means an uncovered platform extending horizontally from a building, abutting an entry door and providing direct access to grade or stairs.

(77) "landscaped area" means that portion of a parcel that is required to be a hard surfaced landscaped area or soft surfaced landscaped area.

(78) "lane" means a roadway that is primarily intended to give access to the rear of buildings and parcels.

(79) "laned parcel" means a parcel which is bounded at least in part by a lane.

(80) "laneless parcel" means a parcel which is not bounded wholly or partially by a lane.

(81) "large vehicle" means a vehicle, other than a recreational vehicle:

(a) with a gross vehicle weight stated by the manufacturer, vehicle signage, or vehicle registration, to be in excess of 4536 kilograms;

(b) with one or more of the following characteristics:

(i) tandem axles;

(ii) a passenger capacity in excess of 15 persons; or

(iii) dual wheels where the vehicle includes a flat deck or other form of utility deck; or
(c) that can be generally described as a:

(i) bus;

(ii) cube van;

(iii) dump truck;

(iv) flatbed truck; or

(v) tractor, trailer, or tractor trailer combination.

(82) “light fixture” means a lighting module that has one or more luminaires and luminaire holders.

(83) “loading stall” means an area to accommodate a vehicle while being loaded or unloaded.

(83.1) “local food sales” means the temporary sale of locally grown and made food that does not include permanent structures.

(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 a Backyard Suite.

(90) “major street” means a street identified as a Street in the Transportation Bylaw.

(90.1) deleted

(90.2) “mixed use district” means any one or more of the land use districts described in Part 14.

(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.
PART 1 - DIVISION 2: DEFINITIONS AND METHODS

(93) “mounting height” means the vertical distance between the lowest part of the light fixture and the grade directly below the light fixture.

(94) “multi-residential district” means any one or more of the land use districts described in Part 6 and the CC-MH and CC-MHX districts contained in Part 11.

(95) “non-conforming building” means a building:
   (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective; and
   (b) that, on the date the land use bylaw becomes effective, does not, or when constructed will not, comply with the land use bylaw.

(96) “non-conforming use” means a lawful specific use:
   (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw affecting the land or building becomes effective; and
   (b) that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.

(96.1) “Officer” means a Bylaw Enforcement Officer or a Peace Officer.

(97) “open balcony” means a balcony that is unenclosed on three sides, other than by a railing, balustrade or privacy wall.

(98) “overland flow area” means those lands abutting the floodway or the flood fringe, the boundaries of which are indicated on the Floodway/Flood Fringe Maps that would be inundated by shallow overland floodwater in the event of a flood of a magnitude likely to occur once in one hundred years.

(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, R-2, R-G and R-Gm districts, includes a bare land unit created under a condominium plan;

(100) “parcel coverage” means the cumulative building coverage of all buildings on a parcel excluding, Accessory Residential Buildings which in aggregate are less than 10.0 square metres.

(101) “parcel depth” means the length of a line joining the mid-points of the front property line and the rear property line.
(102) “parcel width” means the distance between the side property lines of a parcel measured at a right angle to the mid-point of the shortest side property line.

(102.1) “parking area – short stay” means an area designed for the parking of motor vehicles within a building where:

(a) the vehicle remains parked for no more than 4 hours at a time; and

(b) there is convenient pedestrian access to the street level and publicly accessible uses within the development.

(103) “patio” means an uncovered horizontal structure with a surface height, at any point, no greater than 0.60 metres above grade, intended for use as an outdoor amenity space.

(103.1) “pedestrian scaled third party advertising” means a Sign – Class F or Sign – Class G:

(a) with a maximum height of 2.0 metres and a maximum sign area of 2.0 square metres;

(b) that may have copy visible from a pathway;

(c) that must not be located within 20.0 metres of any Freestanding Sign, other Third Party Advertising Signs or Digital Third Party Advertising Signs on the same parcel, when measured from the closest point of the sign, containing the digital display to the closest point of another sign; and

(d) that must be oriented to pedestrians and must not be legible from streets.

(104) “permitted use” means a use of land or a building that is listed as such use in a land use district or a Direct Control District Bylaw.

(105) “personal sale” means the sale of goods and includes sales commonly known as garage sales, yard sales, moving sales and estate sales.

(106) “pick-up and drop-off stall” means a motor vehicle parking stall intended only for a motor vehicle to stop while picking up or dropping off passengers.

(107) “plan of subdivision” means a plan of subdivision registered or approved for registration at the land titles office.
(108) “porch” means an unenclosed, covered structure forming an entry to a building.
(108.1) “primary building wall” means any exterior building wall that forms part of a façade that contains a public entrance and faces, or is oriented to, a street or a parking area on the same parcel as illustrated in Sign Illustration 2, with the exception that corner sites facing public streets can have two primary building walls not withstanding one façade may not contain a public entrance.

(109) “privacy wall” means a structure that:

(a) provides visual screening;

(b) is located on a balcony, deck or patio; and

(c) does not include a railing or balustrade.

(110) “private amenity space” means amenity space provided for the use of the occupants of only one unit.

(111) “private condominium roadway” means an area of land that provides access to a parcel, and is contained within:

(a) common property forming part of a bare land condominium plan; or

(b) a bare land unit that is used for the purpose of accommodating a private roadway for access purposes in accordance with an easement agreement registered on it.

(112) “private garage” means an Accessory Residential Building or a part of a main residential building which accommodates the storage or shelter of vehicles and includes a carport.

(113) “property line” means the legal boundary of a parcel.

(114) “public area” means the floor area of a use that allows access to the public, but does not include washrooms, hallways accessing washrooms or entrance vestibules.

(115) “public entrance” means an entrance to a building which is open to the general public.

(116) “rear property line” means the property line opposite to and farthest from the front property line, or in the case of an irregular parcel, the rear property line is established by drawing a line the maximum distance from the front property line that:

(a) is wholly within the parcel;

(b) is not less than 3.0 metres long; and

(c) runs parallel to the front property line, or, if the front property line is a curved line, runs parallel to the straight line between the two end points of the curve of the front property line.
(117) “rear setback area” means an area of a parcel defined by the rear property line, the side property lines that intersect with the rear property line, and a line parallel to the rear property line measured at the minimum depth of the setback area required by the District.

33P2013

(117.1) “receiving parcel” means the parcel, comprising the area of the Municipal Historic Resource, that will receive the transfer of motor vehicle parking stalls from a transferring parcel.

(118) “recessed balcony” means a balcony that is enclosed on at least two sides other than by a railing, balustrade or privacy wall.

(119) “recreational vehicle” means a vehicle that provides temporary accommodation for recreational or travel purposes and includes but is not limited to:

(a) motor homes;
(b) travel trailers;
(c) fifth wheel travel trailers;
(d) campers, whether located on a truck or other vehicle or not;
(e) tent trailers;
(f) boats; and
(g) a trailer used to transport any of the above.

32P2009

(119.1) “research and development” means the process of creating or improving products and services by way of information obtained through experimental qualitative and quantitative testing for industries such as, but not limited to, pharmaceuticals, bio-technology, computer software, medical instrumentation, aerospace and electronics manufacturers:

(120) “residential district” means any of the land use districts in the low density residential districts and the multi-residential districts.

(121) “retaining wall” means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock, or similar materials.


(121.1) deleted

24P2014

(121.2) “rotor’s arc” means the largest circumferential path travelled by a blade.

33P2013

(121.3) “scramble parking” means a parking area where the motor vehicle parking stalls are not assigned to individual users or vehicles and where access is available to vehicles for periods no longer than four hours at a time.

(122) “screen”, “screened” and “screening” means the total or partial concealment of a building, equipment, structure or activity by a berm, fence, vegetation or wall.
(122.1) “secondary building wall” means any exterior building wall that is not a primary building wall as illustrated in Sign Illustration 2.

(123) “setback area” means the area of a parcel between the property lines and lines parallel to the property lines at a distance equivalent to the minimum depth from each respective property line as required by the District.

(124) “shopping centre” means, for the purposes of signs in Part 3, Division 5, a site that:
(a) is 0.40 hectares or larger;
(b) contains more than one commercial use, being primarily retail and personal service, with shared parking; and
(c) is located in the C-N1, C-N2, C-C1, C-C2, C-R1, C-R2 or C-R3 Districts.

(125) “side property line” means a property line other than the front and rear property lines.

(126) “side setback area” means an area of a parcel defined by any side property line and a line parallel to that side property line measured at the minimum depth of the setback area required by the District and terminating where that line meets the front setback area and the rear setback area.

(127) “sign” means any device or fixture intended to identify or convey information or to advertise or attract attention to a product, service, place, activity, event, person, institution or business.

(128) “sign area” means:
(a) the entire area of a sign on which copy is intended to be placed; and
(b) in the case of a sign which has copy on more than one side of the sign, the average of the total area of all sides of the sign.

(129) “sign owner” means any person who is described on a sign; whose name, address or telephone number appears on a sign; who is in control of a sign; or who is the subject of or intended to benefit from a sign; and there may be more than one sign owner of a sign.

(130) “skateboard and sports ramp” means structure(s) that provide a surface upon which an individual may use or operate a skateboard, bicycle, scooter, roller skates or other similar devices. Skateboard and sports ramp structures may include re-purposed furniture or other skateable or bikeable above grade surfaces, but does not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete.

(131) “soft surfaced landscaped area” means an area with a surface consisting of materials that:
(a) are living, or derived from living organisms;
(b) are not formed into a structure; and
(c) may include, but are not limited to, mulch, native grasses, plants, shrubs, sod and trees.

68P2008

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

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

33P2013

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

Map 1.1: Stephen Avenue Mall Heritage Area

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

(134) “street” means:

(a) any public road, including the boulevards, sidewalks and improvements, but excluding a lane, bridge or walkway; or

(b) a private condominium roadway.

7P2011, 9P2012, 5P2013

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

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

(i) emergency exits and public entrances; and
(ii) one (1) vehicle access point, only where located on a laneless parcel;

(b) **units** and **commercial multi-residential uses** located at grade with an exterior wall facing a street that provide the following:

(i) an individual exterior access within 4.5 metres of a property line shared with a street; and

(ii) sidewalks that provide direct exterior access to the unit or commercial multi-residential use;

(c) a public sidewalk located along the entire length of each property line shared with a street; and

(d) the facade of commercial multi-residential uses located on the floor closest to grade, and facing a street, provides windows with unobscured glass that:

(i) allows views of the indoor space or product display areas; and

(ii) occupies a minimum of 65.0 per cent of the facade between a height of 0.6 metres and 2.4 metres.

(135.1) **“Subdivision Authority”** means a person or body appointed as a Subdivision Authority in accordance with the Municipal Government Act.

(136) **“targeted grazing”** means the temporary use of livestock for managing land to alter plant communities and lands for specific invasive plant species and landscape management goals, and may include:

(a) Temporary fencing;

(b) Herding dogs and working horses;

(c) Shepherds to manage livestock, herding dogs and working horses; and

(d) Temporary portable overnight accommodation for shepherds, herding dogs and working horses.

(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.
(136.2) “total Wind Energy Conversion System height” means:
   (a) the height measured from the highest vertical extension of a Wind Energy Conversion System - Type 1 to its base at grade or to the height equivalent to its mount on a building; and
   (b) the height measured from the highest vertical extension of a Wind Energy Conversion System - Type 2 to its base at grade.

(136.3) “transferring parcel” means a parcel, comprising the area of the Municipal Historic Resource, that will transfer unused motor vehicle parking stalls to a receiving parcel.

(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.
“walkout basement” means a basement in a building which has a door that exits directly from the basement to the exterior at grade that is substantially at the same level as the basement floor.

Methods

14 (1) Unless otherwise specified in this Bylaw, proper mathematical rounding to the nearest significant digit is required for any rule in this Bylaw where a mathematical calculation is performed.

(2) For the purpose of calculating the following:

(a) where density is calculated in units per hectare, it is always to be rounded down to the next lower whole number;

(b) trees in a setback area or a landscaped area are always rounded up to the next higher whole number;

(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.
PART 2: ADMINISTRATION

Division 1: Approving Authorities

Development Authority - Powers and Duties

15 (1) The Development Authority must administer this Bylaw and decide upon all development permit applications.

(2) The Development Authority must make available for inspection, during office hours, all applications and decisions for development permits, subject to any legislation in force restricting availability.

(3) The types of development permit applications a Development Authority may consider are a development permit for:

(a) a permitted use that complies with all requirements of this Bylaw;

(b) a permitted use that does not comply with all requirements of this Bylaw;

(c) a discretionary use that complies with requirements of this Bylaw; and

(d) a discretionary use that does not comply with all requirements of this Bylaw.

(3.1) Unless otherwise referenced in this section, the Development Authority must not approve a development permit for an addition or structural alteration to a non-conforming building.

(4) The Development Authority may approve a development permit for an addition to a non-conforming building only if the addition:

(a) does not increase the gross floor area of the building by more than 10.0 per cent; and

(b) complies with the requirements of this Bylaw.

(5) The Development Authority may approve a development permit for structural alterations to a non-conforming building where the alterations are limited to:

(a) new exterior openings to the building;

(b) the replacement of up to 10.0 per cent in total of each of the structural elements of the building; or

(c) any combination of new exterior openings to the building and the replacement of up to 10.0 per cent in total of each of the structural elements of the building.
(5.1) Nothing in this section diminishes or in any way affects the power of the Development Authority to issue a development permit which:

(a) makes a non-conforming building conforming through the granting of a relaxation of the requirements or rules to which the existing building does not conform; and

(b) may include the approval of an addition, structural alteration or both, on the same development permit.

(6) The Development Authority must collect fees according to the scale approved by resolution of Council.

(7) The Development Authority may refuse to accept a development permit application where:

(a) the information required by this Part is not provided;

(b) the quality of the information provided is inadequate to properly evaluate the application; or

(c) the fee for a development permit application has not been paid.

(8) The Development Authority must issue the following notices and acknowledgements in the form and manner acceptable to the General Manager on development permit applications:

(a) acknowledgement of application completeness;

(b) notice of application incompleteness; and

(c) notice of a deemed refusal of an application.

Subdivision Authority – Powers and Duties

15.1 (1) The Subdivision Authority must issue the following notices and acknowledgements in the form and manner acceptable to the General Manager on subdivision applications:

(a) acknowledgement of application completeness;

(b) notice of application incompleteness; and

(c) notice of a deemed refusal of an application.
Division 2: Land Use Amendment and Direct Control Districts

Application for Land Use Amendment
16 (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 to have the land use designation of the parcel changed through an amendment to this Bylaw.

(2) The City may initiate amendments to this Bylaw to change the land use designation of any parcel.

(3) An application for a change in land use designation must be made on an application form approved by the General Manager.

(4) An applicant for a change in land use designation must provide all information as required by the General Manager.

(5) The General Manager may refuse to accept an application for a change in land use designation where:
   (a) the information required by subsection (4) is not provided; or
   (b) the quality of the information provided is inadequate to properly evaluate the application.

The Application Review Process
17 (1) Upon receipt of an application for a change in land use designation in accordance with the requirements of section 16, the General Manager must process the application and make a recommendation to the Calgary Planning Commission.

(2) Calgary Planning Commission must communicate its decision to the applicant, who must decide whether to pursue his application to a public hearing before Council.

(3) Should the applicant decide not to pursue the application to Council, the application is abandoned and the advertising component of the fees will be refunded.

(4) Should the applicant decide to proceed, the General Manager must give notice of the public hearing for the proposed amendment in accordance with the requirements of the Municipal Government Act.

(5) When the City initiates a change in land use designation for land which it does not own, the City must, in accordance with the requirements of the Municipal Government Act, give notice to the owners of the land that is the subject of the proposed amendment.
Public Hearing

18 Council must hold a public hearing in respect of a proposed amendment in accordance with the requirements of the Municipal Government Act.

Reapplication

19 When an application for a change in land use designation has been refused by Council or withdrawn by the applicant after advertisement of the proposed amending Bylaw, the General Manager must refuse to accept another application for the same or a similar change in land use designation, which determination is to be in his sole discretion, on the same parcel until six months has passed from the date of the refusal or withdrawal of the application.

Direct Control Districts

20 (1) Direct Control Districts must only be used for the purpose of providing for developments that, due to their unique characteristics, innovative ideas or unusual site constraints, require specific regulation unavailable in other land use districts.

(2) Direct Control Districts must not be used:

(a) in substitution of any other land use district in this Bylaw that could be used to achieve the same result either with or without relaxations of this Bylaw; or

(b) to regulate matters that are regulated by subdivision or development permit approval conditions.

(3) An applicant for a Direct Control District must provide a written statement indicating why, in the applicant’s opinion, a Direct Control District is necessary and why the same results can not be achieved through the use of a land use district in this Bylaw.

(4) The General Manager must review each application for a Direct Control District and advise Council as to whether or not the same result could be achieved through the use of a land use district in this Bylaw.

Uses in Direct Control District

21 (1) The following uses and developments are deemed to be permitted uses on all areas designated with a Direct Control District, whether so designated before or after the effective date of this Bylaw, unless the contrary is stated in the Bylaw designating the area as Direct Control:

41P2009

(a) Home Based Child Care – Class 1 where the listed uses include a Dwelling Unit;

41P2009

(a.1) Home Occupation – Class 1, where the listed uses include a Dwelling Unit;

35P2011

(b) Sign – Class A and Sign – Class B;
(c) Special Function – Class 1;
(d) Utilities; and
(e) targeted grazing on City owned lands carried on by, or on behalf of, the City.

(2) The following uses are deemed to be discretionary uses on all areas designated with a Direct Control District, whether so designated before or after the effective date of this Bylaw, unless the contrary is stated in the Bylaw designating the areas as Direct Control:

(a) Community Entrance Feature;
(a.1) Home Based Child Care – Class 2 where the listed uses include Single Detached Dwelling;
(b) Home Occupation – Class 2, where the listed uses include a Dwelling Unit;
(c) Sign – Class C, Sign – Class D and Sign – Class E;
(d) Special Function – Class 2 where restaurant, drinking establishment or night club uses are allowed; and
(e) Utility Building.

(3) The following uses must only be listed as a use on a parcel that has been designated Direct Control:

(a) Adult Mini-Theatre;
(b) Campground;
(c) Emergency Shelter;
(d) Fertilizer Plant;
(e) Firing Range;
(f) Gaming Establishment – Casino;
(g) Hide Processing Plant;
(h) Intensive Agriculture;
(i) Inter-City Bus Terminal;
(j) Jail;
(k) Motorized Recreation;
(l) Natural Resource Extraction;
(m) Pits and Quarries;
(n) Power Generation Facility – Large;
(o) Race Track;
(p) Refinery;
(q) Salvage Processing – Heat and Chemicals;
(r) Sawmill;

5P2013

(r.1) Sewage Treatment Plant when not operated by, or on behalf of, the City;

(s) Slaughter House;
(t) Stock Yards;
(u) Tire Recycling;

32P2009

(u.1) Waste Disposal and Treatment Facility when not operated by, or on behalf of, the City; and

(v) Zoo.

(4) The uses listed in subsection (3) may be either permitted or discretionary in accordance with the use lists of the Direct Control Bylaw.

(5) Where an activity is proposed and it does not fall within any of the definitions of uses or any combination of uses defined in Part 4, the General Manager must recommend to Council that the activity be considered only through a Direct Control Bylaw or that this Bylaw be amended to include such use.

Reference to Other Bylaws in Direct Control Bylaws

15P2014

22 (1) Where a parcel is designated with a Direct Control District:

(a) pursuant to this Bylaw, a reference to a section of Part 10 of this Bylaw within the Direct Control Bylaw is deemed to be a reference to the section on June 8, 2014, unless the Direct Control District referred to Part 10 of this Bylaw as of the effective date of the Direct Control District Bylaw;

(b) pursuant to this Bylaw, a reference to a section of any Part other than Part 10 of this Bylaw within the Direct Control Bylaw is deemed to be a reference to the section as amended from time to time, unless a contrary intent is stated in the Direct Control Bylaw; and

(c) pursuant to a previous land use bylaw and such designation is continued pursuant to this Bylaw, the Direct Control Bylaw, as approved by Council at the time such designation was made, will continue to apply, unless a contrary intent is set out in the Bylaw designating the parcel Direct Control.
(2) Direct Control Bylaws that were passed pursuant to previous land use bylaws and are denoted on the Land Use District Maps:

(a) are hereby incorporated into and form part of this Bylaw as if repeated herein at length; and

(b) notwithstanding the definitions contained in this Bylaw, each Direct Control Bylaw must assume only those meanings for the terms contained therein that were intended at the date of the original passage.
Division 3: Development Permits

Requirement for a Development Permit
23 A **development permit** is required for every **development** unless it is otherwise exempted in this division.

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

Exempt Developments
25 (1) The following **developments** do not require a **development permit** if the conditions of section 24 are met:
   (a) a **Home Occupation – Class 1**;
   (b) a **Home Based Child Care – Class 1**.
   (c) the erection of any **fence** or gate;
   (d) a driveway;
   (e) the construction of a **deck, landing or patio**;
   (e.1) the construction of **skateboard and sports ramps** located in the Districts contained within Part 5: Low Density Residential Districts, or Part 6: Multi-Residential Districts;
   (f) the construction of an **Accessory Residential Building** with a **gross floor area** equal to or less than 75.0 square metres when listed as a **permitted use** in a land use district;
   (f.1) the construction of an **Accessory Residential Building** located on a parcel containing a **Contextual Semi-detached Dwelling, Duplex Dwelling**, or a **Semi-detached Dwelling** that has yet to be subdivided with a **gross floor area** equal to or less than 150.0 square metres when listed as a **permitted use** in a land use district;
(g) a satellite dish antenna less than 1.0 metre in diameter;
(h) external maintenance, internal alterations, and mechanical and electrical work on a building provided the intensity of use of the building does not increase;
(i) a Special Function – Class 1;
(j) a Special Function – Class 2:
   (i) where located on a parcel for 3 consecutive days or less, excluding the time used to erect and dismantle the temporary structures;
   (ii) where the cumulative area of covered temporary structures is less than or equal to:
       (A) 125.0 square metres when located on a parcel within 45.0 metres of either a residential district or a Direct Control District where the use of the parcel is residential; and
       (B) 300.0 square metres when located on a parcel designed CR20-C20/R20 or an East Village District contained in Part 12; and
   (iii) where located on the same parcel as:
       (A) Brewery, Winery and Distillery;
       (A.1) Conference and Event Facility;
       (B) Drinking Establishment – Large;
       (C) Drinking Establishment – Medium;
       (D) Drinking Establishment – Small;
       (E) Restaurant: Licensed – Large;
       (F) Restaurant: Licensed – Medium;
       (G) Restaurant: Licensed – Small;
       (H) Restaurant: Neighbourhood; or
       (I) Night Club;
(k) a temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a permit has been granted under the Building Permit Bylaw;
(l) the use of all or part of a building or parcel as a Motion Picture Filming Location for a period not exceeding one year;
(m) stockpiling on the same parcel undergoing excavation, grading or stripping;
(n) **Solar collectors**, if the **building** they are on is not listed on the **City** inventory of evaluated historic resources, and:
   (i) the **solar collectors** are located on a **building**, a minimum of 2.4 metres above **grade**; or
   (ii) the **solar collectors** are used for thermal energy;

(o) a **sign** that is exempt from the requirement to obtain a **development permit** as specified in Part 3, Division 5;

(p) the following projects carried on by, or on behalf of, the **City**:
   (i) roads, traffic management projects, interchanges;
   (ii) **Sewage Treatment Plant, Utilities, Water Treatment Plant, and Waste Disposal and Treatment Facility**;
   (iii) motor vehicle and pedestrian bridges, unless they are part of the +15 and +30 walkway systems;
   (iv) water, sewage and storm water lines and facilities;
   (v) landscaping projects, parks, public tennis courts and street furniture; and
   (vi) **local food sales** on **City** owned land where approved by or on behalf of the **City**;

(q) the use of all or part of a **building** as a temporary polling station, returning offices’ headquarters, Federal, Provincial or Municipal candidates’ campaign offices and any other official temporary use in connection with a Federal, Provincial or Municipal election, referendum or census;

(r) a **Temporary Residential Sales Centre** located:
   (i) in the **Developing Area**; or
   (ii) on a **parcel** identified in subsection 25(2)(n);

(s) a **Secondary Suite**, when listed as a **permitted use** in the district, for which an application for a permit pursuant to the Building Permit Bylaw has been received;

(t) “pop-up uses” that comply with the rules of section 134.2; and

(u) “interim uses” that comply with the rules of section 134.3.

(2) The following **developments** do not require a **development permit** if they are not located in the flood fringe or overland flow areas and the conditions of section 24 are met:

(a) an exterior alteration or addition to a **Duplex Dwelling, Semi-detached Dwelling** and **Single Detached Dwelling** where:
   (i) listed as a **discretionary use**;
(ii) the addition and alteration complies with the rules of section 365; and

(iii) the existing building is not listed on the City inventory of evaluated historic resources;

(b) an addition to a Contextual Semi-detached Dwelling or a Contextual Single Detached Dwelling;

   (i) if the addition has a gross floor area less than or equal to 40.0 square metres and the addition has a height that is less than or equal to 6.0 metres when measured from grade at any point adjacent to the addition; or

   (ii) if the addition has a gross floor area less than or equal to 10.0 square metres and is located above the first storey;

(c) the construction of and addition to a Single Detached Dwelling, Semi-detached Dwelling and Duplex Dwelling when listed as a permitted use in a land use district;

(d) an outdoor in-ground or above ground private swimming pool or hot tub so long as it:

   (i) is not located within the actual front setback area;

   (ii) has a total area less than 15.0 per cent of the parcel area; and

   (iii) does not have any above grade components including a deck, walkway, supporting member, heater or mechanical equipment within 1.2 metres of any property line;

(e) retaining walls that are less than 1.2 metre in height, measured from the lowest grade at any point adjacent to the retaining wall to the highest grade retained by the retaining wall;

(f) facilities required for environmental remediation or monitoring;

(g) excavation, grading or stripping provided:

   (i) the area of land to be excavated, stripped or graded is less than 1000.0 square metres;

   (ii) it is part of a development for which a development permit has been released; or

   (iii) the person carrying out the excavation, stripping or grading has signed a Development Agreement with the City for the area to be excavated, stripped or graded and that Development Agreement contemplates excavating, stripping or grading;
(h) **Utilities** installed or constructed within a *street* or a utility right-of-way;

(i) *deleted*

(j) a **Power Generation Facility – Small** required for the purpose of providing electrical power for emergency or back-up purposes with a generation capacity of less than 20 kilowatts;

(k) a **Power Generation Facility – Small** required in order to comply with the emergency power requirements of the Alberta Building Code;

(l) A **Power Generation Facility – Small** with a total power generation capacity of 10 kilowatts or less where the **Power Generation Facility – Small**:

(i) does not use an internal combustion engine; and

(ii) is located entirely within an existing approved *building*;

(m) the *City’s* use of land which it either owns or has an equitable interest in for a purpose approved by *Council* in connection with any *Utility*; and

(n) the construction of a **Contextual Single Detached Dwelling** when on a *parcel* that is identified as:

(i) Block 4 Plan 9711796;

(ii) Block 6 Plan 9711978;

(iii) Lot 1 Plan 8711504;

(iv) Block 3 Plan 7203JK;

(v) Lots 1 through 3 Block 4 Plan 8810907;

(vi) Block 5 Plan 7627JK;

(vii) Lot 1 Block 6 Plan 8811565;

(viii) Lots 2 through 5 Block 8 Plan 8910156;

(ix) Lot 1 Block 1 Plan 8810212;

(x) Block 1 Plan 6368JK;

(xi) Lot 2 Block 1 Plan 8810882;

(xii) Meridian 5 Range 2 Township 25 Section 8 Quarter South West containing 64.7 hectares (160 Acres) more or less excepting thereout:

(A) The Westerly 150 feet in perpendicular width throughout of said quarter section containing 3.67 hectares (9.06 Acres) more or less.
### Plan Numbers and Land Areas

**(B)**

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<tr>
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<th>Hectares</th>
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**(xiii)** Meridian 5 Range 2 Township 25 Section 8 Quarter South East containing 64.7 hectares (160 Acres) more or less excepting thereout:

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PART 2 - DIVISION 3: DEVELOPMENT PERMITS

(xiv) Meridian 5 Range 2 Township 25 Section 5

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

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(xv) Meridian 5 Range 2 Township 25 Section 5

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

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<td>A) Plan 0110288 subdivision</td>
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(xvi) Lot 35 through 40 Block 90 Plan 0614543;
(xvii) Lot 59 through 99 Block 90 Plan 0614543; and
(xviii) Lots 2 through 4 Block 6 Plan 8910893

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

25.1 The following developments do not require a development permit:

(a) Public Transit System;
(a.1) temporary structures affiliated with a City approved street festival;
(a.2) any activity and associated structures granted a permit through the Parks and Pathways Bylaw;
(b) Utilities – Linear;
(c) developments as defined in section 8(2) of Bylaw 2P80 that comply with the rules of The City of Calgary Land Use Bylaw 2P80, that have commenced or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to June 1, 2008;
PART 2 - DIVISION 3: DEVELOPMENT PERMITS

32P2012, 11P2014

(d) developments as defined in section 7 of the Municipal District of Rocky View No. 44 Land Use Bylaw, Bylaw C-4841-97, that have commenced and comply with the rules of the Municipal District of Rockyview or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to June 1, 2008, and which are located in the lands annexed from the Municipal District of Rocky View No. 44 to the City of Calgary as described in APPENDIX A of Order in Council 333/2007;


(e) developments as defined in Section 8(2) of Part 10, that comply with the rules of Part 10 and have commenced or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to designation of the parcel under another part of this bylaw;

11P2014, 37P2017, 33P2019

(f) developments located in the floodway, which are being conducted by, or on behalf of, the City for the purpose of erosion control, where the primary purpose is to protect public infrastructure;

37P2017, 33P2019

(g) targeted grazing on City owned lands carried on by, or on behalf of, the City; and

33P2019

(h) Urban Agriculture where:

(i) trees and shrubs required on the parcel in conjunction with an approved development permit, are retained;

(ii) there are no local food sales; and

(iii) there is a maximum of one ancillary building 10.0 square metres or less in area for the purposes of storage.

30P2017

25.2 (1) Unless otherwise stated in subsections (4) and (5), the following developments do not require a development permit if the conditions of section 24 are met:

(a) An addition to a building where:

(i) it is located within the “Centre City Enterprise Area” as illustrated on Map 2.1;

67P2018

(ii) it is not listed on the City inventory of evaluated historic resources; and

(iii) the addition does not increase the gross floor area of the building by more than 1000.0 square metres.

52P2018

(2) Unless otherwise stated in subsections (4) and (5), a change of use for a building or portion of a building does not require a development permit if:

(a) it is located within the “Centre City Enterprise Area” as illustrated on Map 2.1; and
(b) it is a listed use in the district.

(3) Unless otherwise stated in subsections (4) and (5), exterior alterations for buildings not listed on the City inventory of evaluated historic resources, do not require a development permit if:

(a) it is located within the “Centre City Enterprise Area” as illustrated on Map 2.1; and

(b) it is a listed use in the district.

(4) The following uses are not exempt under subsections (1), (2) and (3):

(a) Cannabis Counselling;

(a.1) Cannabis Store;

(a.2) Custodial Care;

(b) Liquor Store;

(c) deleted

(d) Nightclub;

(e) Pawn Shop; and

(f) Payday Loan.

(5) The following uses are not exempt under subsections (1), (2) and (3) where they are located within 30 metres of a freight rail corridor property line:

(a) Addiction Treatment;

(b) Assisted Living;

(c) Child Care Service;

(d) Dwelling Unit;

(e) Emergency Shelter;

(f) Home Based Child Care – Class 2;

(g) Hospital;

(h) Jail;

(i) Residential Care;

(j) School – Private;

(k) School Authority – School; and

(l) Temporary Shelter.

(6) Parcels designated with a Direct Control District, whether so designated before or after the effective date of this Bylaw, are subject to the development permit exemption clauses contained in this section unless specifically indicated otherwise in the Direct Control Bylaw.
Subsections (1), (3), (4), (5) and (6) remain in effect until July 1, 2021.

Map 2.1 “Centre City Enterprise Area”
25.3 (1) A development listed in subsections (2) and (3) will only be exempt from the requirement to obtain a development permit if it:

(a) is not subject to the Calgary International Airport Vicinity Protection Area Regulation;

(b) is not located in the floodway;

(c) is not subject to any restrictions imposed by the Subdivision and Development Regulation; and

(d) has adequate sewage collection, treatment and disposal, water supply, treatment and distribution, storm water collection and storage and road infrastructure capacity necessary to serve the development.

(2) Unless otherwise stated in subsections (4), (5), (6), (7), and (8), a change of use for a building or portion of a building does not require a development permit if:

(a) it is located within the “International Avenue Change of Use/Exterior Renovation Exemption Area”, “Montgomery Change of Use/Exterior Renovation Exemption Area”, or “Sunalta Change of Use Exemption Area” as illustrated on Maps 2.2, 2.3 and 2.4, respectively; and

(b) it is a listed use in the district.

(3) Unless otherwise stated in subsections (4), (5), (6) (7) and (8), exterior alterations for buildings not listed on the City inventory of evaluated historic resources, do not require a development permit if:

(a) it is located within the “International Avenue Change of Use/Exterior Renovation Exemption Area”, or “Montgomery Change of Use/Exterior Renovation Exemption Area” as illustrated on Maps 2.2 and 2.3, respectively; and

(b) it is a listed use in the district.

(4) The following uses are not exempt under subsections (2) and (3):

(a) Addiction Treatment;

(b) Cannabis Counselling;

(c) Cannabis Store;

(d) Custodial Care;

(e) Liquor Store;

(f) Nightclub;

(g) Pawn Shop; and

(h) Payday Loan.
PART 2 - DIVISION 3: DEVELOPMENT PERMITS

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

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

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

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

(7) *Parcels* designated with a Direct Control District, whether so designated before or after the effective date of this Bylaw, are subject to the *development permit* exemption clauses contained in this section unless specifically indicated otherwise in the Direct Control Bylaw.
(8) Notwithstanding subsection (7), subsections (2), (3), and (5) do not apply to parcels located within the “International Avenue Change of Use/Exterior Renovation Exemption Area” that are designated with a Direct Control District pursuant to a previous land use bylaw and such designation is continued pursuant to this Bylaw.

(9) Subsections (1) through (8) remain in effect until 2022 January 31.

Map 2.2 “International Avenue Change of Use/Exterior Renovation Exemption Area”
Map 2.3 “Montgomery Change of Use/Exterior Renovation Exemption Area”
Map 2.4 “Sunalta Change of Use Exemption Area”
Exemption for Insulation Retrofit

25.4 (1) In the low density residential districts, development with the sole purpose of adding exterior insulation and associated cladding to an existing building containing a Dwelling Unit does not require a development permit.

(2) The insulation and cladding for any development referenced in subsection (1):

(a) may project a maximum of 0.3 metres into any required setback area; and

(b) may exceed the maximum parcel coverage in the district.

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.

Notice Posting Requirement

27 (1) At least 7 days prior to making a decision on an application for a development permit for those uses listed in subsections (2), (2.1), (3) (4) and (5), the Development Authority must ensure a notice is posted in a conspicuous place 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 wishes to submit comments in respect to the proposed development on the parcel may deliver to the Development Authority a written statement of their comments regarding the development;

(d) the date by which the comments must be delivered to the Development Authority to be considered by the Development Authority; and

(e) that the submission must include:

(i) their full name and address; and

(ii) the reasons for their position.
(2) The following uses must always be notice posted:

(a) **Backyard Suite**;

(a.1) **Cannabis Facility**;

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

(a.3) **Drinking Establishment – Large** in the CC-EIR or the CC-ET districts;

(a.4) **Drinking Establishment – Medium** in the C-C1, C-COR1, C-COR2, CC-X, CC-COR, CC-EMU, CC-ET, or CC-EIR Districts and in all mixed use districts;

(b) **Drinking Establishment – Small** in the M-H2, M-H3, C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-EMU, CC-ET, CC-EPR, or CC-EIR Districts and in all mixed use districts;

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

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

(d) **Home Occupation – Class 2**;

(e) **Liquor Store** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-ET, CC-EIR, CC-EMU, or CC-EPR Districts and in all mixed use districts;

(e.1) **deleted**

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

(f.1) **Night Club** in the CC-EIR District or CR20-C20/R20 District in the area indicated in Map 11;

(g) **Outdoor Café** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, I-R, S-R, CC-X, CC-COR, CC-ET, CC-EIR, CC-EMU, CC-EPR, CC-ERR, or CC-ER Districts or; CR20-C20/R20 District in the area indicated in Map 11 and in all mixed use districts;

(g.1) **Pawn Shop**;

(g.2) **Payday Loan**;

(h) **Place of Worship – Large**;

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

(i) **deleted**

(i.1) **deleted**

(i.2) **Secondary Suite** in the R-C1L, R-C1 and R-1 Districts;

(j) **Social Organization** in the C-N1, C-N2, C-C1, C-COR1, C-COR2, S-CI, CC-COR, CC-ET, CC-EMU, CC-EIR, CC-EPR, or CC-ERR Districts and in all mixed use districts;
PART 2 - DIVISION 3: DEVELOPMENT PERMITS

44.10  LAND USE BYLAW – 1P2007 July 23, 2007

(2.1) The following uses must be notice posted when adjacent to a parcel containing a Dwelling Unit:

(a) Digital Third Party Advertising Sign; and
(b) Digital Message Sign.

(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;
(d.1) **Rowhouse Building** when listed as a *discretionary use* in the Developed Area; and

(e) any *discretionary use* in the C-N1, C-N2, C-C1, C-COR1, C-COR2, I-E, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, CC-ET Districts or CR20-C20/R20 District in the area indicated in Map 11 and in all *mixed use districts*;

(6) The Development Authority must not notice post any *development permit* applications not set out in subsections (2), (2.1), (3), (4) or (5).

(7) The posted notices referenced in this section must conform to the standards approved by the General Manager.

**Exemption for Acquisition of Land by The City**

27.1 (1) Except as otherwise referenced in subsection (2), where a portion of a parcel is, or has been, acquired on or after January 1, 2017 by the City for a municipal purpose, the development or use legally existing or approved on that parcel on the date that the land is, or was, acquired by the City is deemed to conform with the requirements of this Bylaw and to comply with the approved development permit.

(2) Subsection (1) does not deem a non-conforming use to conform with the uses listed in the governing land use district or restrictions in the definition of the use.
Division 4: Permitted Use Development Permit

Permitted Uses That Meet All Requirements

28(1) Where a development permit application is for a permitted use in a building or on a parcel and the proposed development conforms to all of the applicable requirements and rules of this Bylaw, the Development Authority must approve the application and issue the development permit.

(2) The Development Authority may, as a condition of issuing a development permit for a permitted use, require the applicant to construct or pay for the construction of the following that are necessary to serve the development:

(a) public utilities, other than telecommunications systems or works; and

(b) vehicular and pedestrian access.

(3) The Development Authority may, as a condition of issuing a development permit for a permitted use, impose conditions in respect of the following matters:

(a) an environmental site assessment; and

(b) phasing of the development.

(4) The Development Authority may, as a condition of issuing a development permit for a permitted use, require the applicant to enter into an agreement with the City to do any or all of the following:

(a) to construct or pay for the construction of a public thoroughfare required to give access to the development;

(b) to construct or pay for the construction of:

(i) a pedestrian walkway system to serve the development; or

(ii) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development; or

(iii) both (i) and (ii);

(c) to install or pay for installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;

(d) to construct or pay for the construction of:

(i) off-street or other parking facilities; and

(ii) loading and unloading facilities.
(e) to pay an off-site levy or redevelopment levy; and
(f) to give security to ensure that the terms of the agreement under this section are carried out.

5P2013 (5) Where a development is located in the floodway, flood fringe or overland flow area, the Development Authority may, as a condition of issuing the development permit, require building or site design measures to mitigate the potential impact or obstruction of floodwaters.

5P2013 (6) Where a development permit application for a permitted use does not show that the development conforms to all of the applicable requirements and rules of this Bylaw, the Development Authority may, as a condition of issuing the development permit, require that the applicant amend specific elements of the plans to conform with the applicable requirements.

51P2018 (6.1) The Development Authority may, as a condition of issuing a development permit for a permitted use on a parcel adjacent to a freight rail corridor:

(a) require additional information as necessary to mitigate the impact of a potential train derailment and noise impact associated with freight rail operations; and

(b) require the mitigations identified in subsection (a) to be incorporated into the development for the life of the development.

5P2013 (7) The Development Authority may require the fulfillment of the conditions referred to in this section before releasing the development permit.

Notification of Decision for Permitted Use Application

29 (1) After approving a development permit application for a permitted use, the Development Authority must endorse the development permit as of the date of the decision.

(2) When a development permit application for a permitted use is refused, the applicant must be given written notification of the decision and the reasons for it.

Permitted Uses That Do Not Meet All Requirements

30 Where a development permit application is for a permitted use in a building or on a parcel and the proposed development does not conform to all of the applicable requirements and rules of this Bylaw, the Development Authority may:

(a) refuse to approve the development permit application; or

(b) approve the development permit application and grant a relaxation of the requirement or rule to which the proposed use does not conform.
Test for a Relaxation

31 The Development Authority may approve a development permit application for a permitted use where the proposed development does not comply with all of the applicable requirements and rules of this Bylaw if, in the opinion of the Development Authority:

(a) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and

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

Use Area Relaxation

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

(a) the purpose of the District;

(b) whether granting the relaxation would make the proposed development incompatible with existing developments or uses;

(c) proximity of the proposed development to residential districts; and

(d) sound planning principles.

Conditions

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

(a) impose the conditions referenced in section 28 of this part; and

(b) require the applicant to conform to a higher standard than required by the applicable rules if, in the opinion of the Development Authority, conformance to a higher standard will off-set any impact of granting the relaxation.

Notification of Decision

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

(a) publish a notice stating the location and use of the parcel for which the application has been approved; and

(b) endorse the development permit as of the date of the decision, but must not release the permit to the applicant:
(i) before the 21 day appeal period referred to in the Municipal Government Act has expired; or

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

(2) After refusing a development permit application for a permitted use that does not comply with all of the applicable requirements and rules of this Bylaw, the Development Authority must provide written notification of the decision and the reasons for it to the applicant.
Division 5: Discretionary Use Development Permit

Discretionary Use Development Permit Application

When making a decision on a development permit for a discretionary use, the Development Authority must take into account:

(a) any plans and policies affecting the parcel;
(b) the purpose statements in the applicable land use district;
(c) the appropriateness of the location and parcel for the proposed development;
(d) the compatibility and impact of the proposed development with respect to adjacent development and the neighbourhood;
(e) the merits of the proposed development;
(f) the servicing requirements;
(g) access, parking and transportation requirements;
(h) vehicle and pedestrian circulation within the parcel;
(i) the impact on the public transit system; and
(j) sound planning principles.

Discretionary Use That Does Not Comply

The Development Authority may approve a development permit application for a discretionary use where the proposed development does not comply with all of the applicable requirements and rules of this Bylaw if in the opinion of the Development Authority:

(a) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and

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

The provisions of 36(1) apply to any reduction in the required distance of 100 metres from a Cannabis Store to a boundary of a parcel of land that does not contain a school building and is designated as school reserve or municipal and school reserve under the Municipal Government Act, in accordance with 105(5) of the Gaming, Liquor And Cannabis Regulation.
Development Authority's Decision

37 (1) The Development Authority may approve, either permanently or for a limited period of time, a development permit application for a discretionary use, and may impose the conditions enumerated in section 38 of this Part.

(2) The Development Authority may refuse a development permit application for a discretionary use even though it meets the requirements and rules of this Bylaw.

Conditions on Discretionary Use Development Permits

38 (1) The Development Authority may, as a condition of issuing a development permit for a discretionary use, impose conditions in respect of the following matters:

(a) actions to be performed or carried out prior to the release of the development permit;

(b) the construction or maintenance of the proposed development in accordance with the approved plans;

(c) the appropriate performance of a use;

(d) an environmental site assessment;

(e) the time or times a use may be carried out;

(f) phasing of the development;

(g) limits imposed on the development;

(g.1) The number of motor vehicle parking stalls provided for a development, regardless of whether the use or District identifies a minimum number of required motor vehicle parking stalls.

(h) bonusing requirements;

(i) the construction of or payment for public utilities, other than telecommunications systems or works, and vehicular and pedestrian access that are necessary to serve the development; and

(j) the furtherance of sound planning principles.

(2) The Development Authority may, as a condition of issuing a development permit for a discretionary use, require the applicant to enter into an agreement with the City to do any or all of the following:

(a) to construct or pay for the construction of a public thoroughfare required to give access to the development;

(b) to construct or pay for the construction of:

(i) a pedestrian walkway system to serve the development; or
(ii) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development; or

(iii) both (i) and (ii).

c) to install or pay for installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;

d) to construct or pay for the construction of:

(i) off-street or other parking facilities; and

(ii) loading and unloading facilities.

e) to pay an off-site levy or redevelopment levy; and

f) to give security to ensure that the terms of the agreement under this section are carried out.

(3) The Development Authority may, as a condition of issuing of a development permit for a discretionary use on a parcel adjacent to a freight rail corridor.

(a) require additional information as necessary to mitigate the impact of a potential train derailment and noise impact associated with freight rail operations; and

(b) require the mitigation identified in subsection (a) to be incorporated into the development for the life of the development.

Notification of Decision for Discretionary Use Application

39 (1) After approving a development permit application for a discretionary use, the Development Authority must:

(a) publish a notice online for the public stating the location and use of the parcel for which the application has been approved; and

(b) endorse the development permit as of the date of the decision, but must not release the permit to the applicant:

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

(ii) in the case of an appeal to the Subdivision and Development Appeal Board, until such time as the appeal has been fully dealt with by the Subdivision and Development Appeal Board, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the Subdivision and Development Appeal Board, or the appeal has been withdrawn or abandoned.
(2) After refusing an application for a development permit application for a discretionary use, whether or not it complies with all of the rules of this Bylaw, the Development Authority must provide written notification of the decision and the reasons for it to the applicant.
Division 6: General Provisions Relating to Development Permits

Applications the Development Authority Must Refuse

The Development Authority must refuse a development permit application when the proposed development:

(a) is for a use that is not listed as either a permitted or discretionary use in the governing land use district;

(b) is for a use containing a restriction in its definition that is not met by the proposed use;

(c) exceeds any of the following requirements where they are specified on a Land Use District Map except where a development exceeds the following requirements because a portion of the parcel was acquired by the City for a municipal purpose in accordance with section 27.1:
   (i) maximum floor area ratio; and
   (ii) maximum units per hectare;

(c.1) exceeds the maximum building height when specified on a Land Use District Map except where portions of the building exceed the maximum building height due to:
   (i) grade variations within the parcel;
   (ii) design elements of the building that extend above the eaveline where there is no usable floor area associated with the element;

(d) does not meet the minimum area requirement to accommodate commercial multi-residential uses in the M-X1 and M-X2 Districts unless the parcel is located in the Developing Area and was designated M-X1 or M-X2 prior to 2010 November 25;

(e) is for either a Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling or a Multi-Residential Development – Minor, and does not comply with all of the requirements and rules of this Bylaw;

(f) is for any sign containing a digital display that would display copy shown on the digital display using full motion video, or otherwise gives the appearance of animation or movement;

(g) is not adequately serviced by infrastructure referenced in Section 129.1;

(h) is for a Liquor Store in any district, other than the C-R2, C-R3 and CR20-C20/R20 Districts, that requires more than a 10 per cent relaxation of a minimum separation distance specified in subsections 225(d) or 225(e), except where the development permit is for:
(i) the expansion or alteration of an existing approved Liquor Store or renewal of approval of a previously approved development permit for a Liquor Store; or

(ii) an existing approved Liquor Store that proposes to move to a new location not within a minimum separation distance specified in subsections 225(d) or 225(e), excluding the distance from the original location of the existing approved Liquor Store;

43P2015 (i) is for a Pawn Shop:

(i) within 200 metres of another existing approved Pawn Shop where the development permit is for the expansion or alteration of an existing approved Pawn Shop or renewal of a previously approved development permit for a Pawn Shop; or

25P2018 (ii) in all other cases, where a Pawn Shop is located within 90 per cent of a minimum separation distance specified in subsection 254(c.1);

25P2018 (j) is for Payday Loan located within 90 per cent of minimum separation distance specified in subsection 254.1(c);

25P2018 (k) is for a Cannabis Store located within 90 per cent of a minimum separation distance specified in subsection 160.3(i); or

40P2018 (l) is for a Sign – Class F pedestrian scaled third party advertising or a Sign – Class G pedestrian scaled third party advertising:

(i) higher than the sign heights indicated in subsection 13(103.1);

(ii) has a sign area larger than indicated in subsection 13(103.1); or

(iii) is located closer to a Freestanding Sign or another Third Party Advertising Sign, or Digital Third Party Advertising Sign than is indicated in subsection 13(103.1).

Applications That May Only Be Considered in a Direct Control District

41 Where this Bylaw provides that a use may only be a listed use in a Direct Control District, the Development Authority must refuse a development permit if it proposes the use in a District other than a Direct Control District which lists the use.
PART 2 - DIVISION 6: GENERAL PROVISIONS

41.1 (1) In the case of an inactive or non-responsive application the General Manager may, in his or her sole and unfettered discretion, cancel a development permit application subsequent to acceptance, where he determines that the information provided is not adequate for the Development Authority to properly evaluate the application.

(2) The General Manager must provide written notice of the cancellation of the development permit application including reasons for the decision to the applicant.

(3) The fees associated with a development permit application cancelled by the General Manager may be refunded.

42 A development permit remains in effect until:

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

43 (1) The Development Authority may suspend or cancel a development permit following its approval or issuance if:

(a) the application contains a misrepresentation;
(b) facts have not been disclosed which should have been at the time of consideration of the application for the development permit;
(c) the development permit was issued in error;
(d) the requirements of conditions of the development permit have not been complied with;
(e) the applicant requests, by way of written notice of the Development Authority, the cancellation of the development permit, provided that commencement of the use, development or construction has not occurred; or
(f) the Development Authority cancels a development permit for a use after it has commenced, to allow the same use in a new location that would otherwise not be allowed by a location distance rule when measured from the original location of approval.

(2) If the Development Authority suspends or cancels a development permit, the Development Authority must provide written notice of the suspension or cancellation to the applicant.
Upon receipt of the written notice of suspension or cancellation, the applicant must cease all development and activities to which the development permit relates.

**Commencement of Development**

Where a development permit is for a change of use, a change of intensity of use or both, development must commence within one year of the date of approval of the development permit.

For the purpose of subsection (1), development commences when the applicant begins occupying the parcel and operating the use which was approved by the development permit.

Where a development permit is for construction, or for construction combined with a change of use, a change in intensity of use or both, development must commence within:

(a) three years of the date of approval of the development permit on parcels designated M-H1, M-H2, M-H3, C-O, I-B, S-CI, S-CRI, CC-MH, CC-MHX, CC-X, CC-COR, CC-ER, CC-ERR, CC-EMU, CC-EIR, CC-EPR, CC-ET and CR20-C20/R20 Districts;

(b) three years of the date of approval of the development permit, on parcels designated DC Direct Control, unless otherwise directed by Council; and

(c) two years of the date of approval of the development permit on parcels designated as any other District.

For the purpose of subsection (3), development commences when the applicant has altered the parcel in furtherance of the construction.

Without restricting the generality of the foregoing:

(a) excavation in anticipation of construction is an alteration of a parcel; and

(b) fencing a site, posting signage, obtaining permits and minor interior demolition are not alterations of the parcel.

**Deleted**

For the purpose of this section, the term “date of approval of the development permit” means:

(a) the date upon which the Development Authority approves the development permit application;

(b) in the case of an appeal to the Subdivision and Development Appeal Board, the date upon which the Subdivision and Development Appeal Board renders a written decision approving the development permit application; or
PART 2 - DIVISION 6: GENERAL PROVISIONS

(c) In the case of an appeal or leave to appeal to the Court of Appeal, the date the judgement roll or decision of the court is filed with the Court of Appeal allowing the development to proceed pursuant to an approved development permit.

(8) The General Manager may grant a request to extend the date before which development must commence as specified in this Land Use Bylaw or any previous bylaw governing land use within the City provided:

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

(8.1) Notwithstanding 44 (8) (a), the General Manager may grant a request to extend the date before which development must commence for a change of use to a Cannabis Store solely for the purposes of accommodating a moratorium on the issuance of licenses from the Province, provided:

(a) no more than two extensions are granted for any development permit;
(b) the length of the extension is up to one year;
(c) the request is made in writing on a form approved by the General Manager and must be submitted with the fee as prescribed by resolution of Council; and
(d) the request is granted prior to the development permit lapsing.

(8.2) Subsection (8.1) remains in effect until December 31, 2021.

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

Commencement of Construction

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

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

Development Completion Permit

(1) When a development permit is required, a development completion permit must be issued before the development can be occupied or a use commenced.

(2) The General Manager must determine which developments and uses do not require a Development Completion Permit, which may be amended from time to time.

(3) The Development Authority must advise an applicant for a development permit if the proposed development or use requires a Development Completion Permit.

(4) An application for a Development Completion Permit must be made on a form approved by the General Manager and must be accompanied by two copies of a surveyor’s certificate.

(5) An applicant for a Development Completion Permit must ensure the development or use is available for inspection by a Development Inspector during the Inspector’s normal work day to confirm the development is completed in accordance with the development permit, and, upon request by the Development Inspector, the applicant must attend the inspection, produce any documents the Development Inspector feels are necessary for the inspection, and must not hinder the inspection in any way.

(6) Where a Development Authority is satisfied that the development has been completed in accordance with all of the requirements of the development permit, the Development Authority may issue a Development Completion Permit for the development.

(7) Where a Development Authority is not satisfied that a development has been completed in accordance with all of the requirements of the development permit, the Development Authority may:

(a) issue a Development Completion Permit upon receipt of a letter of credit or other security in an amount and form acceptable to the Development Authority, in order to ensure fulfilment of the outstanding requirements of the development permit; or

(b) refuse to issue a Development Completion Permit.

(8) deleted
Appeals of Decisions on Development Permits

48  (1) Appeals in respect of decisions on development permit applications are governed by the Municipal Government Act.

(2) The Subdivision and Development Appeal Board Administration must ensure that notice of a hearing of an appeal to the Subdivision and Development Appeal Board is published at least five days prior to the date of the hearing.

(3) If the decision of the Development Authority to refuse a development permit is reversed by the Subdivision and Development Appeal Board, the Development Authority must endorse the development permit in accordance with the decision of the Subdivision and Development Appeal Board.

(4) If the decision of the Development Authority to approve a development permit application is reversed by the Subdivision and Development Appeal Board, the development permit is null and void.

(5) If a decision of the Development Authority to approve a development permit is upheld by the Subdivision and Development Appeal Board, the Development Authority must release the development permit upon completion of any outstanding prior to release conditions.

(6) If any decision of the Development Authority is varied by the Subdivision and Development Appeal Board, the Development Authority must endorse a development permit reflecting the decision of the Subdivision and Development Appeal Board and act in accordance therewith.
Division 7: Ensuring Compliance With This Bylaw

General Offences

49 (1) Any person who contravenes any provision of this Bylaw by doing any act or thing which the person is prohibited from doing or by failing to do any act or thing the person is required to do is guilty of an offence.

(2) A person is guilty of an offence where they make use of land or a development:

(a) in a manner that is not in accordance with an approved development permit including any conditions forming part of that development permit;

(b) without a development permit where one is required in accordance with Part 2, Division 3; or

(c) for a use, other than a non-conforming use, that is not a permitted use or a discretionary use in the governing land use district.

(3) Any person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding $10,000 and in default of payment of any fine imposed, to a period of imprisonment not exceeding six months.

Violation Tickets and Penalties

50 (1) Where an Officer believes that a person has contravened any provision of this Bylaw, the Officer may commence proceedings against the person by issuing a violation ticket pursuant to the Provincial Offences Procedures Act.

(2) Where there is a specified penalty listed for an offence in Schedule B to this Bylaw, that amount is the specified penalty for the offence.

(3) Where there is a minimum penalty listed for an offence in Schedule B to this Bylaw, that amount is the minimum penalty for that offence.

(4) If a person is convicted twice of the same provision of this Bylaw within a twenty-four month period:

(a) the specified penalty for the second conviction is twice the amount of the specified penalty for a first offence as set out in Schedule B; and

(b) the minimum penalty for the second conviction is the amount of the specified penalty for a first offence.

(5) If a person is convicted three or more times of the same provision of this Bylaw within a twenty four month period:

(a) the specified penalty for the third and subsequent convictions is three times the amount of the specified penalty as set out in Schedule B; and
(b) the minimum penalty for the third and subsequent convictions is twice the amount of the specified penalty for a first offence.

This section does not prevent any Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act, or from laying an information in lieu of issuing a violation ticket.

Other Remedies

51 (1) Nothing in this Bylaw diminishes or in any way affects the powers of a Development Authority to issue orders for compliance or in any way affects any person's rights to appeal a Development Authority's order.

(2) Nothing in this Bylaw diminishes or in any way affects the provisions of the Municipal Government Act relating to offences and penalties.

(3) Nothing in this Bylaw diminishes or in any way affects the rights of the City pursuant to the Municipal Government Act, or at common law to seek an entry order, order for compliance, injunction or any other order to obtain compliance with this Bylaw.

(4) The levying and payment of any fine or the imprisonment for any period provided in this Bylaw does not relieve a person from the necessity of paying any fees, charges or costs for which that person is liable under the provisions of this Bylaw, any other Bylaw or other enactment.

Specific Enforcement Relating to Signs

52 (1) Every sign owner must ensure that its signs are in compliance with every applicable rule. More than one sign owner may be subject to enforcement respecting the same sign.

(2) When a sign that is subject to this Bylaw no longer fulfils its function under the terms of the development permit, the Development Authority may issue an order for the removal of the sign to the sign owner or property owner, and the person to whom the order is issued must:

(a) within 30 days from the receipt of the order remove the sign and all related structural components including removing or screening exposed base and foundations to the satisfaction of the Development Authority;

(b) restore the immediate area around the sign to the satisfaction of the Development Authority including the ground or any building to which the sign was attached, as close as possible to its original form prior to the installation of the sign; and

(c) bear all the costs related to the removal and restoration.
(3) Where an Officer believes that a Temporary Sign, Flag Sign, Banner Sign, String of Pennants, Real Estate Sign, Special Event Sign or Inflatable Sign is not authorized or in compliance with this Bylaw and the Officer has written authorization from the owner of the parcel on which the sign is located to enter onto the property to obtain compliance, the Officer may enter onto the parcel and remove the sign without prior notice to any person.

(4) Immediately following the impoundment of a sign pursuant to subsection (3), the Officer must provide written notice of the impoundment to the sign owner, when the identity of such person is ascertainable.

(5) The Officer may cause the sign to be destroyed or disposed of without incurring any obligation to compensate any party for the destruction or disposal of the sign:

(a) within 14 days of issuing the notice referred to in subsection (4), if the sign owner is ascertainable; or

(b) within 14 days of the sign being impounded, prior to its destruction, if the sign owner is not ascertainable.

(6) Prior to the destruction of a sign contemplated by subsection (5), a sign owner may reclaim a sign that has been impounded, but the sign will not be returned to the sign owner unless and until payment for all impoundment and storage fees is made.

(7) The fees for the impoundment referred to in subsection (6) are:

(a) towing and impounding signs is $75.00 per sign;

(b) storing signs that are equal to or less than 1.5 square metres is $3.00 per sign for every day the sign is stored; and

(c) storing signs that are greater than 1.5 square metres is $5.00 per sign for every day the sign is stored.
## 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>
<thead>
<tr>
<th>ON (Numbered Streets)</th>
<th>FROM</th>
<th>TO</th>
<th>BASIC R.O.W. (Metres)</th>
<th>REQUIRED R.O.W. (Metres)</th>
<th>REQUIRED SETBACKS (Metres) (Side)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 STREET E.</td>
<td>RIVERFRONT AVENUE</td>
<td>3 AVENUE S.</td>
<td>20.177</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>1 STREET E.</td>
<td>4 AVENUE S.</td>
<td>9 AVENUE S.</td>
<td>20.117</td>
<td>30.481</td>
<td>5.182 Each</td>
</tr>
<tr>
<td>1 STREET E.</td>
<td>10 AVENUE S.</td>
<td>ELBOW RIVER</td>
<td>20.117</td>
<td>30.481</td>
<td>5.182 Each</td>
</tr>
<tr>
<td>1 STREET W.</td>
<td>RIVERFRONT AVENUE</td>
<td>9 AVENUE S.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>1 STREET W.</td>
<td>10 AVENUE S.</td>
<td>17 AVENUE S.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>2 STREET W.</td>
<td>RIVERFRONT AVENUE</td>
<td>9 AVENUE S.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>3 STREET W.</td>
<td>2 AVENUE S.</td>
<td>7 AVENUE S.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>4 STREET W.</td>
<td>4 AVENUE S.</td>
<td>7 AVENUE S.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>4 STREET W.</td>
<td>40 AVENUE N.</td>
<td>16 AVENUE N.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>4 STREET E.</td>
<td>2 AVENUE N.</td>
<td>MEMORIAL DRIVE</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>4 STREET E.</td>
<td>7 AVENUE S.</td>
<td>9 AVENUE S.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>5 STREET W.</td>
<td>3 AVENUE S.</td>
<td>26 AVENUE S.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>6 STREET W.</td>
<td>1 AVENUE S.</td>
<td>8 AVENUE S.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>7 STREET W.</td>
<td>1 AVENUE S.</td>
<td>9 AVENUE S.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>8 STREET W.</td>
<td>2 AVENUE S.</td>
<td>17 AVENUE S.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>9 STREET W.</td>
<td>7 AVENUE S.</td>
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<td>2.134 Each</td>
</tr>
<tr>
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<td>4 AVENUE S.</td>
<td>9 AVENUE S.</td>
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<td>2.134 Each</td>
</tr>
<tr>
<td>10 STREET W.</td>
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</tr>
<tr>
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<td>17 AVENUE S.</td>
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<td>2.134 Each</td>
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<tr>
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<tr>
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<tr>
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</tr>
<tr>
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<td>ROSELAWN CRESCENT N.</td>
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<td>5.182 Each</td>
</tr>
<tr>
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<td>11 AVENUE S.</td>
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<td>2.134 Each</td>
</tr>
<tr>
<td>19 STREET W.</td>
<td>10 AVENUE S.</td>
<td>12 AVENUE S.</td>
<td>20.117</td>
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<td>2.134 Each</td>
</tr>
<tr>
<td>28 STREET E.</td>
<td>8 AVENUE N.</td>
<td>17 AVENUE S.</td>
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<td>2.134 WEST</td>
</tr>
<tr>
<td>29 STREET W.</td>
<td>32 STREET W.</td>
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<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>29 STREET W.</td>
<td>BOW TRAIL</td>
<td>35 AVENUE S.</td>
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<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>33 STREET W.</td>
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</tr>
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<td>5.182 Each</td>
</tr>
<tr>
<td>37 STREET W.</td>
<td>BOW TRAIL</td>
<td>17 AVENUE S.</td>
<td>25.299</td>
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<td>5.182 WEST</td>
</tr>
<tr>
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</tr>
<tr>
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<td>44 AVENUE S.</td>
<td>45 AVENUE S.</td>
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<td>30.481</td>
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<tr>
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<td>26 AVENUE S.</td>
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<td>2.134 Each</td>
</tr>
<tr>
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</tr>
<tr>
<td>45 STREET W.</td>
<td>33 AVENUE S.</td>
<td>35 AVENUE S.</td>
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<td>2.134 WEST</td>
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<tr>
<td>52 STREET E.</td>
<td>50 AVENUE S.</td>
<td>52 AVENUE S.</td>
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<td>45.000</td>
<td>19.941 WEST</td>
</tr>
<tr>
<td>52 STREET E.</td>
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<td>126 AVENUE S.</td>
<td>20.117</td>
<td>45.000</td>
<td>19.941 WEST</td>
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<tr>
<td>52 STREET E.</td>
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<td>130 AVENUE N.</td>
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<td>53 AVENUE N.</td>
<td>20.117</td>
<td>24.385</td>
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</tr>
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<td>5.182 Each</td>
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Table 1: Road Rights-of-Way – continued

<table>
<thead>
<tr>
<th>ON (Numbered Avenues)</th>
<th>FROM</th>
<th>TO</th>
<th>BASIC R.O.W. (Metres)</th>
<th>REQUIRED R.O.W. (Metres)</th>
<th>REQUIRED SETBACKS (Metres) (Side)</th>
</tr>
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<tbody>
<tr>
<td>1 AVENUE N.</td>
<td>4 STREET E.</td>
<td>6 STREET E.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>1 AVENUE S.</td>
<td>6 STREET W.</td>
<td>7 STREET W.</td>
<td>20.117</td>
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<td>2.134 Each</td>
</tr>
<tr>
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<td>3 STREET W.</td>
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<td>20.117</td>
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<td>2.134 Each</td>
</tr>
<tr>
<td>2 AVENUE S.</td>
<td>8 STREET W.</td>
<td>6 STREET W.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>2 AVENUE S.</td>
<td>CENTRE STREET</td>
<td>1 STREET E.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 SOUTH</td>
</tr>
<tr>
<td>3 AVENUE S.</td>
<td>8 STREET W.</td>
<td>1 STREET E.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>4 AVENUE S.</td>
<td>10 STREET W.</td>
<td>1 STREET E.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>5 AVENUE S.</td>
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<td>2 STREET W.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>5 AVENUE S.</td>
<td>CENTRE STREET</td>
<td>1 STREET E.</td>
<td>20.117</td>
<td>30.481</td>
<td>5.182 Each</td>
</tr>
<tr>
<td>6 AVENUE S.</td>
<td>11 STREET W.</td>
<td>4 STREET E.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>7 AVENUE S.</td>
<td>10 STREET W.</td>
<td>3 STREET W.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>8 AVENUE S.</td>
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<td>MACLEOD TRAIL</td>
<td>20.117</td>
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<td>2.134 Each</td>
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<tr>
<td>9 AVENUE S.</td>
<td>14 STREET W.</td>
<td>5 STREET E.</td>
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<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
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<td>17 STREET W.</td>
<td>6 STREET E.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
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<tr>
<td>12 AVENUE S.</td>
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<td>6 STREET E.</td>
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<td>24.385</td>
<td>2.134 Each</td>
</tr>
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<td>4 STREET E.</td>
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<td>5.182 NORTH</td>
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<td>37 STREET W.</td>
<td>17 STREET W.</td>
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<tr>
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<td>26 STREET E.</td>
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<td>39 STREET E.</td>
<td>47 STREET E.</td>
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<td>OGDEN ROAD</td>
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<td>69 STREET W.</td>
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<td>2.134 NORTH</td>
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<td>42 AVENUE S.</td>
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<td>LANE E. OF CLEVELAND CR.</td>
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<tr>
<td>42 AVENUE S.</td>
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<td>30.481</td>
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<tr>
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<td>MACLEOD TRAIL</td>
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<td>27.432</td>
<td>2.134 NORTH</td>
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<td>LANE E. OF C.P.R. RIGHT-OF-WAY</td>
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<td>30.481</td>
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<tr>
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<td>FAIRMOUNT DRIVE</td>
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<td>2.134 Each</td>
</tr>
<tr>
<td>ON (Named St. &amp; Ave)</td>
<td>FROM</td>
<td>TO</td>
<td>BASIC R.O.W. (Metres)</td>
<td>REQUIRED R.O.W. (Metres)</td>
<td>REQUIRED SETBACKS (Metres) (Side)</td>
</tr>
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<td>------</td>
<td>----</td>
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<tr>
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<td>20.117</td>
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<td>5.182 Each</td>
</tr>
<tr>
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<td>C.P.R. RIGHT-OF-WAY</td>
<td>BOW CRESCENT</td>
<td>20.117</td>
<td>30.481</td>
<td>5.182 Each</td>
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<td>20.117</td>
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<tr>
<td>BOWNESS ROAD</td>
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<td>20.117</td>
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<td>20.117</td>
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<tr>
<td>CENTRE STREET N.</td>
<td>LAYCOCK DRIVE</td>
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<td>3.048 Each</td>
</tr>
<tr>
<td>CENTRE STREET N.</td>
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<td>32 AVENUE N.</td>
<td>20.117</td>
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</tr>
<tr>
<td>CENTRE STREET N.</td>
<td>32 AVENUE N.</td>
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<td>22.860</td>
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<td>CENTRE STREET S.</td>
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<td>6 AVENUE S.</td>
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</tr>
<tr>
<td>CENTRE STREET S.</td>
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<td>LANE S. OF 7 AVENUE S.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>EDMONTON TRAIL</td>
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<td>16 AVENUE N.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
</tr>
<tr>
<td>EDMONTON TRAIL</td>
<td>16 AVENUE N.</td>
<td>5 AVENUE N.</td>
<td>20.117</td>
<td>30.481</td>
<td>5.182 Each</td>
</tr>
<tr>
<td>MACDONALD AVE.</td>
<td>7 AVENUE S.</td>
<td>9 AVENUE S.</td>
<td>20.117</td>
<td>30.481</td>
<td>5.182 Each</td>
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<tr>
<td>MACLEOD TRAIL</td>
<td>10 AVENUE S.</td>
<td>17 AVENUE S.</td>
<td>20.117</td>
<td>30.481</td>
<td>5.182 Each</td>
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<tr>
<td>OGDEN ROAD</td>
<td>24 STREET E.</td>
<td>80 AVENUE S.</td>
<td>24.384</td>
<td>30.480</td>
<td>3.048 Each</td>
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<td>OGDEN ROAD</td>
<td>26 AVENUE S.</td>
<td>17 STREET E.</td>
<td>20.117</td>
<td>30.481</td>
<td>5.182 Each</td>
</tr>
<tr>
<td>OGDEN ROAD</td>
<td>MILICAN ROAD</td>
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<td>11 AVENUE S.</td>
<td>12 AVENUE S.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 EAST</td>
</tr>
<tr>
<td>RICHMOND ROAD</td>
<td>29 STREET W.</td>
<td>37 STREET W.</td>
<td>22.860</td>
<td>24.384</td>
<td>0.762 Each</td>
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<tr>
<td>RICHMOND ROAD</td>
<td>41 STREET W.</td>
<td>45 STREET W.</td>
<td>25.298</td>
<td>30.480</td>
<td>5.182 NORTH</td>
</tr>
<tr>
<td>RIVERFRONT AVENUE</td>
<td>2 STREET W.</td>
<td>3 STREET E.</td>
<td>20.117</td>
<td>24.385</td>
<td>2.134 Each</td>
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<tr>
<td>TRANS CANADA HIGHWAY</td>
<td>46 STREET W.</td>
<td>MCKAY ROAD</td>
<td>26.213</td>
<td>36.576</td>
<td>10.363 SOUTH</td>
</tr>
</tbody>
</table>
(2) When considering a development permit application for a parcel adjacent to a street right-of-way referenced in Table 1, the Development Authority must require that the building be set back from the basic right-of-way by a distance equal to:

(a) the required building setback in the applicable land use district; plus

(b) the Required Setbacks referenced in Table 1.

(3) When considering an application for a development permit for a discretionary use, the Development Authority may require that a building must not be constructed within a future corner cut-off at an intersection.

(4) Portions of a parcel within the Required Setbacks referenced in Table 1 may be used by an applicant for the purposes of calculating landscaped area, floor area ratio and units per hectare.
Division 2: Airport Vicinity Rules

Airport Vicinity Regulations

54 When making a decision on a development permit the Development Authority must comply with the requirements of:

(a) The Calgary International Airport Vicinity Protection Area Regulation; and

(b) The Calgary International Airport Zoning Regulations.
Division 3: Floodway, Flood Fringe and Overland Flow

Floodway, Flood Fringe and Overland Flow

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

Floodway Regulations

56 (1) For parcels located in the floodway on which a building existed and the use of that parcel was approved as of September 9, 1985, the use may continue as a permitted or discretionary use provided that the use is listed in the land use district that the parcel is designated.

(2) Subject to subsection (1), in the floodway only those permitted and discretionary uses which are listed below, and which are also listed in the land use district for which the parcel is designated, may be allowed as permitted and discretionary uses:

(a) Extensive Agriculture;
(b) Natural Area;
(c) Outdoor Recreation Area;
(d) Park; and
(e) Utilities.

New Buildings and Alterations

57 (1) No new buildings or other new structures are allowed in the floodway, except for the replacement of existing Accessory Residential Buildings, Backyard Suites, Duplex Dwellings, Secondary Suites, Semi-detached Dwellings and Single Detached Dwellings on the same building footprint.

(2) An addition to a building in the floodway may only occur if it does not increase the building footprint or increase the obstruction to floodwaters.

(3) In the floodway, nothing must be stored outside of a building.

Alterations to the Floodway and Riverbanks

58 On those areas of land within the floodway that are subject to municipal jurisdiction, no alterations shall be made to a floodway and no structures including, but not limited to, berms, decks, docks, fences, gates, patios, rip-rap or walls shall be constructed on, in or under a floodway unless those structures are being constructed by, or on behalf of, the City for the purpose of erosion control, where the primary purpose is to protect public infrastructure.
Fringe and Overland Flow Area Regulations

59  (1) Only those goods that are easily moveable may be stored on a parcel in the flood fringe or the overland flow area.

(2) Unless stated in subsection (3), all buildings must be set back 6.0 metres from the edge of the floodway.

(3) Where a parcel was vacant on July 22, 1985, all buildings must be set back the greater of the following distances:

(a) 60.0 metres from the edge of the Bow River;

(b) 30.0 metres from the edge of the Elbow River, Nose Creek, West Nose Creek; or

(c) 6.0 metres from the edge of the floodway.

Building Design in the Flood Fringe

60  (1) All buildings in the flood fringe must be designed in the following manner:

(a) to prevent structural damage by floodwaters;

(b) the first floor of all buildings must be constructed at or above the designated flood level; and

(c) all electrical and mechanical equipment within a building must be located at or above the designated flood level; and

(d) a sewer back up valve must be installed in every building.

(2) The rules regarding building design referenced in subsection (1) do not apply to:

(a) an addition that does not increase the gross floor area of the building by more than 10.0 per cent of the gross floor area legally existing as of June 09, 2014; and

(b) a fence, gate, deck, landing, patio, skateboard and sports ramp, air conditioning unit, satellite dish, hot tub, above ground private swimming pool, and an Accessory Residential Building.

(3) Notwithstanding subsection (1) and (2), in addition to the conditions listed in section 38, additions to buildings that increase the gross floor area of the building by more than 10.0 per cent but less than 75.0 per cent of the gross floor area legally existing as of June 09, 2014 must:

(a) provide electrical isolation for the entire building through the placement of the master switch above the designated flood level; and,

(b) install a sewer back-up valve in the building.
(4) Notwithstanding subsection (1), (2) and (3), in addition to the conditions listed in section 38, additions to buildings that increase the **gross floor area** of the building by at least 75.0 per cent of the **gross floor area** legally existing as of June 09, 2014 must:

(a) fully mitigate as per subsection (1).

**Building Design in the Overland Flow Area**

61 (1) All *buildings* in the **overland flow area** must be designed in the following manner:

(a) to prevent structural damage by floodwaters;
(b) the first floor of all *buildings* must be constructed at a minimum of 0.3 metres above the highest grade existing on the street abutting the **parcel** that contains the **building**;
(c) all electrical and mechanical equipment within a **building** must be located at or above the first floor of the **building** referenced in subsection (b); and
(d) a sewer back up valve must be installed in every building.

(2) The rules regarding **building** design referenced in subsection (1) do not apply to:

(a) an addition that does not increase the **gross floor area** of the **building** by more than 10.0 per cent of the **gross floor area** legally existing as of June 09, 2014; and
(b) a **fence**, gate, **deck**, **landing**, **patio**, **skateboard and sports ramp**, air conditioning unit, satellite dish, hot tub, above ground private swimming pool, and an **Accessory Residential Building**.

(3) Notwithstanding subsection (1) and (2), additions that increase the **gross floor area** of the **building** by more than 10.0 per cent but less than 75.0 per cent of the **gross floor area** legally existing as of June 09, 2014 must:

(a) provide electrical isolation for the entire **building** through the placement of the master switch a minimum of 0.3 metres above the highest grade existing on the **adjacent street**; and,
(b) must have a sewer back up valve installed in every building.

(4) Notwithstanding subsection (1), (2), and (3), additions that increase the **gross floor area** of the **building** by at least 75.0 per cent of the **gross floor area** legally existing as of June 09, 2014 must:

(a) fully mitigate as per subsection (1).
Division 4: Lighting Rules

Lighting Requirements

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

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

Shielding

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

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

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

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

Mounting of Fixtures

64 All outdoor light fixtures, other than those referenced in section 63(3), must be mounted with a rigid mounting arm with no adjustment feature.
PART 3 - DIVISION 4: LIGHTING RULES

Height Limits

65  (1) Unless otherwise referenced in subsection (2), the maximum mounting height for an outdoor light fixture with a luminaire wattage greater than 100 watts is:

20P2017

(a) 7.5 metres in the C-N1, C-N2, C-C1, C-COR1, CC-ER, I-B and I-E Districts and in all low density residential districts, multi-residential districts, mixed use districts and special purpose districts; and

(b) 12.0 metres in the CC-ET, CC-EIR, CC-EMU, CC-EPR, CC-ERR Districts and in all other commercial and industrial districts.

66  (2) There is no maximum mounting height requirement for an outdoor light fixture with a luminaire wattage greater than 100 watts for an Outdoor Recreation Area and a Spectator Sports Facility, regardless in which District these uses are located.

66  (3) Outdoor light fixtures mounted on poles, or any structure intended primarily for mounting lighting, must not exceed a mounting height of 40.0 per cent of the horizontal distance between the light fixture and the property line, except:

13P2008

(a) For outdoor light fixtures with a mounting height less than 5.0 metres with side shielding on the property line side of the outdoor light fixture so that the luminaire is not visible from the property line; and

(b) accent lighting mounted in or on a tree.

66  (4) Outdoor light fixtures with a luminaire wattage greater than 100 watts, mounted onto buildings, must not have a mounting height higher than the building or higher than 40.0 per cent of the horizontal distance between the light fixture and the property line, whichever is the lesser, except for:

13P2008

(a) outdoor light fixtures mounted on building façades that are less than 7.5 metres from the property line may have a mounting height of 3.0 metres or less; and

(b) accent lighting for building façades.

Canopy Lighting

66  Outdoor light fixtures mounted on canopies must be recessed so that the luminaire does not project below the underside of the canopy.
Division 5: Signs

Purpose

67 This Division is intended to regulate signs in order to:

(a) balance the need for signage and expression with safety and aesthetics;

(b) support a hierarchy of signs which places informational and directional signs at a higher order than commercial signs through the regulation of the size, location and structure of signs;

(c) provide many opportunities for the identification of businesses and buildings; and

(d) prevent sign proliferation, to ensure that the effectiveness of informational and identification signage is not undermined through visual clutter.

Classification of Signs

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

Development Permits

69 (1) Unless specifically exempt from the requirement to obtain a development permit, all signs, structures for signs and any enlargement, relocation, erection, construction or alteration of a sign, require a development permit.

(2) A development permit is not required for routine maintenance and repair, changing the copy, or reducing the copy area of a legally existing sign.

(3) All signs containing a digital display must obtain a development permit.

Comprehensive Sign Program

70 (1) The Development Authority may require that any or all signs placed on a building or parcel comply with a comprehensive sign program as set out in a development permit affecting the parcel where signs are to be located.

(2) The comprehensive sign program may set out a designated area for signs attached to or projecting from the face of a building or for any signs that are freestanding to be located on the parcel and any proposed signs must be located in the designated area or location for signs specified in the applicable development permit.
The designated area and locations for signs referenced in subsection (2) replace any rules regarding designated area or location contained in this Division that would normally apply to the specific sign type.

Where a development permit application for a sign is proposed that would conflict with the comprehensive sign program, the Development Authority will evaluate the application as if the proposed sign required a relaxation of the rules of this Bylaw.

A comprehensive sign program is only in place when a condition on a development permit affecting the parcel where signs are to be located clearly indicates that a comprehensive sign program has been approved.

When the architectural and site drawings that form part of a development permit indicate areas on a building wall for future tenant signage or parcel locations for signs that will be freestanding, these areas and locations are not to be interpreted as a comprehensive sign program unless a condition on the development permit clearly indicates that a comprehensive sign program has been approved.

Comprehensive Sign Program for Pedestrian Corridors

Where a building is proposed, or an existing building is undergoing exterior redevelopment on a parcel in one of the locations referenced in subsection 89(2) the Development Authority must consider implementing a comprehensive sign program in accordance with section 70 that would require signage that is appropriately scaled for pedestrians and takes into consideration the following:

(a) a requirement for Projecting Signs or Canopy Signs to be installed so that business identification signage is visible to pedestrians on a public sidewalk;

(b) the location and type of Fascia Signs that will be allowed on the building wall;

(c) the method of sign illumination; and

(d) the number and locations for any Temporary Signs or Freestanding Signs that would be located on the parcel.

Development Authority’s Discretion

Where a type of sign is listed as a permitted use in a District, but does not comply with all of the applicable rules of this Part, the Development Authority’s decision to relax a rule must be guided by:

(a) test for a relaxation referenced in section 31;

(b) purpose statement of this Part;

(c) rules relating to opportunities for signage;
(d) character of the District where the sign is proposed to be located;

(e) amount of signage in the nearby surroundings; and

(f) extent to which the sign does not comply with the rule proposed to be relaxed.

(2) Where a type of sign is listed as a discretionary use in a District, the Development Authority’s exercise of discretion must be guided by the:

(a) test for a relaxation referenced in section 36 where the relaxation of a rule is requested;

(b) purpose statement of this Part;

(c) rules relating to opportunities for signage;

(d) character of the District where the sign is sought to be located; and

(e) amount of signage in the nearby surroundings.

Rules Governing All Signs

73 (1) All signs regulated by this Bylaw must be located on a parcel.

(2) No sign, other than a Special Event Sign or an approved Sign – Class F or Sign – Class G, may display third party advertising.

(3) Where a rule in this Division provides a maximum height for a sign, the height must be measured from grade at any point adjacent to:

(a) a building to the highest portion of the sign when the sign is located on or projects from a building; or

(b) the sign support structure to the highest portion of the sign when the sign is freestanding.

(4) A sign must not:

(a) have the position, shape, colour, format or illumination which is similar to a traffic sign, signal or device; or

(b) display lights which is similar to lights generally associated with danger or those used by police, fire, ambulance or other emergency vehicles.

(5) Signs in residential districts must not be internally illuminated, but may be illuminated indirectly in a manner that prevents the trespass of light onto adjacent parcels.

(6) Signs, sign supports and structures for signs must be located a minimum of 0.75 metres back from a curb line.
(7) Signs must not be placed in or on a required motor vehicle parking stall or loading stall, and must be placed so as to not reduce the number of required motor vehicle parking stalls or loading stalls required pursuant to this Bylaw or a development permit.

(8) Signs must not be placed within a corner visibility triangle where any part of the sign is higher than 0.75 metres and lower than 4.6 metres above the lowest elevation of the street.

(9) Signs, sign supports and structures for signs must not be located in the required road rights-of-way setbacks as referenced in section 53 and Table 1.

(10) The Development Authority may only relax the requirements in subsection (9) if the sign owner agrees, in writing, to remove the sign from its location within 30 days of being asked to remove it by the City.

(11) Signs may project over sidewalks or road rights-of-way provided:

(a) the sign owner agrees in writing to remove the sign from its location within 30 days of being asked to remove it by the City;

(b) the sign will have a minimum clearance of 4.6 metres over a City owned driveway, lane or alley; and

(c) the sign will have a minimum clearance of 2.4 metres in any instance not referenced in subsection (b).

(12) Trees and shrubs must not be removed or damaged to erect a sign, to make a sign more visible, to maintain a sign, or to change copy on a sign.

(13) The Development Authority may only relax the requirement of subsection (12) if the Development Authority is satisfied that new trees or shrubs will be planted to replace any trees and shrubs that are removed or damaged and that the new plantings are consistent with any conditions respecting landscaping on a development permit for the parcel where the sign is located.

(14) When a panel on a multi-panel sign or a sign structure is removed it must be replaced with a blank panel until such time as a new panel is installed.

33P2013, 15P2014	Rules Governing All Signs in the Stephen Avenue Mall Heritage Area

73.1 (1) In addition to the rules contained in this Division, signs located in the Stephen Avenue Mall heritage area must not obscure or adversely impact historical architectural details of a building’s facade.

56P2017 (2) Notwithstanding section 93(3.1), signs located within the Stephen Avenue Mall heritage area may utilize only the following means of illumination:
(a) incandescent lighting;
(b) fluorescent lighting not visible to pedestrians at grade;
(c) neon lighting when used only for text or imagery in a sign area; and
(d) LED lighting.

(3) All back-lit signs must have opaque backgrounds with illumination only visible through the text.

(4) With the exception of signs referenced in sections 90 (3) and 99 (5), the text of a sign located in the Stephen Avenue Mall heritage area must not occupy more than 60.0 per cent of the total sign area.

Rules Governing Signs containing Digital Displays

74 (1) Copy shown on a digital display must be static and remain in place for a minimum of six (6.0) seconds before switching to the next copy.

(2) The maximum transition time between each digital copy must not exceed 0.25 seconds.

(3) deleted

(4) Copy must not be shown on the digital display using full motion video or otherwise give the appearance of animation or movement, and the transition between each digital copy must not be displayed using any visible effects, including but not limited to action, motion, fading in and out, dissolving, blinking, intermittent, or flashing light or the illusion of such effects.

(5) Copy must not be shown in a manner that requires the copy to be viewed or read over a series of sequential copy messages on a single digital display, or sequenced on multiple digital displays.

(5.1) All signs containing a digital display must be equipped with an ambient light sensor.

(5.2) A sign containing a digital display must not increase the light levels adjacent to the digital display by more than 3.0 LUX above the ambient light level.

(6) The sign owner must ensure that while the sign is in operation, the light output for the digital display must be set in accordance with the following maximum luminance levels when measured from the sign face at its maximum brightness:

(a) from sunrise to sunset, 7500 Nits in all districts; and
(b) from sunset to sunrise:
   (i) 500 Nits in the industrial districts;
(ii) 350 Nits in the C-COR 1, C-COR2, C-COR3, C-R1, C-R2, C-R3, S-CRI and S-FUD Districts; and

(iii) 300 Nits in all other districts not referenced in subsections (i) and (ii).

(7) deleted

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

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

(10) deleted

Maintenance of Signs

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

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

(a) immediately repair the sign to its original condition;

(b) replace it with a new sign that complies with any applicable development permit or the rules of this Bylaw where a development permit is not required; or

(c) remove the sign.

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

Parcels in Related Function

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

Rules Governing Class A Signs

77 A Sign – Class A does not require a development permit when “Sign – Class A” is a listed use in the District and the sign meets all applicable rules.
PART 3 - DIVISION 5: SIGNS

Address Sign

78  (1) Where an Address Sign is sculpted out of the face of a building and is not illuminated, there is no maximum copy area restriction.

(2) Where an Address Sign is affixed to a residence or a private garage, the maximum copy area is 0.30 square metres.

(3) Where an Address Sign is neither sculpted out of a building or affixed to a residence or private garage, the maximum copy area is 1.2 square metres.

(4) Any proposed Address Sign that exceeds the maximum copy area set out in this section will be considered a Fascia Sign or Freestanding Sign and must comply with the rules applicable to those signs.

Art Sign

79  (1) An Art Sign may contain a maximum of 10.0 per cent of the area of the sign as written copy.

(2) An Art Sign may only contain written copy acknowledging:

(a) the name of the business occupying the building where the sign is located; and

(b) the name of any individual, organization or business that sponsored or contributed to making the Art Sign.

(3) When an Art Sign takes the form of a Window Sign it must follow all rules applicable to a Window Sign as referenced in section 90.

Banner Sign

80  (1) A Banner Sign may:

(a) be primarily decorative;

(b) temporarily promote the buying or selling of products or services;

(c) be used to announce the opening of a business; or

(d) temporarily be used in place of a Fascia Sign.

(2) A Banner Sign that is used to temporarily promote the buying or selling of products or services or to announce the opening of a business:

(a) may be erected for a maximum of 90 days in a calendar year; and

(b) is limited to one per business provided there is not more than one Banner Sign located on a building at any one time.
(3) A **Banner Sign** that is used in place of a **Fascia Sign** may only be placed in the designated signable area and locations referenced in section 92 for a period not exceeding 90 days following the issuance of a **development completion permit** or occupancy permit granted under the Building Permit Bylaw for the **development** to which the **sign** relates.

(4) A **Banner Sign** may have a maximum **sign area** of 5.0 square metres.

(5) A **Banner Sign** must not project above, or be located on, the roof of a **building**.

(6) A **Banner Sign** may be:

   (a) affixed to the wall of a **building**; or
   
   (b) freestanding provided it does not exceed 3.0 metres in height when measured from **grade** to the highest part of the **sign**.

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**Construction Sign**

81 (1) All **Construction Signs** relating to undeveloped **parcels**, or **parcels** where the **development** is being carried out in accordance with a **development permit**:

   (a) may have a total cumulative maximum **sign area** of 6.0 square metres; and
   
   (b) must be removed within seven days following issuance of the **development completion permit**.

(2) A **Construction Sign** relating to **parcels** for which a **development permit** is not required, may:

   (a) in **residential districts**, have a maximum **sign area** of 1.0 square metres;
   
   (b) in all other districts, have a maximum **sign area** of 1.5 square metres; and
   
   (c) in all cases, be displayed for a maximum of 30 days.

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**Directional Sign**

82 (1) In **low density residential districts**, a **Directional Sign** must be attached to a **building**.

(2) A **Directional Sign** must not have any advertising **copy** or slogans, but may have logos and written identification **copy**.

(3) The maximum **copy area** of a **Directional Sign** is 2.5 square metres.

(4) A **Directional Sign** may be located anywhere on a **parcel**.
A maximum of two freestanding Directional Signs may be located near any point of ingress or egress to the parcel when the Directional Sign intends to direct a vehicle or pedestrian onto the parcel.

The maximum height of a freestanding Directional Sign is 4.0 metres.

Flag Sign

A Flag Sign:

(a) may have a maximum sign area of 2.0 square metres;
(b) is limited to three per parcel where the parcel has a frontage of 30.0 metres or less; and
(c) is limited to six per parcel where the parcel has a frontage greater than 30.0 metres.

A Flag Sign and the structures they are on must not extend higher than the maximum height allowed for a Freestanding Sign as referenced in section 97.

A Flag Sign must not be located on the roof of a building.

Gas Bar Sign

The maximum sign area for a Gas Bar Sign is 1.0 square metres.

A Gas Bar Sign must not be illuminated.

Pedestrian Sign

Each business in a building that is located on the floor closest to grade may have one Pedestrian Sign provided it does not exceed:

(a) 1.0 metres in height; and
(b) 1.0 square metres in sign area.

A Pedestrian Sign:

(a) may only be displayed during the hours that the business it relates to is open and operating;
(b) must not be placed on a public sidewalk; and
(c) must not be illuminated.

A Pedestrian Sign must be located within 3.0 metres of a public entrance that serves the business to which the sign relates unless it is located on a parcel in one of the locations referenced in subsection 89(2).
35P2011

**Real Estate Sign**

86  (1) A Real Estate Sign may take the form of any other type of sign or be incorporated into an existing Freestanding Sign.

(2) When a Real Estate Sign is freestanding:
   
   (a) there must not be more than one Real Estate Sign per frontage;
   
   (b) the Real Estate Sign may have a maximum sign area of 1.5 square metres and a maximum height of 2.0 metres above grade, if the frontage is equal to or less than 30 metres; and
   
   (c) the Real Estate Sign may have a maximum sign area of 3.0 square metres and a maximum height of 3.0 metres above grade, if the frontage is greater than 30.0 metres.

(3) When a Real Estate Sign takes the form of a Fascia Sign it must follow all rules applicable to a Fascia Sign as referenced in section 92 and 93.

(4) When a Real Estate Sign takes the form of a Banner Sign it:
   
   (a) must not be located above the third storey of a building; and
   
   (b) must not be erected for more than 90 days in a calendar year.

35P2011

**Special Event Sign**

87  (1) A Special Event Sign located in a low density residential district may only be located on a parcel that does not contain a Dwelling Unit.

(2) A Special Event Sign must not contain advertising copy beyond copy that promotes the special event, but may contain copy acknowledging the name of an individual, organization or business that sponsors or contributes to the special event.

(3) A Special Event Sign may take the form of any other types of sign.

(4) A Special Event Sign may be displayed for up to 15 days prior to the date of the special event to which it relates and for the duration of the special event, but must not be displayed for more than 30 days in total.

35P2011

**Show Home Sign**

88  (1) A Show Home Sign may have a maximum sign area of 3.0 square metres.

(2) The maximum total sign area for all Show Home Signs on a parcel is 6.0 square metres.
**Temporary Sign**

89  **(1)** A **Temporary Sign** must not be located on any **parcel** such that the **copy** on the **sign** is visible from:

(a) Airport Trail from 36 Street N.E. east to the **City** Limit;
(b) 14 Street from Glenmore Trail to Anderson Road S.W.;
(c) Anderson Road;
(d) Barlow Trail from Peigan Trail to Deerfoot Trail;
(e) Beddington Trail from Country Hills Boulevard to Deerfoot Trail;
(f) Country Hills Boulevard from Shaganappi Trail to Beddington Trail;
(g) Crowchild Trail;
(h) Deerfoot Trail;
(i) Glenmore Trail;
(j) John Laurie Boulevard from Shaganappi Trail, east to McKnight Boulevard;
(k) Macleod Trail from Anderson Road south to the **City** limits;
(l) Marquis of Lorne Trail;
(m) McKnight Boulevard from Edmonton Trail, east to the **City** limits;
(n) McKnight Boulevard from 4 Street N.W. to John Laurie Boulevard;
(o) Memorial Drive from Barlow Trail to Edmonton Trail;
(p) Metis Trail;
(q) Peigan Trail;
(r) Sarcee Trail N.W. from 34 Avenue N.W. to Glenmore Trail;
(s) Shaganappi Trail;
(t) The Transportation and Utility Corridor;
(u) Spruce Meadows Trail;
(v) Trans-Canada Highway from Deerfoot Trail, east to the **City** limits;
(w) Trans-Canada Highway from Crowchild Trail to Bowness Road;
(x) Trans-Canada Highway from the junction of Home Road, west to the **City** limits;
PART 3 - DIVISION 5: SIGNS

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

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

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

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

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

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

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

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

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

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

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

(a) 1.5 metres if the sign area is 2.5 square metres or less;
(b) 2.0 metres if the sign area is greater than 2.5 square metres, but less than 3.0 square metres; and
(c) 3.0 metres if the sign area is 3.0 square metres or more.

A Temporary Sign with a sign area greater than 1.5 square metres must be located on a Temporary Sign Marker that has been approved in accordance with the rules for Sign – Class E and must:

(a) be no further than 1.0 metres away from the Temporary Sign Marker; and
(b) not be closer to the street than the Temporary Sign Marker.

Unless otherwise referenced in subsection (11) a maximum of one Temporary Sign may be located on a parcel.

Where a parcel has a frontage:

(a) less than or equal to 75.0 metres, a maximum of one Temporary Sign may be located on that parcel;
(b) greater than 75.0 metres, but less than or equal to 200.0 metres, a maximum of two Temporary Signs may be located on that parcel; and
(c) greater than 200.0 metres, a maximum of three Temporary Signs be located on that parcel.

Window Sign

The total copy area of one or more Window Signs must not exceed 30.0 per cent of the window area.

For the purposes of subsection (1), “window area” includes all contiguous panes of glass, including panes of glass that would be contiguous if not separated by mullions, but does not include contiguous panes of glass on a doorway.

In the Stephen Avenue Mall heritage area, a Window Sign must not:

(a) exceed one per window area;
(b) be located in windows above the second storey except where there is a use with a use area that is wholly contained on a floor above the second storey;
(c) be located within 1.8 metres of a window where the sign is internally illuminated and facing outward from inside a building; and
(d) contain copy greater than:
(i) 0.15 metres in height when located in a window at or below the second storey; and
(ii) 0.23 metres in height when located in a window above the second storey;

Rules Governing Class B Signs

91 A Fascia Sign does not require a development permit when:
   (a) Sign – Class B is listed as a permitted use in the District;
   (b) the sign area is not larger than 1.5 square metres; and
   (c) the sign meets all applicable rules.

Designated Signable Area and Locations for Fascia Signs

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

(a) the *sign* consists of individual letters, symbols or logos that are directly attached to the *building*;

(b) the portion of the *sign* below the signable area occupies a maximum of 30.0 per cent of the area of the wall of the *building* below the signable area; and

(c) the *copy area* of the *sign* below the designated signable area is less than 9.3 square metres.

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

**Sign Illustration 3:**
**Designated Signable Area**
**Subsections 92(2), (3) and (4)**
Rules for Fascia Signs

93 (1) A Fascia Sign does not have a maximum sign area when located on a primary building wall and within the designated signable area on that wall.

(2) The maximum total sign area for all Fascia Signs located on a secondary building wall is 30.0 per cent of the designated signable area on that wall.

(3) A Fascia Sign located on a secondary building wall may be illuminated, but must only be indirectly illuminated when the copy of the sign is visible from:

(a) an adjacent parcel designated as a residential district; or
(b) a Park or Natural Area.

(3.1) In the Stephen Avenue Mall heritage area, a Fascia Sign must not:

(a) have a height greater than 0.6 metres;
(b) contain copy that is greater than 0.4 metres;
(c) be located within 0.6 metres of each edge of a facade parallel to Stephen Avenue Mall; and
(d) be internally illuminated.

(4) The following diagrams illustrate the rule in subsection (2).
Sign Illustration 4:
Sign Area on Secondary Building Wall
Subsection 93(2)
Rules Governing Class C Signs

94 (1) A development permit is not required to add additional panels to a legally existing Freestanding Sign when:

(a) the Freestanding Sign was previously approved through a development permit;

(b) the panel sought to be added is the same length as any message panels already on the Freestanding Sign;

(c) the panel does not extend beyond or protrude from the outer limits of the existing sign structure; and

(d) the addition of the panel would not result in the Freestanding Sign violating any rules respecting maximum height, copy, clearance or location or any conditions of the approved development permit for the Freestanding Sign.

Rules for Freestanding Signs

95 (1) A Freestanding Sign must not interfere with vehicle parking or traffic circulation.

(2) The electrical power supply to a Freestanding Sign must be located underground.

(3) Anchor bolts securing the base of a Freestanding Sign must be permanently covered.

(4) A proposed Freestanding Sign must be located a minimum of 30.0 metres from any other Freestanding Sign located on an adjacent parcel that is:

(a) facing the same oncoming traffic; and

(b) on the same side of the street.

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

Number of Freestanding Signs

96 (1) Unless otherwise referenced in subsections (2) and (3), a parcel may have a maximum of one Freestanding Sign facing each street that provides access to the parcel.

(2) Where a parcel has a frontage equal to or greater than 200.0 metres, one additional Freestanding Sign for every 200.0 metres of frontage is allowed on the applicable frontage in addition to the Freestanding Sign allowed in accordance with subsection (1).

(3) Where a parcel is designated the C-R2 or C-R3 District, two additional Freestanding Signs are allowed per frontage in addition to those Freestanding Signs allowed in accordance with subsections (1) and (2).
Size and Height Restrictions for Freestanding Signs

97 (1) In the C-N1, C-N2 and C-C1 Districts:
   (a) the maximum sign area of a Freestanding Sign is 9.5 square metres; and
   (b) the maximum height of a Freestanding Sign is 6.0 metres.

(2) In the C-COR3 District:
   (a) the maximum sign area of a Freestanding Sign is 18.5 square metres; and
   (b) the maximum height of a Freestanding Sign is 12.2 metres.

(3) In the CC-ET and CC-EIR Districts, and all other commercial and in all industrial and mixed use districts:
   (a) the maximum sign area of a Freestanding Sign is 14.0 square metres; and
   (b) the maximum height of a Freestanding Sign is 9.0 metres.

(4) In the CC-EMU, CC-EPR, CC-ERR, CC-MH, CC-MHX, M-H1, M-H2, M-H3, M-X1 and M-X2 Districts where the parcel contains commercial multi-residential uses:
   (a) the maximum sign area for a Freestanding Sign is 7.0 square metres; and
   (b) the maximum height of a Freestanding Sign is 6.0 metres.

(5) In the low density residential districts and the M-CG, M-C1, M-C2, M-G, M-1 and M-2 Districts:
   (a) the maximum sign area of a Freestanding Sign is 5.0 square metres; and
   (b) the maximum height of a Freestanding Sign is 4.0 metres.

(6) In the special purpose districts:
   (a) the maximum sign area of a Freestanding Sign is 7.0 square metres; and
   (b) the maximum height of a Freestanding Sign is 6.0 metres.

Rules Governing Class D Signs

98 (1) A development permit is required to erect a new canopy, awning, marquee or projecting structure intended to display a Sign – Class D and must follow any applicable dimensional standards referenced in sections 99, 100, 101 and 102.

(2) A development permit is not required for a change in copy for a Sign – Class D when the canopy, awning, marquee or projecting structure legally exists even if the applicable sign structure does not meet the dimensional standards referenced in sections 99, 100, 101 and 102.
Rules for Canopy Signs

99 (1) The copy area on a Canopy Sign must not exceed 50.0 per cent of the total area of the canopy which will be measured by the vertical height of the canopy multiplied by the length of the canopy or awning.

(2) The Canopy Sign must not extend beyond the structure on which it is displayed.

(3) A structure used to display Canopy Signs must:
   (a) have a minimum clearance of 2.4 metres from grade;
   (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; and
   (d) not exceed 1.5 metres in height measured from the lowest point of the structure to the highest point of the structure.

(4) The following diagram illustrates the rules in subsection (1) and (3)(a).

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

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

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

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

Rules for Projecting Signs

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

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

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

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

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

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

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

Size Restrictions for Projecting Signs

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

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

(3) In all other commercial districts, in all industrial and mixed use districts and in the CC-ET and CR20-C20/R20 Districts the maximum sign area for a Projecting Sign is 4.5 square metres.

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

(a) must not have a dimension greater than 0.91 metres by 1.22 metres except where the only other *sign* on the facade of the *building* is a *Window Sign*; and

(b) when located above the designated signable area referenced in section 92(2) and (5) must not have a:

(i) *sign area* greater than 1.1 square metres;

(ii) vertical dimension greater than 1.2 metres; and

(iii) horizontal dimension that is parallel to the *building* facade greater than 0.20 metres.

**Rules Governing Class E Signs**

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

**Digital Message Sign**

104 (1) Unless otherwise referenced in subsection (2), a *Digital Message Sign* may only be approved in a *commercial district, industrial district, mixed use district*, S-R, CC-ER or CR20-C20/R20 District.

(2) A *Digital Message Sign* advertising events, activities or services offered, may only be approved in the *low-density residential districts, multi-residential districts*, CC-MH, CC-MHX, S-SPR, S-CS, S-CI, S-URP, CC-EMU, CC-ET, CC-EPR, CC-EIR and CC-ERR Districts, when they are associated with one of the following *uses*:

(a) Community Recreation Facility;

(b) Indoor Recreation Facility;

(c) Library;

(d) Museum;

(e) Outdoor Recreation Area;

(f) Park;

(g) Place of Worship – Large;

(h) Place of Worship – Medium;

(i) Place of Worship – Small;

(j) School – Private;

(k) School Authority – School;

(l) School Authority Purpose – Major; and

(m) School Authority Purpose – Minor.

56P2017 (3) A maximum of one *Digital Message Sign* may be located on a *parcel* with the exception that *corner parcels* may have one *Digital Message Sign* on the *street* side of each *street*.
(3.1) deleted

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

(5) Notwithstanding subsection (3), a Digital Message Sign must not be located on a parcel adjacent to Deerfoot Trail, Spruce Meadows Trail, Stoney Trail, or any provincial highway under the Highways Development and Protection Act when the copy on the sign is visible from these streets or highways.

(5.1) Notwithstanding subsection (5), a Digital Message Sign may be located on a parcel adjacent to Deerfoot Trail, Spruce Meadows Trail, Stoney Trail or any provincial highway under the Highways Development and Protection Act when in accordance with Table 1.1.

Table 1.1: Maximum Digital Message Sign areas facing the same oncoming traffic and minimum distance from Deerfoot Trail, Spruce Meadows Trail, Stoney Trail or provincially controlled highway

<table>
<thead>
<tr>
<th>Maximum sign area (square metres)</th>
<th>Minimum Distance from edge of pavement to sign (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.0</td>
<td>400</td>
</tr>
<tr>
<td>4.0</td>
<td>350</td>
</tr>
<tr>
<td>3.0</td>
<td>300</td>
</tr>
<tr>
<td>2.0</td>
<td>250</td>
</tr>
<tr>
<td>1.0</td>
<td>200</td>
</tr>
</tbody>
</table>

(5.2) The Development Authority must not relax the minimum distance from the edge of pavement to a Digital Message Sign as shown in Table 1.1.

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

(6) A Digital Message Sign:

(a) where located in a commercial district, industrial district, mixed use district, S-R, CC-ER or CR20-C20/R20 District has a maximum sign area:

(i) of 5.0 square metres when attached to a building;

(ii) not exceeding the lesser of 2.5 square metres or 30.0 per cent of the window area, where used as a Window Sign; and
(iii) of 50 per cent of the sign area of a Freestanding Sign; and

(b) where located in a low-density residential district, multi-residential district, CC-MH, CC-MHX, S-SPR, S-CS, S-Cl, S-URP, CC-EMU, CC-ET, CC-EPR, CC-EIR and CC-ERR Districts, has a maximum sign area of 1.0 square metres.

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

(a) a commercial district, industrial district, mixed use district, S-R, CC-ER or CR20-C20/R20 District, between 11 p.m. and 6 a.m.; or

(b) one of the districts and associated with one of the uses listed in subsection (2), between 10 p.m. and 7 a.m.

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

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

(10) The electrical power supply to a Digital Message Sign must be provided underground.

(11) A Digital Message Sign may display copy that acknowledges sponsors of activities or programs when the sign is associated with one of the following uses:

(a) Community Recreation Facility;

(b) Indoor Recreation Facility;

(c) Library;

(d) Museum;

(e) Outdoor Recreation Area;

(f) Park;

(g) Place of Worship – Large;

(h) Place of Worship – Medium;

(i) Place of Worship – Small;

(j) School – Private;

(k) School Authority – School;

(l) School Authority Purpose – Major; and
(m) **School Authority Purpose – Minor.**

(12) A *development permit* for a **Digital Message Sign** may only be issued for a period not exceeding three (3) years, except where *copy* only displays the date, time, temperature, motor vehicle fuel price, or **Drive Through** menu board.

(13) Prior to a *development permit* expiring for a **Digital Message Sign**, and upon receipt of a new *development permit* application for the same **Digital Message Sign**, the **Development Authority**:

   (a) must ensure the location of the **Digital Message Sign** does not interfere with information signs in road rights-of-way;

   (b) must, when a *sign* is located in a district referenced in subsection (1), apply the rules referenced in subsection (7); and

   (c) may approve the *development permit* for a **Digital Message Sign** that was approved prior to March 1, 2013, and is adjacent to Deerfoot Trail.

**Inflatable Sign**

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

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

(2) An **Inflatable Sign** must not be located on the roof of any **building** or structure.

(3) An **Inflatable Sign** must be tethered or anchored and must touch the surface to which it is anchored.

(4) An **Inflatable Sign** must not extend higher than the maximum height allowed for a **Freestanding Sign** as referenced in section 97.

(5) Only one **Inflatable Sign** may be located on a **parcel** at any time.

(6) The maximum number of **Inflatable Signs** that may be on the same **parcel** in a calendar year is two.

(7) The maximum time period an **Inflatable Sign** may be displayed on a **parcel** is 30 days.

**Painted Wall Sign**

106  (1) A **Painted Wall Sign** may be located anywhere on a **building** wall.

   (1.1) In the **Stephen Avenue Mall heritage area**, a **Painted Wall Sign** must only be located on a **building** facade perpendicular to Stephen Avenue Mall.

(2) If a **Painted Wall Sign** is removed, the wall it was displayed on must be refinshed to be consistent with the rest of the **building**.
35P2011, 3P2013 Roof Sign

107  (1) A Roof Sign may be approved only in the following Districts

   (a) all commercial districts;
   (b) all industrial districts;

20P2017 (b.1) all mixed use districts;

(c) the S-CI or S-SPR Districts; and

(d) the CR20-C20/R20 District.

(2) A Roof Sign may only identify, by name or symbol, the use, business or occupant of the building on which the sign is located.

(3) Supports and structures used for a Roof Sign must not be visible.

(4) A Roof Sign and the supports for a Roof Sign, must not extend beyond the maximum building height applicable to the District where the sign is located.

(5) The sign area of all Roof Signs on each face of a building must not exceed 2.5 per cent of the area formed by multiplying the clearance of the sign from grade by the width of the building.

33P2013 (6) In the Stephen Avenue Mall heritage area, a Roof Sign must not:

   (a) be visible to pedestrians at grade on Stephen Avenue Mall; and
   
   (b) employ more than three colours.

Rotating Sign

35P2011 108 (1) A Rotating Sign may only be approved in commercial and industrial districts.

(2) A Rotating Sign must not exceed the maximum height and maximum sign area allowed for a Freestanding Sign as referenced in section 97.

Temporary Sign Markers

35P2011 109 (1) A Temporary Sign Marker is not allowed in those locations where a Temporary Sign is not allowed as referenced in subsections 89(1) and 89(2).

(2) A Temporary Sign Marker must be:

   (a) constructed of concrete, landscape pavers or similar hard surfacing material;
   
   (b) constructed of a different surfacing material than the surfacing surrounding it so that the marker clearly stands out in its surroundings;
(c) maintained so as to always be visible and clear of obstructions;

(d) a minimum of 0.4 square metres; and

(e) anchored or set into the ground.

(3) The number of Temporary Sign Markers allowed on a parcel must not exceed the number of Temporary Signs allowed on the applicable parcel as referenced in subsections 89(10) and 89(11).

(4) A Temporary Sign Marker must not located within 7.5 metres of a motor vehicle access to a parcel.

(5) If a Temporary Sign is intended to be illuminated, the Temporary Sign Marker must have an underground power supply.

(6) A Temporary Sign Marker must be accessible from the parcel on which it is located so that no person has to cross a different parcel, or City owned boulevard in order to install, do maintenance on, or remove a Temporary Sign.

Rules Governing Class F Signs – Third Party Advertising Signs

110 deleted

Prohibited Locations For Third Party Advertising Signs

111 (1) deleted

(2) deleted

(2.1) Third Party Advertising Signs must not be located within the Stephen Avenue Mall heritage area.

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

(a) 14 Street N.W. from John Laurie Boulevard, north to Country Hills Boulevard;

(b) 14 Street S.W. from Glenmore Trail S.W., south to Canyon Meadows Drive S.W.;

(c) 52 Street East, from 17 Avenue S.E., north to McKnight Boulevard;

(d) 85 Street N.W. from Bowness Road, north to Bearspaw Dam Road;

(e) 87 Street N.W. from Bearspaw Dam Road, north to Nose Hill Drive;

(f) 17 Avenue South from the eastern City limit, west to the Canadian National Railway crossing of 17 Avenue South near 52 Street S.E.;
(g) 32 Avenue N.E. from 36 Street N.E., east to the City limits;
(h) 64 Avenue N.E. from 36 Street N.E., east to the City limits;
(i) 96 Avenue N.E. from Harvest Hills Boulevard to Deerfoot Trail;
(j) 144 Avenue N.W.;
(k) 162 Avenue S.W. from 37 Street S.W., east to Macleod Trail;
(k.1) Airport Trail;
(l) Anderson Road;
(m) Barlow Trail from the north City limits, south to the junction of McKnight Boulevard;
(n) Bearspaw Dam Road from 87 Street N.W., east to 85 Street N.W.;
(o) Beddington Trail;
(p) Bow Bottom Trail;
(q) Bow Trail from the junction of Sarcee Trail S.W., east to the junction of Crowchild Trail;
(r) Canyon Meadows Drive;
(s) Chaparral Boulevard;
(t) Country Hills Boulevard;
(u) Crowchild Trail;
(v) Deerfoot Trail;
(w) Falconridge Boulevard N.E.;
(x) Glenmore Trail from Elbow Drive S.W., west to the City limits;
(y) Glenmore Trail from the Bow River, east to Ogden Road S.E.;
(z) Harvest Hills Boulevard;
(aa) Heritage Drive from 14 Street S.W., east to Haddon Road S.W.;
(bb) Heritage Drive from Bonaventure Drive S.E., east to Blackfoot Trail;
(cc) John Laurie Boulevard from Nose Hill Drive, east to McKnight Boulevard;
(dd) Macleod Trail from 162 Avenue S.W., south to the City limits;
(ee) McKenzie Lake Boulevard S.E.;
(ff) McKenzie Towne Boulevard S.E.;
(gg) McKenzie Towne Drive S.E.;
(hh) McKnight Boulevard from Deerfoot Trail east to Barlow Trail and from 36 Street N.E., east to the City limits;

(ii) Memorial Drive N.E. from 39 Street S.E., east to the City limits;

(ii.1) Metis Trail;

(jj) Nose Hill Drive;

(kk) Peigan Trail;

(lll) Sarcee Trail N.W. from Crowchild Trail, north to the Transportation and Utility Corridor;

(mm) Sarcee Trail from the Trans-Canada Highway, south to the junction of Glenmore Trail and from Southland Drive, south to the City limits;

(nn) Shaganappi Trail;

(oo) Shawnessy Boulevard from west City limits, east to Shawnessy Drive S.W.;

(pp) Southland Drive from west City limits, east to Haddon Road S.W.;

(qq) Southland Drive from Bonaventure Drive S.E., east to Deerfoot Trail;

(rr) Sun Valley Boulevard from Macleod Trail, east to Chaparral Boulevard;

(ss) the Transportation and Utility Corridor;

(tt) Trans-Canada Highway from the Bow River, west to the City limits; or

(uu) Trans-Canada Highway from 6 Street N.E., east to the City limits.

(4) Third Party Advertising Signs are prohibited on sites adjacent to Bowness Road from 62 Street N.W. to 65 Street N.W.

(5) Third Party Advertising Signs are prohibited on street or utility right-of-way.

(6) Third Party Advertising Signs must be a minimum of 450.0 metres from:

(a) major parks, as referenced in section 115;

(b) escarpments and pathways;

(c) riverbanks; and

(d) natural areas,

when the copy is visible.
(7) Notwithstanding subsection 111(3)(tt), existing Third Party Advertising Signs positioned such that the copy is visible from the Trans Canada Highway between the Bow River and Bowfort Road and approved prior to November 19, 1990 may be renewed from time to time in accordance with subsections 114 (10) and (11).

(8) Notwithstanding subsection 111(3)(y) and (uu), existing Third Party Advertising Signs positioned such that the copy is visible from Glenmore Trail S.E. or from the Trans-Canada Highway between 6 Street N.E. and 36 Street N.E. respectively, may be renewed from time to time in accordance with subsections 114 (10) and (11).

(9) Notwithstanding subsection 111(3), freestanding-flush and wall-mounted Third Party Advertising Signs in commercial or industrial districts may be allowed along those public thoroughfares referred to in subsections 111(3)(f)(q)(u) and (nn) where:

(a) the sign is contained within the line and form of the building to which it is attached;

(b) the sign is not positioned such that it can be viewed from a land use district other than a commercial or industrial district; and

(c) the sign area does not exceed 19.0 square metres.

(10) Notwithstanding subsection 112(4), where an existing Third Party Advertising Sign complies with this Bylaw, except for the provisions of subsection 111(4), it may be renewed from time to time in accordance with subsections 114 (10) and (11).

(11) Notwithstanding subsections 111(3)(hh) and (kk), where an existing Third Party Advertising Sign complies with this Bylaw, except for the provisions of subsections 111(3)(hh) and (kk), it may be renewed from time to time in accordance with subsections 114 (10) and (11).

(12) Unless otherwise referenced in subsection (13), and upon receipt of a new development permit application for the same Third Party Advertising Sign, no Third Party Advertising Sign may be approved within the Inglewood Main Street Area after November 9, 1992.

(13) A development permit for a Third Party Advertising Sign may be approved in the Inglewood Heritage Main Street Area if such sign replaces an existing Third Party Advertising Sign of the same or greater area at the same or another location in the Inglewood Heritage Main Street Area provided always that the approval of such a sign may only be allowed where it will result in a visual improvement to the character and streetscape of the area and either:

(a) a reduction in the overall number of Third Party Advertising Sign faces in such area; or

(b) the design is appropriate for enhancing the specific location.
(14) A development permit for a Third Party Advertising Sign may only be approved in the Mainstreet portion of Bowness Road NW when such a sign:

(a) replaces an existing Third Party Advertising Sign of the same or greater area at the same location provided; and

(b) results in upgrading of the quality of the proposed sign.

Siting of Third Party Advertising Signs

112 (1) A Third Party Advertising Sign must not be located within 30.0 metres of any Freestanding Sign, facing the same oncoming traffic, except where the separation is between existing signs approved prior to November 19, 1990.

(2) A Third Party Advertising Sign must be removed from a parcel upon expiry of the development permit for such sign if a development permit application for a Freestanding Sign is approved within 30.0 metres of the Third Party Advertising Sign.

(3) A Third Party Advertising Sign must not be located within 75.0 metres of any other Third Party Advertising Sign facing the same on-coming traffic and must not result in more than two (2) freestanding Third Party Advertising Signs greater than 4.6 metres in height and 4.5 square metres in area within a 225.0 metre radius of each other facing the same street, except:

(a) where the separation is between an existing Third Party Advertising Sign, approved prior to June 19, 2000;

(b) for a Third Party Advertising Sign located on the same structure; or

(c) for a Third Party Advertising Sign, less than 4.6 metres in height and 4.5 square metres in area, where the separation must be 30.0 metres.

(4) Subject to subsections (1) and (3), a Third Party Advertising Sign, less than 4.6 metres in height and 4.5 square metres in area, must not be located closer than 30.0 metres to any other Third Party Advertising Sign less than 4.6 metres in height and 4.5 square metres in area.

(5) A Third Party Advertising Sign must be located such that no portion is less than 6.0 metres from any property line adjacent to a public thoroughfare except for Third Party Advertising Signs less than 4.6 metres in height and 4.5 square metres in area.

(6) Notwithstanding subsection (5), where an existing Third Party Advertising Sign complies with this Bylaw, except for the provisions of subsection (5), it may be renewed from time to time in accordance with subsections 114 (10) and (11).
(7) Trees required under an approved development permit shall not be removed or altered in any way to accommodate the placement or visibility of a Third Party Advertising Sign.

4P2013

(8) A Third Party Advertising Sign must not be located on, or attached to, a roof of a building.

(9) A freestanding Third Party Advertising Sign must be separated from:

(a) a Directional Sign, exceeding 3.0 square metres in sign area, in a street right-of-way;

(b) a street intersection or railway crossing; and

(c) the curbline or edge of a major street, expressway or freeway; to the satisfaction of the General Manager Transportation or his delegate.

4P2013

Height and Size of Third Party Advertising Signs

113 (1) The maximum height of a wall-mounted or a freestanding-flush Third Party Advertising Sign is 10.5 metres and it must not extend above the eaveline.

(2) The maximum height of a freestanding Third Party Advertising Sign is 8.3 metres, and if any portion of a freestanding Third Party Advertising Sign is located within 6.5 metres of a building less than 8.3 metres in height, the sign must not exceed the height of that building or 6.5 metres, whichever is greater.

4P2013

(2.1) In the C-COR1, C-COR2, CC-X and CC-COR Districts, where located outside of pedestrian-oriented areas as referenced in subsection 113 (6), the maximum height of a Third Party Advertising Sign is 4.6 metres and the maximum sign area is 4.5 square metres.

(3) The dimensions of the sign area of a Third Party Advertising Sign must not exceed a vertical dimension of 5.8 metres by a horizontal dimension of 7.0 metres, with allowance for a 1.5 metre cut-out to the top and face and a 0.70 metre cut-out to the sides and bottom of the Third Party Advertising Sign.

(4) The maximum area of a Third Party Advertising Sign must not exceed 25.0 square metres and only one face of a double-faced sign may be used to calculate sign area.

(5) Where an existing Third Party Advertising Sign complies with this Bylaw, except for the provisions of this section, it may be renewed from time to time in accordance with subsections 114 (10) and (11).
(6) **Third Party Advertising Signs** are prohibited in the following pedestrian-oriented areas:

(a) 9 Avenue S.E. from 8 Street S.E. to 15 Street S.E.;
(b) 17 Avenue S.E. from 26 Street S.E. to 61 Street S.E.;
(c) Bowness Road from 47 Street N.W. to 42 Street N.W. and from 62 Street N.W. to 66 Street N.W.;
(d) Fourth Street Business Revitalization Zone;
(e) Kensington/Louise Crossing Business Revitalization Zone;
(f) Marda Loop Business Revitalization Zone;
(g) Uptown 17 Business Revitalization Zone; and
(h) Victoria Park/First Street S.W. Business Revitalization Zone, except for Olympic Way S.E.

**General Rules for Third Party Advertising Signs**

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

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

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

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

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

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

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

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

(7) The space between the faces of double-faced Third Party Advertising Signs must be enclosed.
Electrical power supply to Third Party Advertising Signs or base landscaping must be underground unless otherwise allowed by the Development Authority such as, but not limited to, situations where reasonable access to an underground power source is not available or the Third Party Advertising Sign is located in an area where underground power has not commenced.

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

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

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

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

(b) must not approve the development permit if a Freestanding Sign has been approved and constructed within 30.0 metres of the Third Party Advertising Sign;

(c) may only approve the development permit for the Third Party Advertising sign when the use is listed in the District;

(d) may approve the development permit for the Third Party Advertising Sign if it is located in pedestrian-oriented areas as referenced in subsection 113 (6) at its current size and height provided the parcel has not been approved for redevelopment; and

(e) may approve the development permit for the Third Party Advertising Sign if it is located in areas referenced in subsection 113 (2.1), when the height of the sign exceeds 4.6 metres and the area exceeds 4.5 square metres at their current size and height provided the parcel has not been approved for redevelopment.

Major Parks

Map 3 identifies the following major parks:

1. West Nose Creek Park
2. Nose Hill Park
3. Nose Creek Park
4. Prairie Winds Park
5. Confederation Park
6. Baker Park
7. Bowness Park
8. Bowmont Park
9. Shouldice Park
10. Edworthy Park
11. Lawrey Gardens
12. Riley Park
13. Millennium Park & Science Centre
14. Prince’s Island Park
15. Olympic Plaza
16. Fort Calgary
17. Calgary Zoo & St. Patrick’s Island
18. Tom Campbell’s Hill
19. Pearce Estate Park
20. Inglewood Bird Sanctuary
21. Valleyview Park
22. Marlborough Park
23. Elliston Park
24. Richmond Green Park
25. Lindsay Park
26. Stanley Park
27. River Park & Sandy Beach
28. North Glenmore Park
29. Weaselhead Natural Area
30. South Glenmore Park
31. Heritage Park
32. Beaver Dam Flats Park
33. Carburn Park
34. Southland Park
35. Fish Creek Provincial Park
36. Griffith Woods
37. Ralph Klein Park
38. 12 Mile Coulee Park

9P2012
Map 3: Major Parks

- West Nose Creek Park
- Nose Hill Park
- Nose Creek Park
- Prairie Winds Park
- Confederation Park
- Bowness Park
- Bowness Park
- Shadbolt Park
- Edworthy Park
- Laundry Gardens
- Riley Park
- Millennium Park & Science Centre
- Prince's Island Park
- Olympic Plaza
- Fort Calgary
- Calgary Zoo & St. Patrick's Island
- Tom Campbell’s Hill
- Pearce Estate Park
- Inglewood Bird Sanctuary
- Valleyview Park
- Marlborough Park
- Elliston Park
- Richmond Green Park
- Lindsay Park
- Stony Plain
- River Park & Sandy Beach
- North Glenmore Park
- Waterfront Natural Area
- South Glamorgan Park
- Heritage Park
- Beaver Dam Flats Park
- Carburn Park
- Strathcona Park
- Fish Creek Provincial Park
- Griffith Woods
- Ralph Klein Park
- 12 Mile Coulee Park
Rules Governing Class G Signs – Digital Third Party Advertising Signs

115.1 deleted

Prohibited Locations for Digital Third Party Advertising Signs

115.2 (1) deleted

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

(a) 14 Street N.W. from John Laurie Boulevard, north to Country Hills Boulevard;
(b) 14 Street S.W. from Glenmore Trail S.W., south to Canyon Meadows Drive S.W.;
(c) 52 Street East, from 17 Avenue S.E., north to McKnight Boulevard;
(d) 85 Street N.W. from Bowness Road, north to Bearspaw Dam Road;
(e) 87 Street N.W. from Bearspaw Dam Road, north to Nose Hill Drive;
(f) 17 Avenue South from the eastern City limit, west to the Canadian National Railway crossing of 17 Avenue South near 52 Street S.E.;
(g) 32 Avenue N.E. from 36 Street N.E., east to the City limits;
(h) 64 Avenue N.E. from 36 Street N.E., east to the City limits;
(i) 96 Avenue N.E. from Harvest Hills Boulevard to Deerfoot Trail;
(j) 144 Avenue N.W.;
(k) 162 Avenue S.W. from 37 Street S.W., east to Macleod Trail;
(k.1) Airport Trail;
(l) Anderson Road;
(m) Barlow Trail from the north City limits, south to the junction of McKnight Boulevard;
(n) Bearspaw Dam Road from 87 Street N.W., east to 85 Street N.W.;
(o) Beddington Trail;
(p) Bow Bottom Trail;
(q) Bow Trail from the junction of Sarcee Trail S.W., east to the junction of Crowchild Trail;
(r) Canyon Meadows Drive;
(s) Chaparral Boulevard;
(t) Country Hills Boulevard;
(u) Crowchild Trail;
(v) Deerfoot Trail;
(w) Falconridge Boulevard N.E.;
(x) Glenmore Trail from Elbow Drive S.W., west to the City limits;
(y) Glenmore Trail from the Bow River, east to Ogden Road S.E.;
(z) Harvest Hills Boulevard;
(aa) Heritage Drive from 14 Street S.W., east to Haddon Road S.W.;
(bb) Heritage Drive from Bonaventure Drive S.E., east to Blackfoot Trail;
(cc) John Laurie Boulevard from Nose Hill Drive, east to McKnight Boulevard;
(dd) Macleod Trail from 162 Avenue S.W., south to the City limits;
(ee) McKenzie Lake Boulevard S.E.;
(ff) McKenzie Towne Boulevard S.E.;
(gg) McKenzie Towne Drive S.E.;
(hh) McKnight Boulevard from Deerfoot Trail east to Barlow Trail and from 36 Street N.E., east to the City limits;
(ii) Memorial Drive N.E. from 39 Street S.E., east to the City limits;
(ii.1) Metis Trail;
(jj) Nose Hill Drive;
(kk) Peigan Trail;
(ll) Sarcee Trail N.W. from Crowchild Trail, north to the Transportation and Utility Corridor;
(mm) Sarcee Trail from the Trans-Canada Highway, south to the junction of Glenmore Trail and from Southland Drive, south to the City limits;
(nn) Shaganappi Trail;
(oo) Shawnessy Boulevard from west City limits, east to Shawnessy Drive S.W.;
(pp) Southland Drive from west City limits, east to Haddon Road S.W.;
(qq) Southland Drive from Bonaventure Drive S.E., east to Deerfoot Trail;
(rr) Sun Valley Boulevard from Macleod Trail, east to Chaparral Boulevard;

(ss) the Transportation and Utility Corridor;

(tt) Trans-Canada Highway from the Bow River, west to the City limits; or

(uu) Trans-Canada Highway from 6 Street N.E., east to the City limits.

(3) **Digital Third Party Advertising Signs** are prohibited on sites adjacent to Bowness Road from 62 Street N.W. to 65 Street N.W.

(4) **Digital Third Party Advertising Signs** are prohibited on street or utility rights-of-way.

(5) **Digital Third Party Advertising Signs** must be a minimum of 450.0 metres from:

(a) major parks, as referenced in section 115;

(b) escarpments and pathways;

(c) riverbanks; and

(d) natural areas,

when the *copy* is visible.

(6) A **Digital Third Party Advertising Sign** is prohibited if:

(a) the *digital display* is visible from a *building* containing a *Dwelling Unit*; and

(b) it is located less than 125.0 metres, measured from the face of the *digital display* to a *building* containing a *Dwelling Unit*.

### Siting of Digital Third Party Advertising Signs

**115.3 (1)** A **Digital Third Party Advertising Sign** must not be located within 30.0 metres of any **Freestanding Sign**, facing the same oncoming traffic;

**115.3 (2)** A **Digital Third Party Advertising Sign** must be removed from a *parcel* upon expiry of the *development permit* for such a *sign* if a *development permit* application for a **Freestanding Sign** is approved within 30.0 metres of the **Digital Third Party Advertising Sign**;

**115.3 (3)** A **Digital Third Party Advertising Sign**:

(a) must be located at least 300.0 metres from any other **Digital Message Sign** or **Digital Third Party Advertising Sign** when measured from the closest point of the *sign* containing the *digital display* to the closest point of another *sign* containing the *digital display* when the *signs* are facing the same oncoming traffic;
must not be located within 75.0 metres of any Third Party Advertising Sign facing the same on-coming traffic and must not result in more than two (2) signs displaying third party advertising greater than 4.6 metres in height and 4.5 square metres in area within a 225.0 metre radius of each other facing the same street;

except where specified in subsection (d), must be located at least the following distances from any property line shared with a street:

(i) 17.0 metres where the posted speed limit of the public thoroughfare is 100 kilometres per hour or greater;

(ii) 16.0 metres where the posted speed limit of the public thoroughfare is 90 kilometres per hour;

(iii) 14.0 metres where the posted speed limit of the public thoroughfare is 80 kilometres per hour;

(iv) 10.0 metres where the posted speed limit of the public thoroughfare is 70 kilometres per hour; and

(v) 6.0 metres where the posted speed of the public thoroughfare is 60 kilometres per hour or less.

may be located closer to a property line shared with a street identified in subsection (c) provided that:

(i) the sign replaces an existing approved Sign – Class F on a parcel;

(ii) the development permit approving the Sign – Class F remains in effect; and

(iii) the distance from the sign to any property line is not less than that of the existing approved Sign – Class F.

(4) Trees required under an approved development permit must not be removed or altered in any way to accommodate the placement or visibility of a Digital Third Party Advertising Sign.

(5) A Digital Third Party Advertising Sign must not be located on, or attached to, a roof of a building.

(6) A freestanding Digital Third Party Advertising Sign must be separated from:

(a) a Directional Sign, exceeding 3.0 square metres in sign area, in a street right-of-way;

(b) a street intersection or railway crossing by at least 30.0 metres; and

(c) the curbline or edge of a major street, expressway or freeway, to the satisfaction of the General Manager Transportation or his delegate.
PART 3 - DIVISION 5: SIGNS

Height and Size of Digital Third Party Advertising Signs

115.4 (1) The maximum height of a wall-mounted or a freestanding-flush Digital Third Party Advertising Sign is 10.5 metres and it must not extend above the eave line.

(2) The maximum height of a freestanding Digital Third Party Advertising Sign is 8.3 metres, and if any portion of a freestanding Digital Third Party Advertising Sign is located within 6.5 metres of a building less than 8.3 metres in height, the sign must not exceed the height of that building or 6.5 metres, whichever is greater.

(3) The dimensions of the sign area of a Digital Third Party Advertising Sign must not exceed a vertical dimension of 5.8 metres by a horizontal dimension of 7.0 metres, with allowance for a 1.5 metre cut-out to the top and face and a 0.70 metre cut-out to the sides and bottom of the Digital Third Party Advertising Sign.

(4) The maximum area of a Digital Third Party Advertising Sign must not exceed 25.0 square metres and only one face of a double-faced sign may be used to calculate sign area.

General Rules for Digital Third Party Advertising Signs

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

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

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

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

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

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

(5) The backs of all Digital Third Party Advertising Signs and all cut-outs must be enclosed.
(6) The space between the faces of a double-faced **Digital Third Party Advertising Sign** must be enclosed.

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

(8) A **development permit** for a **Digital Third Party Advertising Sign** may only be issued for a period not exceeding three (3) years.

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

(10) When considering a **development permit** application for a **Digital Third Party Advertising Sign** referenced in subsection (9), the **Development Authority**:

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

(b) must not approve the **development permit** if a **Freestanding Sign** has been approved and constructed within 30.0 metres of the **Digital Third Party Advertising Sign**;

(c) may only approve the **development permit** for the **Digital Third Party Advertising Sign** when the **use** is listed in the District; and

(d) must not approve the **development permit** for the **Digital Third Party Advertising Sign** when the **sign** is located within and the **digital display** is visible from 125.0 metres of a **building** containing a **Dwelling Unit**.
Division 6: Requirements for Motor Vehicle Parking Stalls, Bicycle Parking Stalls and Loading Stalls

General Rules

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

(a) the stalls are on parcels that form part of a comprehensive development; and

(b) all parcels forming part of the comprehensive development are indicated on the same development permit.

Parking Stall Signage

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

(a) residents of Dwelling Units that are not Single Detached Dwellings, Semi-detached Dwellings or Duplex Dwellings;

(b) residents of Live Work Units;

(c) visitor parking stalls; and

(d) pick-up and drop-off parking stalls.

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

Location of Parking and Loading Requirements

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

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

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

Use of Parking and Loading Stalls

119 Motor vehicle parking stalls must be used and made available only for the purpose for which they were approved.
Identification of Required Parking and Loading Stalls

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

(a) show the location, number and size of *motor vehicle parking stalls*, *visitor parking stalls*, *bicycle parking stalls*, *pick-up and drop-off stalls* and *loading stalls*;

(b) label required *motor vehicle parking stalls* for Dwelling Units and Live Work Units; and

(c) label *motor vehicle parking stalls* for non-residential *uses*.

Calculation of the Minimum Number of Required Parking and Loading Stalls

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

(a) *motor vehicle parking stalls*;

(b) *bicycle parking stalls – class 1*;

(c) *bicycle parking stalls – class 2*; and

(d) *loading stalls*.

(2) For *uses* other than Dwelling Units and Live Work Units, the following must be calculated separately:

(a) *motor vehicle parking stalls*;

(b) *bicycle parking stalls – class 1*; and

(c) *bicycle parking stalls – class 2*.

(3) For Dwelling Units and Live Work Units, the following must be calculated separately:

(a) *motor vehicle parking stalls* required for residents of Dwelling Units;

(b) *visitor parking stalls* for Dwelling Units;

(c) *motor vehicle parking stalls* required for residents of Live Work Units;

(d) *visitor parking stalls* for Live Work Units;

(e) *bicycle parking stalls – class 1* required for Dwelling Units and Live Work Units; and

(f) *bicycle parking stalls – class 2* required for Dwelling Units and Live Work Units.
Required Motor Vehicle Parking Stalls for Calculating Barrier Free Parking Stalls

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

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

<table>
<thead>
<tr>
<th>Group A</th>
<th>Minimum Motor Vehicle Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Artist's Studio</td>
<td>Large Vehicle Service</td>
</tr>
<tr>
<td>Asphalt, Aggregate and Concrete Plant</td>
<td>Municipal Works Depot</td>
</tr>
<tr>
<td>Auto Body and Paint Shop</td>
<td>Office</td>
</tr>
<tr>
<td>Auto Service – Major</td>
<td>Payday Loan</td>
</tr>
<tr>
<td>Auto Service – Minor</td>
<td>Print Centre</td>
</tr>
<tr>
<td>Beverage Container Quick Drop Facility</td>
<td>Printing, Publishing and Distributing</td>
</tr>
<tr>
<td>Building Supply Centre</td>
<td>Recreational Vehicle Service</td>
</tr>
<tr>
<td>Bulk Fuels Sales Depot</td>
<td>Recyclable Material Drop-Off Depot</td>
</tr>
<tr>
<td>Car Wash – Multi Vehicle</td>
<td>Salvage Yard</td>
</tr>
<tr>
<td>Car Wash – Single Vehicle</td>
<td>School – Private</td>
</tr>
<tr>
<td>Catering Service – Major</td>
<td>School Authority – School</td>
</tr>
<tr>
<td>Catering Service – Minor</td>
<td>School Authority Purpose – Major</td>
</tr>
<tr>
<td>Computer Games Facility</td>
<td>School Authority Purpose – Minor</td>
</tr>
<tr>
<td>Crematorium</td>
<td>Slaughter House</td>
</tr>
<tr>
<td>Distribution Centre</td>
<td>Social Organization</td>
</tr>
<tr>
<td>Dry-cleaning and Fabric Care Plant</td>
<td>Specialized Industrial</td>
</tr>
<tr>
<td>Equipment Yard</td>
<td>Specialty Food Store</td>
</tr>
<tr>
<td>Fleet Service</td>
<td>Storage Yard</td>
</tr>
<tr>
<td>Food Production</td>
<td>Utility Building</td>
</tr>
<tr>
<td>Freight Yard</td>
<td>Vehicle Storage – Large</td>
</tr>
<tr>
<td>Gas Bar</td>
<td>Vehicle Storage – Passenger</td>
</tr>
<tr>
<td>General Industrial – Heavy</td>
<td>Vehicle Storage – Recreational</td>
</tr>
<tr>
<td>General Industrial – Light</td>
<td>Vehicle Rental – Major</td>
</tr>
<tr>
<td>General Industrial – Medium</td>
<td>Vehicle rental – Minor</td>
</tr>
<tr>
<td>Health Services Laboratory – Without Clients</td>
<td>1.0 motor vehicle parking stalls per 100.0 square metres of gross usable floor area.</td>
</tr>
<tr>
<td>Information and Service Provider</td>
<td></td>
</tr>
</tbody>
</table>
Table 1.2: Minimum Motor Vehicle Parking Requirements for Calculating Required Barrier Free Parking Stalls – continued

<table>
<thead>
<tr>
<th>Group B</th>
<th>Group C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement Arcade</td>
<td>Medical Clinic</td>
</tr>
<tr>
<td>Auction Market – Other Goods</td>
<td>Motion Picture Production Facility</td>
</tr>
<tr>
<td>Billiard Parlour</td>
<td>Museum</td>
</tr>
<tr>
<td>Brewery, Winery and Distillery</td>
<td>Pawn Shop</td>
</tr>
<tr>
<td>Cannabis Counselling</td>
<td>Pet Care Service</td>
</tr>
<tr>
<td>Cannabis Store</td>
<td>Place of Worship – Large</td>
</tr>
<tr>
<td>Columbarium</td>
<td>Place of Worship – Medium</td>
</tr>
<tr>
<td>Community Recreation Facility</td>
<td>Place of Worship – Small</td>
</tr>
<tr>
<td>Convenience Store</td>
<td>Radio and Television Studio</td>
</tr>
<tr>
<td>Counselling Service</td>
<td>Recreation Vehicle Sales</td>
</tr>
<tr>
<td>Financial Institution</td>
<td>Restored Building Products Sales</td>
</tr>
<tr>
<td>Fitness Centre</td>
<td>Yard</td>
</tr>
<tr>
<td>Food Kiosk</td>
<td>Retail Garden Centre</td>
</tr>
<tr>
<td>Funeral Home</td>
<td>Retail and Consumer Service</td>
</tr>
<tr>
<td>Health Laboratory Services – With Clients</td>
<td>Self-Storage Facility</td>
</tr>
<tr>
<td>Indoor Recreation Facility</td>
<td>Service Organization</td>
</tr>
<tr>
<td>Kennel</td>
<td>Spectator Sports Facility</td>
</tr>
<tr>
<td>Large Vehicle Equipment and Sales</td>
<td>Supermarket</td>
</tr>
<tr>
<td>Large Vehicle Wash</td>
<td>Takeout Food Service</td>
</tr>
<tr>
<td>Library</td>
<td>Vehicle Sales – Major</td>
</tr>
<tr>
<td>Liquor Store</td>
<td>Vehicle Sales – Minor</td>
</tr>
<tr>
<td>Market</td>
<td>Veterinary Clinic</td>
</tr>
</tbody>
</table>

4.0 motor vehicle parking stalls per 100.0 square metres of gross usable floor area.

<table>
<thead>
<tr>
<th>Group C</th>
<th>Group C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dinner Theatre</td>
<td>Restaurant: Licensed – Large</td>
</tr>
<tr>
<td>Drinking Establishment – Large</td>
<td>Restaurant: Licensed – Medium</td>
</tr>
<tr>
<td>Drinking Establishment – Medium</td>
<td>Restaurant: Licensed – Small</td>
</tr>
<tr>
<td>Drinking Establishment – Small</td>
<td>Restaurant: Neighbourhood</td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Restaurant: Food Service Only – Large</td>
<td></td>
</tr>
<tr>
<td>Restaurant: Food Service Only – Medium</td>
<td></td>
</tr>
<tr>
<td>Restaurant: Food Service Only – Small</td>
<td></td>
</tr>
</tbody>
</table>

2.85 motor vehicle parking stalls per 10.0 square metres of public area.
### Group D

<table>
<thead>
<tr>
<th>Group D</th>
<th>Minimum Motor Vehicle Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Mini-Theatre</td>
<td></td>
</tr>
<tr>
<td>Campground</td>
<td></td>
</tr>
<tr>
<td>Emergency Shelter</td>
<td></td>
</tr>
<tr>
<td>Fertilizer Plant</td>
<td></td>
</tr>
<tr>
<td>Firing Range</td>
<td></td>
</tr>
<tr>
<td>Gaming Establishment – Casino</td>
<td></td>
</tr>
<tr>
<td>Hide Processing Plant</td>
<td></td>
</tr>
<tr>
<td>Intensive Agriculture</td>
<td></td>
</tr>
<tr>
<td>Inter-City Bus Terminal</td>
<td></td>
</tr>
<tr>
<td>Jail</td>
<td></td>
</tr>
<tr>
<td>Motorized Recreation</td>
<td></td>
</tr>
<tr>
<td>Natural Resource Extraction</td>
<td></td>
</tr>
<tr>
<td>Pits and Quarries</td>
<td></td>
</tr>
<tr>
<td>Power Generation Facility – Large</td>
<td></td>
</tr>
<tr>
<td>Race Track</td>
<td></td>
</tr>
<tr>
<td>Refinery</td>
<td>Requires <em>motor vehicle parking stalls</em> based on a parking study required at the time of land use redesignation application.</td>
</tr>
<tr>
<td>Salvage Processing – Heat and Chemicals</td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td></td>
</tr>
<tr>
<td>Sewage Treatment Plant, when no operated by, or on behalf of, the <em>City</em></td>
<td></td>
</tr>
<tr>
<td>Stock Yards</td>
<td></td>
</tr>
<tr>
<td>Tire Recycling</td>
<td></td>
</tr>
<tr>
<td>Waste Disposal and Treatment Facility, when not operated by, or on behalf of, the <em>City</em></td>
<td></td>
</tr>
<tr>
<td>Zoo</td>
<td></td>
</tr>
</tbody>
</table>

### Group E

<table>
<thead>
<tr>
<th>Group E</th>
<th>Minimum Motor Vehicle Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and Breakfast</td>
<td></td>
</tr>
<tr>
<td>Child Care Service</td>
<td></td>
</tr>
<tr>
<td>Cinema</td>
<td></td>
</tr>
<tr>
<td>Custodial Quarters</td>
<td></td>
</tr>
<tr>
<td>Drive Through</td>
<td></td>
</tr>
<tr>
<td>Gaming Establishment – Bingo</td>
<td></td>
</tr>
<tr>
<td>Home Based Child Care – Class 2</td>
<td></td>
</tr>
<tr>
<td>Home Occupation – Class 2</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td></td>
</tr>
<tr>
<td>Instructional Facility</td>
<td></td>
</tr>
<tr>
<td>a. 1.0 <em>motor vehicle parking stalls</em> per guest bedroom for a Bed and Breakfast.</td>
<td></td>
</tr>
<tr>
<td>b. 1.0 <em>motor vehicle parking stalls</em> per two (2) employees at the use at any given time, or 1.0 stalls per 10 children, whichever is greater for a Child Care Service.</td>
<td></td>
</tr>
<tr>
<td>c. 1.0 <em>motor vehicle parking stalls</em> per four (4) fixed seats for a Cinema.</td>
<td></td>
</tr>
<tr>
<td>d. 1.0 <em>motor vehicle parking stalls</em> per Custodial Quarters.</td>
<td></td>
</tr>
<tr>
<td>e. 5.0 <em>motor vehicle parking stalls</em> for a Drive Through.</td>
<td></td>
</tr>
</tbody>
</table>
### Table 1.2: Minimum Motor Vehicle Parking Requirements for Calculating Required Barrier Free Parking Stalls – continued

<table>
<thead>
<tr>
<th>Group E – continued</th>
<th>Minimum Motor Vehicle Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>f. 1.0 <strong>motor vehicle parking stalls</strong> per 3.5 seats, based on the maximum capacity stated in the development permit for a Gaming Establishment – Bingo.</td>
<td></td>
</tr>
<tr>
<td>g. 1.0 <strong>motor vehicle parking stalls</strong> for a Home Based Child Care – Class 2.</td>
<td></td>
</tr>
<tr>
<td>h. 1.0 <strong>motor vehicle parking stalls</strong> where the number of business associated vehicle visits per week exceeds three (3), for a Home Occupation – Class 2.</td>
<td></td>
</tr>
<tr>
<td>i. 1.0 <strong>motor vehicle parking stalls</strong> per 2.5 guest rooms for a Hotel.</td>
<td></td>
</tr>
<tr>
<td>j. 1.0 <strong>motor vehicle parking stalls</strong> per 5 students for an Instructional Facility.</td>
<td></td>
</tr>
</tbody>
</table>
Standards for Motor Vehicle Parking Stalls

122 (1) Unless otherwise specified, the minimum width and depth of *motor vehicle parking stalls* are illustrated in Table 2.

Table 2: Minimum Dimensions for Motor Vehicle Parking Stalls

<table>
<thead>
<tr>
<th>Parking angle (degrees)</th>
<th>Aisle width (metres)</th>
<th>Stall depth perpendicular to aisle (metres)</th>
<th>Stall width parallel to aisle (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Dwelling Units</td>
<td>Other Uses</td>
</tr>
<tr>
<td>90</td>
<td>7.20</td>
<td>5.40</td>
<td>2.50</td>
</tr>
<tr>
<td>75</td>
<td>6.12</td>
<td>5.64</td>
<td>2.59</td>
</tr>
<tr>
<td>60</td>
<td>4.82</td>
<td>5.49</td>
<td>2.89</td>
</tr>
<tr>
<td>45</td>
<td>4.00</td>
<td>5.00</td>
<td>3.54</td>
</tr>
</tbody>
</table>

(1.1) The minimum width of a *motor vehicle parking stall* when it abuts a physical barrier, is:

(a) 3.1 metres when a physical barrier abuts both sides; and
(b) 2.85 metres when a physical barrier abuts only one side.

(2) The angle of a *motor vehicle parking stall* must be 90 degrees or must be between 75 degrees and 45 degrees. *Motor vehicle parking stall* dimensions between 45 degrees and 75 degrees must be calculated using a straight line interpolation between dimensions.

(3) The minimum depth of a *motor vehicle parking stall* is 5.9 metres where it is required for:

(a) a Backyard Suite, Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Semi-detached Dwelling or Single Detached Dwelling; and
(b) a Dwelling Unit where the stall is provided in a private garage intended to be used for the occupants of only one Dwelling Unit.

(4) The minimum width of a *motor vehicle parking stall* required for a Dwelling Unit is:

(a) 3.0 metres where both sides of a stall abut a physical barrier;
(b) 2.85 metres where one side of a stall abuts a physical barrier; and
(c) 2.5 metres in all other cases.

(5) *deleted*  

(6) *deleted*
(7) The minimum width of a motor vehicle parking stall for Multi-Residential Development, Multi-Residential Development – Minor, a Townhouse or a Rowhouse Building provided for the exclusive use of a Dwelling Unit is reduced to 2.60 metres where:

(a) the stall is one of two or more motor vehicle parking stalls that are provided in a private garage;

(b) the motor vehicle parking stalls in the private garage are for the sole use of the occupants of the Dwelling Unit; and

(c) the motor vehicle parking stalls are only counted towards fulfilling the minimum motor vehicle parking stall requirements for that Dwelling Unit.

(8) deleted

(9) The minimum vertical clearance of a motor vehicle parking stall is 2.1 metres.

(10) Motor vehicle parking stall dimensions must be clear of all obstructions, other than wheel stops and structural columns.

(11) Where structural columns encroach into a motor vehicle parking stall, such columns:

(a) must not encroach into the width of the motor vehicle parking stall by more than a total of 0.30 metres;

(b) must be located within 1.2 metres of either end of the motor vehicle parking stall; and

(c) must not encroach into a motor vehicle parking stall within 0.30 metres of a drive aisle.

(12) Wheel stops:

(a) must have a maximum height of 0.10 metres;

(b) must be placed perpendicular to the motor vehicle parking stall depth; and

(c) must be a minimum of 0.60 metres from the front of the motor vehicle parking stall.

(13) The maximum slope of a motor vehicle parking stall is 4.0 per cent in any direction.

(14) Motor vehicle parking stalls must not be provided as tandem parking unless otherwise allowed in this Bylaw.

(15) Motor vehicle parking stalls for a Backyard Suite, Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Semi-detached Dwelling and Single Detached Dwelling must be:
(a) hard surfaced; and
(b) located wholly on the subject parcel.

### Loading Stalls

1. A loading stall must be located so that all motor vehicles using the stall can be parked and maneuvered entirely within the boundary of the site before moving onto a street or a lane.

2. A loading stall must have:
   (a) a minimum width of 3.1 metres;
   (b) a minimum depth of 9.2 metres; and
   (c) a minimum height of 4.3 metres.

3. Minimum loading stall dimensions must be clear of all obstructions, other than wheel stops.

4. Wheel stops must not exceed 0.10 metres in height above the loading stall surface and must be placed perpendicular to the loading stall depth a minimum of 0.60 metres from the front of the loading stall.

5. In commercial, industrial, mixed use and special purpose districts the minimum requirement for loading stalls is:
   (a) 1.0 loading stalls per 9300.0 square metres of gross floor area where the cumulative gross floor area of all buildings on a parcel is greater than 930.0 square metres; and
   (b) 0.0 loading stalls where the cumulative gross floor area of all buildings on a parcel is less than or equal to 930.0 square metres.

6. Unless otherwise referenced in subsection (7), the following uses are not included in the calculation of required loading stalls:
   (a) Auto Service – Minor;
   (b) Bulk Fuel Sales Depot;
   (c) Car Wash – Multi Vehicle;
   (d) Car Wash – Single Vehicle;
   (e) Cemetery;
   (f) Columbarium;
   (g) Custodial Quarters;
   (h) Dwelling Unit;
   (i) Extensive Agriculture;
(j) Financial Institution;
(k) Funeral Home;
(l) Gaming Establishment – Bingo;
(m) Gas Bar;
(n) Large Vehicle Wash;
(o) Live Work Unit;
(p) Military Base;
(q) Natural Area;
(r) Outdoor Recreation Area;
(s) Park;
(t) Park Maintenance Facility – Large;
(u) Park Maintenance Facility – Small;
(v) Parking Lot – Structure;
(w) Place of Worship – Medium;
(x) Place of Worship – Small;
(y) Power Generation Facility – Medium;
(z) Power Generation Facility – Small;
(aa) Protective and Emergency Service;
(bb) Self Storage Facility;
(cc) Sewage Treatment Plant;
(dd) Special Function – Class 1;
(ee) Special Function – Class 2;
(ff) Temporary Shelter;
(gg) Utilities;
(hh) Utility Building;
(ii) Vehicle Rental – Major;
(jj) Vehicle Rental – Minor;
(kk) Waste Disposal and Treatment Facility; and
(ll) Water Treatment Plant.

(7) Where a building contains 20 or more units with shared entrance facilities, a minimum of 1.0 loading stalls is required.
In a multi-residential district, where the cumulative gross floor area of commercial multi-residential uses exceeds 930.0 square metres, the commercial multi-residential uses require 1.0 loading stalls per 9300.0 square metres of gross floor area.

Relaxations of Parking and Loading Stall Requirements

(1) For uses in buildings listed on the City inventory of evaluated historic resources, the Development Authority may consider a relaxation of the minimum motor vehicle parking stalls, visitor parking stalls, bicycle parking stall and loading stall requirements. Consideration for relaxations must be based on:

(a) satisfaction of the test for a relaxation referenced in section 31 or 36;

(b) the existing ability of the site to accommodate motor vehicle parking stalls, visitor parking stalls, loading stalls and bicycle parking stalls; and

(c) the number of motor vehicle parking stalls, visitor parking stalls, loading stalls and bicycle parking stalls to be relaxed.

(2) The Development Authority may consider a relaxation in the required motor vehicle parking stalls and visitor parking stalls for uses when a transportation demand management measure is approved by the Development Authority and is required to be implemented as a condition in a development permit.

(3) Any approved transportation demand management measure must:

(a) be sustainable throughout the term of the development permit; and

(b) include requirements that must be incorporated into an approved plan or condition on a development permit.

(4) The Development Authority may consider a relaxation in the minimum required motor vehicle parking stalls, visitor parking stalls, loading stalls and bicycle parking stalls for a development when:

(a) the test for a relaxation referenced in either section 31 or 36 is satisfied; and

(b) the type of use, the size or shape of the parcel, or the topographical constraints present practical difficulties in accommodating the requirements of this Bylaw; when a relaxation is given for this reason, it and the reasons must be stated on the development permit; or
(c) an applicant submits a parking study, as part of a development permit application, that demonstrates that the motor vehicle parking stall requirement, visitor parking stall or bicycle parking stall requirement should be less than the requirements of this Bylaw due to unique site, location or use characteristics, and the conclusions of the study are considered acceptable by the Development Authority.

(5) The Development Authority may consider a relaxation to the minimum required pick-up and drop-off stalls for a School Authority – School when:

(a) the proposed development is an addition to a School Authority – School building existing on the effective date of this Bylaw; or

(b) the proposed development is a new School Authority – School building proposed on a parcel designated as reserve land existing on the effective date of this Bylaw; and

(c) in the opinion of the Development Authority, it would be difficult to provide the required pick-up and drop-off stalls due to the parcel configuration, area of a parcel and frontage.

(6) The Development Authority may consider a relaxation of Section 116 where:

(a) the test for a relaxation referenced in either Section 31 or 36 is satisfied;

(b) the development permit identifies the locations of the minimum required stalls, including the mechanisms used to maintain the stalls for the duration of the development;

(c) the stalls referenced in subsection (b) are signed or marked as being available for the development; and

(d) all parcels forming part of the development are indicated on the same development permit.

Parking Stall Exemptions

124.1 deleted
Bicycle Parking Stalls

125 1. Bicycle parking stalls – class 1 must be located on hard surfaced areas.

2. Bicycle parking stalls – class 2 may only be located in hard surfaced areas and in hard surfaced landscaped areas.

3. Bicycle parking stalls must not interfere with a pedestrian walkway.

4. Bicycle parking stalls must be separated from motor vehicle parking stalls, visitor parking stalls or loading stalls by 2.0 metres or a physical barrier.

5. A bicycle parking stall that is not an individual locker must be at least 2.0 metres in height.

6. A bicycle parking stall that is not an individual locker and is attached to the ground must be located at least 0.6 metres from any physical barrier.

7. Rows of bicycle parking devices, when affixed on the floor or grade, must be separated by at least 2.0 metres.

8. Bicycle parking devices, when affixed on the floor or grade, must be separated by at least 0.6 metres.

9. Required bicycle parking stalls – class 2 should be located within 15.0 metres of the public entrance of a building containing the uses for which they are required.

10. Directional signage indicating the location of minimum required bicycle parking stalls – class 2 must be provided when the stalls are not obviously visible near the entrance to a building.

11. The area where bicycle parking stalls are located must be illuminated.

Motor Vehicle Pick-Up and Drop-Off Stalls

126 1. All minimum required pick-up and drop-off stalls must be located:

   a. on the same parcel as the development requiring them; or

   b. within a street, if approved by the Development Authority and the General Manager of Transportation or his delegate.

2. The minimum dimensions of a pick-up and drop-off stall are the same as those for motor vehicle parking stalls provided in Table 2, except that a pick-up and drop-off stall that is parallel to a street, driveway or curb has a minimum width of 2.6 metres and a minimum depth of 6.7 metres.
Cash-in-lieu: Kensington 10th Street NW Commercial Parking Area

13P2008 127  deleted

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

13P2008 128  deleted

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

13P2008 129  deleted
Map 4: Kensington 10th Street N.W. Commercial Parking Area

deleated
Map 5: 17th Avenue S. Commercial Parking Area

deleted
Map 6: 4th Street S.W. Commercial Parking Area

deleted
Division 7: Requirements for Infrastructure Servicing

Infrastructure Requirements

129.1 The Development Authority must confirm there is adequate sewage collection, treatment and disposal, water supply, treatment and distribution, storm water collection and storage and road infrastructure capacity necessary to serve the development.
PART 4: USES AND USE RULES

Division 1: General Provisions

Interpretation

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.

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.
132 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:

(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

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, any required motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls – class 1 and bicycle parking stalls – class 2 is specified in each use definition in this Part.

(2.1) Where a District or use does not require a minimum number of required motor vehicle parking stalls:

(i) the applicant for a development may provide motor vehicle parking stalls and the applicant must indicate on the development permit application plans the number of provided motor vehicle parking stalls.

32P2020 (3) Unless otherwise referenced in this section, a change of use must satisfy the minimum motor vehicle parking stall requirement in effect for that use as of the date of the change of use.

32P2020 (3.1) A change of use to a permitted use where located in an existing approved building in the M-H1, M-H2, M-H3, MU-1, MU-2, M-X1, M-X2 districts, all commercial districts and all industrial districts is not required to satisfy the minimum motor vehicle parking stall requirement.

12P2012 (4) A change of use is not required to provide any bicycle parking stalls or loading stalls where it occurs in a building that was legally constructed or approved.

(5) A building may be constructed using modular construction methods but a Manufactured Home does not qualify as modular construction.
The production, processing, storage or sale of cannabis can only occur where it has been approved through a development permit for a use where it is specifically allowed in the use definition or rules.

Uses Not Listed But Allowed in All Districts

$134\ (1)$ The following uses are permitted uses in all Districts, regardless of whether they are listed in the District:

(a) Motion Picture Filming Location;

(b) Public Transit System;

(b.1) Special Function – Class 1; and

(c) Utilities – Linear.

$134\ (2)$ The following uses are discretionary uses in all Districts, regardless of whether they are listed in the District:

(a) Excavation, Stripping and Grading;

(b) Recyclable Construction Material Collection Depot (temporary); and

(c) Parking Lot – Structure for a Public Transit System.

Deemed Uses

$134.1\ (1)$ In any development permit or Direct Control District approved after the effective date of this Bylaw, the following uses are deemed to be the General Industrial – Light use when the use is located in, or the Direct Control District references, the I-C, I-E, I-G or I-R Districts:

(a) Animal Feed Processor – Class 1;

(b) Brewery and Distillery – Class 1;

(c) Contractor’s Shop – Class 1;

(d) Food and Beverage Processor – Class 1;

(e) Health Services Laboratory – Without Clients;

(f) Household Appliance and Furniture Repair Service;

(g) Industrial Design and Testing – Inside;

(h) Industrial Repair and Service – Inside;

(i) Manufacturer – Class 1;

(j) Printing, Publishing and Distributing; and

(k) Warehouse – Storage Only.

$134.1\ (2)$ In any development permit or Direct Control District approved after the effective date of this Bylaw, the following uses are deemed to be
the **General Industrial – Medium** use when the *use* is located in, or the Direct Control District references, the I-C, I-E, I-G or I-R Districts:

(a) **Animal Feed Processor – Class 2**;
(b) **Brewery & Distillery – Class 2**;
(c) **Contractor’s Shop – Class 2**;
(d) **Food and Beverage Processor – Class 2**;
(e) **Industrial Design and Testing – Outside**;
(f) **Industrial Repair and Service – Outside**; and
(g) **Manufacturer – Class 2**.

(3) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **Specialized Industrial** use when the *use* is located in, or the Direct Control District references, the I-B or S-URP Districts:

(a) **Industrial Design and Testing – Inside**;
(b) **Industrial Repair and Service – Inside**;
(c) **Manufacturer – Class 1**; and
(d) **Health Services Laboratory – Without Clients**.

(4) In any *development permit* or Direct Control District approved after the effective date of this Bylaw:

(a) **Manufacturer – Class 3** is deemed to be the **General Industrial – Heavy** use;
(b) **Instructional Facility – Inside** and **Instructional Facility – Outside** are deemed to be the **Instructional Facility** use;
(c) **Large Vehicle Sales** is deemed to be the **Large Vehicle and Equipment Sales** use;
(d) **Auto Wrecker** is deemed to be the **Salvage Yard** use;
(e) **Recycling Plant** is deemed to be the **Salvage Yard** use when any part of the processes or functions related to the *use* are located outside of a *building*; and
(f) **Recycling Plant** is deemed to be the **General Industrial – Light** use when all of the processes and functions associated with the *use* are contained within a fully enclosed *building*.

(5) In any *development permit* or Direct Control District approved after the effective date of this Bylaw, the following *uses* are deemed to be the **Retail and Consumer Service** use:

(a) **Beauty and Body Service**;
(b) **Household Appliance and Furniture Repair Service**;
(c) **Personal Apparel Service**;
(d) Photographic Studio;
(e) Proshop;
(f) Retail Store; and
(g) Video Store.

(6) In any development permit or Direct Control District approved after the effective date of this Bylaw, the following uses are deemed to be the Backyard Suite use:
(a) Secondary Suite – Detached Garage; and
(b) Secondary Suite – Detached Garden.

(7) In any development permit or Direct Control District approved after the effective date of this Bylaw, a Beverage Container Drop-Off Depot is deemed to be the Recyclable Material Drop-Off Depot.

(8) In any development permit or Direct Control District approved after the effective date of this Bylaw:
(a) Medical Marihuana Counselling is deemed to be the Cannabis Counselling use; and
(b) Medical Marihuana Production Facility is deemed to be the Cannabis Facility use.

Pop-up Uses

134.2 (1) In this section and in section 25, “pop-up uses” means any one or more of the following:
(a) Amusement Arcade;
(b) Artist’s Studio;
(c) Auction Market - Other Goods;
(d) Billiard Parlour;
(d1) Catering Service – Minor;
(e) Cinema;
(f) Computer Games Facility;
(g) Conference and Event Facility;
(h) Counselling Service;
(i) Fitness Centre;
(i.1) Food Kiosk;
(j) Indoor Recreation Facility;
(k) Information and Service Provider;
(l) Instructional Facility;
(m) Library;
(n) Market;
(o) Medical Clinic;
(p) Museum;
(q) Office;
(r) Performing Arts Centre;
(s) Pet Care Service;
(t) Print Centre;
(t.1) Restaurant: Food Service Only – Large;
(t.2) Restaurant: Food Service Only – Medium;
(t.3) Restaurant: Food Service Only – Small;
(t.4) Restaurant: Licensed – Large;
(t.5) Restaurant: Licensed – Medium;
(t.6) Restaurant: Licensed – Small;
(t.7) Restaurant: Neighbourhood;
(u) Retail and Consumer Service;
(v) Specialty Food Store;
(v.1) Take Out Food Service;
(w) Veterinary Clinic; and
(x) educational, recreational, sporting, social, and worship activity that includes, but is not limited to a wedding, circus, birthday, trade show, and ceremony.

(2) “Pop-up uses” may occur where:

(a) the “pop-up uses” are located:
   (i) in M-H1, M-H2, M-H3, M-X1, M-X2, in all commercial districts, in I-G, I-B, I-E, I-C, I-R, in all mixed use districts, in CC-MHX, CC-ET, CC-EIR, CC-EMU, CC-EPR, and CR20-C20/R20; and
   (ii) on a parcel designated as a Direct Control District, designated after the effective date of this Bylaw, and the Direct Control District is based on the land use districts listed in subsection (i);

(b) the “pop-up uses” operate, excluding the time used to erect the activity, for a maximum of:
   (i) 4 consecutive days; and
   (ii) 50 cumulative days in a calendar year;

(c) the use area is located on the ground floor of a building or within an enclosed shopping mall; and
PART 4 - DIVISION 1: GENERAL PROVISIONS

(d) may display merchandise related to the use outside of a building, provided the merchandise does not impede pedestrian movement.

Interim Uses

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

(a) Artist's Studio;
(a.1) Catering Service – Minor;
(a.2) Food Kiosk;
(a.3) Fitness Centre;
(a.4) Indoor Recreation Facility;
(b) Information and Service Provider;
(b.1) Market;
(c) Office;
(d) Print Centre;
(d.1) Restaurant: Food Service Only – Large;
(d.2) Restaurant: Food Service Only – Medium;
(d.3) Restaurant: Food Service Only – Small;
(d.4) Restaurant: Licensed – Large;
(d.5) Restaurant: Licensed – Medium;
(d.6) Restaurant: Licensed – Small;
(d.7) Restaurant: Neighbourhood;
(e) Retail and Consumer Service;
(f) Specialty Food Store; and
(g) Take Out Food Service.

(2) “interim uses” may occur where:

(a) the “Interim Uses” are located:
   (i) in M-H1, M-H2, M-H3, M-X1, M-X2, in all commercial districts, in I-B, I-E, I-C, in all mixed use districts, in CC-MHX, CC-ET, CC-EIR, CC-EMU, CC-EPR, and CR20-C20/R20; and
   (ii) on a parcel designated as a Direct Control District, designated after the effective date of this Bylaw, and the Direct Control District is based on the land use districts listed in subsection (i);
(b) the “interim uses” operate, excluding the time used to erect the activity, for a maximum of:

(i) 6 consecutive months; and

(ii) 6 months in a calendar year;

(c) the use area is located on the ground floor of a building or within an enclosed shopping mall; and

(d) may display merchandise related to the use outside of a building, provided the merchandise does not impede pedestrian movement.
Division 2: Defined Uses

Defined Terms

In this Bylaw, the following terms have the following meanings.

“Accessory Food Service”

(a) means a portion of a premises used for the sale and consumption of food for the patrons of, and located within, another approved use;

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

(c) may have a maximum floor area of 15.0 square metres to accommodate food preparation and seating area;

(d) must operate only in conjunction with another approved use;

(e) must not have an independent customer access from the building in which the use is located;

(f) does not require motor vehicle parking stalls; and

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

“Accessory Liquor Service”

(a) means a portion of a premises used for the sale and consumption of alcoholic beverages for the patrons of another approved use;

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

(c) must serve only the patrons attending events or performances at the use in which it is located;

(d) must not provide any seating area for the patrons;

(e) does not require motor vehicle parking stalls; and

(f) does not require bicycle parking stalls – class 1 or class 2.
“Accessory Residential Building”

138 (a) means a use where a building:

(i) accommodates a use that is subordinate to the main residential use on a parcel;

(ii) is not attached to a main residential building except where the attachment is entirely below grade or directly below a patio; and

(iii) may be attached to a Backyard Suite on a parcel where a Backyard Suite is a listed use in the applicable land use district;

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

(c) does not require motor vehicle parking stalls, and

(d) does not require bicycle parking stalls - class 1 or class 2.

“Addiction Treatment”

139 (a) means a use:

(i) where one or more persons with alcohol, drug or similar addiction issues live under the care or supervision of professional health or counselling care providers; and

(ii) that has at least one staff person at the facility at all times;

(b) is a use within the Care and Health Group in Schedule A to this Bylaw;

(c) may have a maximum of 10 residents when located in a low density residential district;

(d) requires a minimum of 1.0 motor vehicle parking stalls per three (3) residents; and

(e) does not require bicycle parking stalls – class 1 or class 2.
PART 4 - DIVISION 2: DEFINED USES

140 “Adult Mini-Theatre”

(a) means a use:

(i) where live performances, motion pictures, video tapes, video discs, slides or any type of electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are performed or shown;

(ii) that may operate in conjunction with another approved use;

(iii) where each separate viewing area has a maximum viewing capacity of 20 seats; and

(iv) that must be approved only on a parcel designated as a Direct Control District that specifically includes Adult Mini-Theatre as a use;

(b) is a use within the Direct Control Uses Group in Schedule A to this Bylaw;

(c) must be located in a building at least 460.0 metres from the property line of any parcel that:

(i) is designated as a residential district;

(ii) has an existing School Authority – School or School – Private;

(iii) has a Place of Worship;

(iv) has a Park or Natural Area;

(v) has any use that may have a playground as an element of the use; or

(vi) has an existing Adult Mini-Theatre; and

(d) requires a minimum number of motor vehicle parking stalls based on a parking study required at the time of land use redesignation application.

141 “Amusement Arcade”

(a) means a use where four or more mechanical or electronic games are kept for the purpose of furnishing entertainment or amusement to the public for a fee;
PART 4 - DIVISION 2: DEFINED USES

(b) is a use within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;

(d) deleted

(e) does not require bicycle parking stalls – class 1; and

(f) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

144 “Artist’s Studio”

(a) means a use:

(i) where art is produced by individuals;

(ii) that may include the instruction of the art to one person at a time; and

(iii) that may include the sale of art pieces produced by that use;

(b) is a use within the General Industrial Group in Schedule A to this Bylaw;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

145 “Asphalt, Aggregate and Concrete Plant”

(a) means a use:

(i) where rock, gravel, sand and other earth material is sorted and stockpiled;

(ii) where rock may be crushed;

(iii) where asphalt may be produced;

(iv) where cement may be mixed;

(v) where part of the process associated with the use may be located outside of a building;
(vi) where there may be conveyor belts, cranes, piping, silos, or any other machinery necessary for the processing of the use;

(vii) that may accommodate the packaging or shipping of the products made as part of the use; and

(viii) that may have a building for administrative functions associated with the use;

(b) is a use within the General Industrial Group in Schedule A to this Bylaw;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

146 “Assisted Living”

(a) means a use:

(i) that has five (5) or more residents;

(ii) that may contain Dwelling Units within a facility;

(iii) that may contain individual rooms having a washroom, bedroom and a sitting area that accommodates residents within a facility;

(iv) where there is one or more communal kitchens and dining rooms;

(v) where there may be limited on-site health care facilities for the exclusive use of the residents;

(vi) where residents may receive limited human health services from on-site health care providers;

(vii) where communal social and recreation activities are provided within the building or outside; and

(viii) that may include a manager’s suite and administrative office;

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

(c) may have a maximum of ten (10) residents when located in a low density residential district;

(d) is not subject to the density requirement of a district;

(e) requires a minimum of 1.0 motor vehicle parking stalls per three (3) residents; and

(f) does not require bicycle parking stalls – class 1 or class 2.
147 “Auction Market – Other Goods”

(a) means a use:

(i) where an array of goods are sold by bids from an audience through an auctioneer;

(ii) where items sold are not large vehicles, passenger vehicles, recreational vehicles, motorized equipment or equipment intended to be pulled by a motorized vehicle;

(iii) where the items sold do not include live animals; and

(iv) that may be entirely within a building or outside of a building;

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

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

148 “Auction Market – Vehicles and Equipment”

(a) means a use:

(i) where a variety of goods are sold by bids from an audience through an auctioneer;

(ii) where items sold are large vehicles, passenger vehicles, recreational vehicles, motorized equipment or equipment intended to be pulled by a motorized vehicle;

(iii) where the items sold do not include live animals; and

(iv) that may be entirely within a building or outside of a building;

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

(c) deleted

(d) deleted

(e) does not require bicycle parking stalls – class 1; and

(f) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.
“Auto Body and Paint Shop”

(a) means a use where motor vehicle bodies are repaired or painted;

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

(c) must not be located within 20.0 metres of a residential district, when measured from the building containing the use to the nearest property line of a parcel designated as a residential district;

(d) must orient any building on the parcel to minimize any potential adverse affects on adjacent uses;

(e) must have service bay doors oriented away from an adjacent residential district,

(f) must keep service bay doors closed, except when being used by vehicles to exit or enter the service bay;

(g) may have activities associated with the use, auto parts, equipment, scrap, and other materials located outside of a building, provided they are within a screened enclosure that must be:

(i) deleted

(ii) located where, in the opinion of the Development Authority, it is least likely to adversely affect neighbouring properties; and

(iii) constructed of materials and to the standards required by the Development Authority;

(h) must not keep vehicles outside of a building or screened enclosure for more than 72 consecutive hours;

(i) deleted

(j) deleted

(k) deleted

(l) does not require bicycle parking stalls – class 1; and

(m) requires a minimum of 2.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.
“Auto Service – Major”

(a) means a use:

(i) where motor vehicles with a *gross vehicle weight* equal to or less than 4536 kilograms are serviced and repaired in a *building*; and

(ii) that is capable of servicing or repairing four or more motor vehicles at a time;

(iii) deleted

(b) is a use within the Automotive Service Group in Schedule A to this Bylaw;

(c) deleted

(d) must not manufacture or re-manufacture auto parts for retail or wholesale distribution;

(e) must orient any *building on the parcel* to minimize any potential adverse affects on *adjacent uses*;

(f) must have service bay doors oriented away from an *adjacent residential district*;

(g) must keep service bay doors closed, except when being used by vehicles to exit or enter the service bay;

(h) 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*;

(i) may have activities associated with the use, equipment, scrap, auto parts and other materials located outside of a *building*, provided they are within a *screened* enclosure that must be:

(i) deleted

(ii) located where, in the opinion of the *Development Authority*, it is least likely to adversely affect neighbouring properties; and

(iii) constructed of materials and to the standards required by the *Development Authority*;

(j) must not keep vehicles outside of a *building or screened* enclosure for more than 72 consecutive hours;

(k) deleted
(l) does not require *bicycle parking stalls – class 1*; and

(m) requires a minimum of 1.0 *bicycle parking stalls – class 2* per 2000.0 square metres of *gross usable floor area*.

151 “Auto Service – Minor”

(a) means a *use*:

(i) where motor vehicles with a *gross vehicle weight* equal to or less than 4536 kilograms are serviced and repaired in a *building*; and

(ii) where no more than three motor vehicles are capable of being serviced or repaired at a time;

(iii) *deleted*

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

(b.1) must not have more than 200 square metres of floor area designated for the servicing of motor vehicles, excluding areas used for administration and storage;

(c) *deleted*

(d) must not manufacture or re-manufacture auto parts for retail or wholesale distribution;

(e) must orient any *building* on the *parcel* to minimize any potential adverse affects on *adjacent uses*;

(f) must have service bay doors oriented away from an *adjacent residential district*;

(g) must keep service bay doors closed, except when being used by vehicles to exit or enter the service bay;

(h) 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*;

(i) may have activities associated with the *use*, auto parts, equipment, scrap, and other materials located outside of a *building*, provided they are within a *screened* enclosure that must be:

(ii) *deleted*

(iii) located where, in the opinion of the *Development Authority*, it is least likely to adversely affect neighbouring properties; and
(iii) constructed of materials and to the standards required by the Development Authority;

(j) must not keep vehicles outside of a building or screened enclosure for more than 72 consecutive hours;

(k) deleted

(l) does not require bicycle parking stalls – class 1; and

(m) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

152 deleted

153 deleted

153.1 “Backyard Suite”

(a) means a use that:

(i) contains two or more rooms used or designed to be used as a residence by one or more persons;

(ii) contains a kitchen, living, sleeping and sanitary facilities;

(iii) is located in a detached building located behind the front façade of the main residential building;

(iv) may be attached to an Accessory Residential Building;

(v) is considered part of and secondary to a Dwelling Unit;

(vi) except as otherwise indicated in subsection (vii) and (viii), must be located on the same parcel as a Contextual Single Detached Dwelling or a Single Detached Dwelling;

(vii) in the R-CG District or a multi-residential district must be located on the same parcel or bare land unit as a Dwelling Unit contained in a Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Rowhouse Building, Semi-detached Dwelling, or a Single Detached Dwelling; and

(viii) in the R-G and R-Gm Districts must be located on the same parcel as a Dwelling Unit in a Rowhouse Building, Semi-detached Dwelling or a Single Detached Dwelling;
(b) is a use within the Residential Group in Schedule A to this Bylaw;
(c) requires a minimum of 1.0 motor vehicle parking stalls; and
(d) does not require bicycle parking stalls – class 1 or class 2.

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 Semi-detached Dwelling, 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 Semi-detached Dwelling, 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 Semi-detached Dwelling, 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.
deleted
155.1 “Beverage Container Quick Drop Facility”

(a) means a use where:

(i) 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;

(ii) bottles and other beverage containers are removed from the site for storage or sorting;

(iii) reimbursement is done through direct deposit into a pre-registered account and no reimbursement of the recycling deposit occurs on-site; and

(iv) there is no sorting or long-term storage of bottles on-site;

(b) is a use within the Industrial Support Group in Schedule A to this Bylaw;

(c) when located within 300.0 metres to a parcel designated as a residential district, must:

(i) not have any outside storage of carts, bottles, other beverage containers, palettes, or cardboard boxes;

(ii) not allow for loading or the movement of recyclable material from the premise between the hours of 9:00pm-7:00am;
(iii) not have compaction of materials occurring outside of a building;

(d) unless otherwise referenced in subsection (c):

(i) must provide total concealment, through a solid screen or fence, for any materials located outside of a building;

(ii) may be required to demonstrate how impacts such as debris, grocery carts, litter or recyclable material will be managed;

(e) deleted

(f) does not require bicycle parking stalls – class 1; and

(g) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

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) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

156.1 “Brewery, Winery and Distillery”

(a) means a use:

(i) where beer, wine, spirits and other alcoholic beverages are manufactured;

(ii) that may have areas and facilities for the storage, packaging, bottling, canning and shipping of the products made;
(iii) that may have a private hospitality area where products made on the premises are provided to private groups for tasting and consumption as a special event;

(iv) that may include the retail sale of products made on the premises for consumption off the premises;

(v) that may include a public area of 150.0 square metres or less where beer, wine, spirits and other alcoholic beverages manufactured on the premises are sold to the general public for consumption on the premises;

(vi) that may include the retail sale for consumption off the premises, and sale for consumption on the premises, of alcoholic beverages made off the premises for one year after commencement of the use, or those beverages made in collaboration with another Brewery, Winery and Distillery;

(vii) that may have a maximum of 10.0 square metres of public area used for the purpose of providing entertainment;

(viii) where the private hospitality area and the public area may be separate floor areas or may occur in the same floor area, but whether these activities are combined or separate, the public area may not exceed the maximum area in subsection (a)(v) unless combined with another use as contemplated in subsection (c); and

(ix) that may include the preparation and sale of food for consumption on the premises to private groups in the private hospitality area and to the general public in the public area.

(b) is a use within the General Industrial Group in Schedule A to this Bylaw;

(c) may be combined with a Drinking Establishment – Large, Drinking Establishment – Medium, Drinking Establishment – Small, Restaurant: Licensed – Large, Restaurant: Licensed – Medium or Restaurant: Licensed – Small when one of these uses is also a listed use in the same district as a Brewery, Winery and Distillery, but the maximum total public area of the combined uses is the largest public area allowed in one of the combined uses;

(d) when the use includes a public area, it must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a facade that faces a residential district.
or abuts a lane separating the parcel from a residential district;

(e) when the use includes a public area, it must not have an exterior entrance located on a facade that faces a residential district, unless that facade is separated from the residential district by an intervening street;

(f) when the use is located in an industrial district, the maximum floor area of a display and sales area located in a building is the greater of:

(i) 38.0 square metres; or

(ii) 20.0 per cent of the gross floor area of the use to a maximum of 465.0 square metres;

(g) deleted

(h) does not require bicycle parking stalls – class 1; and

(i) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

157 deleted

158 deleted

158.1 “Building Supply Centre”

(a) means a use:

(i) where materials and supplies required for construction or assembly in a specific trade are sold including, but not limited to, lumber, plumbing, electrical and millwork;
(ii) that may include the incidental sales and rental of products and equipment related to the materials and supplies being sold;

(iii) that may include the sale and rental of tools and construction equipment;

(iv) that may include the outdoor storage of the materials and supplies being sold or rented; and

(v) that does not include the sale of home furnishings, household appliances, furniture or electronics;

(b) is a use within the Industrial Support Group in Schedule A to this Bylaw;

(c) that has maximum gross floor area of 3500.0 square metres;

(d) deleted

(e) does not require bicycle parking stalls – class 1; and

(f) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

159 “Bulk Fuel Sales Depot”

(a) means a use:

(i) where fuel for motor vehicles and trucks is sold either with or without an attendant; and

(ii) where the vehicles receiving fuel have a gross vehicle weight greater than 4536 kilograms;

(b) is a use within the Automotive Service Group in Schedule A to this Bylaw;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

160 “Campground”

(a) means a use:

(i) where spaces are provided for temporary accommodation in recreational vehicles or tents;

(ii) that may include a building for the administration of the use;
(iii) that may include laundry facilities for the occupants of the use; and

(iv) that must be approved only on a parcel designated as a Direct Control District that specifically includes Campground as a use;

(b) is a use within the Direct Control Uses Group in Schedule A to this Bylaw;

(c) requires a minimum number of motor vehicle parking stalls based on a parking study required at the time of land use redesignation application; and

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

160.1 “Cannabis Counselling”

(a) means a use:

(i) where counselling on cannabis is provided by persons who are not medical professionals;

(ii) where consumption of cannabis must not occur;

(iii) where the sale of cannabis must not occur; and

(iv) that may include the ancillary retail sale or rental of merchandise;

(b) is a use within the Care and Health Group in Schedule A to this Bylaw;

(c) except in the C-R2 and C-R3 districts, must not be located within 300.0 metres of any other Cannabis Counselling use, when measured from the closest point of a Cannabis Counselling use to the closest point of another Cannabis Counselling use;

(d) except in the 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 Cannabis Counselling use to the closest point of a parcel that contains a School – Private or School Authority – School;

(e) deleted

(f) does not require bicycle parking stalls – class 1; and

(g) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250 square metres of gross usable floor area.
160.2 "Cannabis Facility"

(a) means a *use* where cannabis is grown, processed, packaged, tested, destroyed or stored;

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

(c) where a licence for all activities associated with cannabis growing, processing, packaging, testing, destruction or storage is issued by Health Canada;

(d) where an ancillary *building* or structure used for security purposes may be located on the *parcel* containing the *use*;

(e) must include equipment designed and intended to remove odours from the air where it is discharged from the facility as part of a ventilation system;

(f) must not be within 75.0 metres of a *residential district* measured from the *building* containing the *use* to the nearest *property line* of a *parcel* designated as a *residential district*;

(g) where a *Cannabis Store* may be approved as an ancillary *use*;

(h) where the *development authority* may require, as a condition of a *development permit*, a Public Utility and Waste Management Plan, completed by a qualified professional, that includes details on:

(i) the incineration of waste products and air borne emission, including smell;

(ii) the quantity and characteristics of liquid and waste material discharged by the facility; and

(iii) the method and location of collection and disposal of liquid and waste material;

(i) *deleted*

(j) does not require *bicycle parking stalls – class 1*; and

(k) requires a minimum of 1.0 *bicycle parking stalls – class 2* per 250 square metres of *gross usable floor area*. 


151
160.3 “Cannabis Store”

(a) means a use:
(i) where cannabis is sold for consumption off the premises;
(ii) where consumption of cannabis must not occur;
(iii) that may include the ancillary retail sale or rental of merchandise; and
(iv) where counselling on cannabis may be provided;

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

(c) where all cannabis that is offered for sale or sold must be from a federally approved and licenced facility;

(d) that has been licensed by the Alberta Government;

(e) 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;

(f) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 300.0 metres of any other Cannabis Store, when measured from the closest point of a Cannabis Store to the closest point of another Cannabis Store;

(g) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not:
(i) abut a Liquor Store;
(ii) if not for one or more intervening actual side setback areas, abut a Liquor Store; and
(iii) when located on the same parcel, if not for a vacant space between buildings, not including an internal road, abut a Liquor Store;

(h) in all Districts, must not be located within 100 metres of a parcel that does not have a School Authority – School located on it and is designated as a municipal and school reserve or school reserve on the certificate of title;

(i) in all commercial, industrial and mixed use districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located with 150.0 metres of a parcel that contains any of the following uses, when measured from the closest point of a Cannabis Store to the closest point of a parcel that contains any of them:
(i) Emergency Shelter;
(ii) School – Private; and

(iii) School Authority – School;

(j) deleted

(k) does not require bicycle parking stalls – class 1; and

(l) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250 metres of gross usable floor area.
161  “Car Wash – Multi Vehicle”

(a) means a use:

(i) where motor vehicles with a **gross vehicle weight** equal to or less than 4536 kilograms are washed; and

(ii) where more than one vehicle may be washed at one time;

(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 five (5) vehicle stacking spaces for each wash bay entrance door;

(e) must provide a drying area in the form of one (1) **motor vehicle parking stall** for each vehicle that can be accommodated by a wash bay;

(f) 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 must be:

   (A) **deleted**

   (B) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and

   (C) constructed of materials and to the standards required by the **Development Authority**; and

(g) **deleted**

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

162  “Car Wash – Single Vehicle”

(a) means a use:

(i) where motor vehicles with a **gross vehicle weight** equal to or less than 4536 kilograms are washed; and

(ii) that contains one wash bay, and this wash bay is only capable of washing one motor vehicle at a time;

(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 for the wash bay entrance door;

(e) must provide a drying area in the form of a motor vehicle parking stall for the wash bay;

(f) 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 must be:
      (A) deleted
      (B) located where, in the opinion of the Development Authority, it is least likely to adversely affect neighbouring properties; and
      (C) constructed of materials and to the standards required by the Development Authority; and

(g) deleted

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

163 “Catering Service – Major”

(a) means a use:
   (i) where food is prepared, stored, and delivered for consumption off the premises without provision for pick-up by customers at the premises; and
   (ii) where cooking equipment, refrigeration equipment and delivery vehicles are located within or outside of a building;

(b) is a use within the Eating and Drinking Group in Schedule A to this Bylaw; and

(c) deleted

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

164 “Catering Service – Minor”

(a) means a use:
   (i) where food is prepared, stored, and delivered for consumption off the premises without provision for pick-up by customers at the premises;
(ii) that is entirely within a building; and
(iii) that may only have delivery vehicles that are necessary for the operation of the use;

(b) is a use within the Eating and Drinking Group in Schedule A to this Bylaw; and

(c) deleted

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

165 “Child Care Service”

(a) means a use:

(i) where temporary care and supervision is provided to seven or more children:

(A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and

(B) for periods of less than 24 consecutive hours;

(ii) that may provide programming for the social, creative, educational and physical development of children; and

(iii) that includes day cares, pre-schools, kindergarten, out of school care and other programs where the primary purpose is the care of children;

(b) is a use within the Care and Health Group in Schedule A to this Bylaw;

(c) must have screening for any outdoor play areas;

(d) deleted

(e) requires a minimum of 1.0 pick-up and drop-off stalls per 10 children;

(f) does not require bicycle parking stalls – class 1; and

(g) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

166 “Cinema”

(a) means a use where motion pictures are viewed by the public, but does not include an Adult Mini-Theatre;

(b) is a use within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) must provide a sufficient area adjacent to outdoor entry doors for patrons to queue;
(d) **deleted**

(e) does not require **bicycle parking stalls – class 1**; and

(f) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

167 **“Columbarium”**

(a) means a **use**:

(i) where urns containing the ashes of cremated human remains are kept; and

(ii) that will always be approved with another **use**;

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

(c) may be approved only in conjunction with a **Cemetery, Crematorium, Funeral Home** or **Place of Worship – Large, Place of Worship – Medium, or Place of Worship - Small** where they are a listed **use** in a District and where those **uses** have been approved; and

(d) **deleted**

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

168 **“Community Entrance Feature”**

(a) means a **use** where a landscape attraction, monument or **sign** is displayed on a **parcel** that states the name of, or in some way identifies, a residential community;

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

(c) requires the owner of the parcel, on which it is located, to enter into an agreement for the maintenance of the **parcel** and the removal of the **use** at the discretion of the **Development Authority**;

(d) may have conditions placed on the **development permit** by the **Development Authority** relating to the location, size, design, **copy**, character, and number of **Community Entrance Features** allowed for a community;

(e) must be constructed of maintenance-free materials, wherever possible; and

(f) must not encroach upon utility rights-of-way or affect traffic safety.
“Community Recreation Facility”

(a) means a use:

(i) operated by, or on behalf of, an organization whose membership is voluntary and generally serves the residents of a specific neighbourhood with the purpose of:

(A) providing programs, public facilities or services;

(B) providing non-profit sporting, educational, social, recreational or other activities; or

(C) where members of the facility and the public participate in recreation and leisure activities;

(ii) that has recreation space within a building;

(iii) that may have outdoor sports fields and equipment on the same parcel as the building;

(iv) where approved facilities are temporarily used to process and prepare locally-grown food with permission by, or on behalf of, the City;

(v) that may include local food sales; and

(vi) that include the temporary sale of whole food and locally made processed food, as well as food available for immediate consumption, as a community social activity;

(b) is a use within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.
170 “Computer Games Facility”

(a) means a use:

(i) where the Internet or computer games are provided for four or more customers; and

(ii) that is entirely within a building;

(b) is a use within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

170.1 “Conference and Event Facility”

(a) means a use:

(i) that provides permanent facilities for meetings, seminars, conventions, weddings or other special events;

(ii) that may include banquet facilities including areas for food preparation; and

(iii) that does not include any use listed in the Eating and Drinking Group in Schedule A;

(b) is a use within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a residential district or abuts a lane separating the parcel from a residential district, or a C-N1, C-N2, or C-COR1 District;

(d) must not have a public area greater than 75.0 square metres where the use shares a property line with, or is only separated by an intervening lane from a residential district, or a C-N1, C-N2, or C-COR1 District;

(e) deleted

(f) does not require bicycle parking stalls – class 1; and

(g) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.
170.2 “Contextual Semi-detached Dwelling”

(a) means a use where a building:

   (i) contains two Dwelling Units located side by side and separated by a common party wall extending from foundation to roof;

   (ii) may contain a Secondary Suite within a Dwelling Unit in a district where a Secondary Suite is a listed use and conforms with the rules of the district; and

   (iii) meets all of the rules specified for the use in a district;

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

(c) requires a minimum of 2.0 motor vehicle parking stalls per Dwelling Unit; and

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

171 “Contextual Single Detached Dwelling”

(a) means a use where a building contains one Dwelling Unit that:

   (i) meets all of the rules specified for the use in a district; and

   (ii) may contain a Secondary Suite in a district where a Secondary Suite is a listed use and conforms with the rules of the district;

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

(c) requires a minimum of 1.0 motor vehicle parking stalls per Dwelling Unit; and

(d) does not require bicycle parking stalls – class 1 or class 2.
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174 “Convenience Food Store”

(a) means a use:

(i) where fresh and packaged food is sold;

(ii) where daily household necessities may be sold;

(iii) that is entirely within a building;

(iv) that has a maximum gross floor area of 465.0 square metres;

(v) that may display the items for sale within the use outside of a building a maximum distance of 6.0 metres from the public entrance of the use; and

(vi) that may include the preparation of food and non-alcoholic beverages for human consumption;

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

(b.1) may have a maximum floor area of 7.5 square metres to accommodate a seating area;

(c) must not locate any outdoor display area in a required setback area, a parking area or on a sidewalk, if it impedes pedestrian movement;

(d) deleted

(e) does not require bicycle parking stalls – class 1; and

(f) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

175 “Cottage Housing Cluster”

(a) means a use:

(i) that is a grouping of cottage buildings around an open space; and

(ii) where no Dwelling Unit is located wholly or partially above another Dwelling Unit;

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

(c) that has a minimum of four cottage buildings;

(d) that has a maximum of twelve cottage buildings;
(e) requires a minimum of 1.0 motor vehicle parking stalls per Dwelling Unit with a floor area equal to or greater than 45.0 square metres, not including areas covered by stairways;

(f) requires a minimum of 0.15 visitor parking stalls per Dwelling Unit; and

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

176 “Counselling Service”

(a) means a use where people receive treatment, advice or guidance for emotional, psychological or life management issues;

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

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

177 “Crematorium”

(a) means a use:

(i) where the deceased are incinerated and the ashes of the deceased are collected for interment; and

(ii) that may provide services such as the preparation of the deceased for burial, the organization and direction of funeral services, and the facilities for the purpose of viewing a body;

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

(c) deleted

(d) does not require bicycle parking stalls – class1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.
**177.1 “Cultural Support”**

(a) means a **use**:

(i) where support functions necessary for a cultural organization’s day-to-day operations are provided and which may include, but is not limited to, administrative support, meeting rooms, storage, set production and rehearsal space;

(ii) where the primary cultural objective of the organization, which is intended for public viewing or sale, is not located in the same **use area**; and

(iii) that must only be located in a publicly accessible space that has been approved by a **development permit** as a ‘Cultural Support Space’ in accordance with incentive item 8.11 of the Incentive Density Table contained in Part 13 Division 3 of this Bylaw.

(b) is a **use** within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) does not require **motor vehicle parking stalls**; and

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

**178 “Custodial Care”**

(a) means a **use**:

(i) where care, accommodation and on-site professional supervision is provided to one or more persons who have been required to reside full-time in the facility as part of a conditional or early release from a correctional institution or part of an open custody program; and

(ii) that has at least one staff person at the facility at all times;

(b) is a **use** within the Care and Health Group in Schedule A to this Bylaw;

(c) may have a maximum of 10 residents when located in a **low density residential district**;

(d) requires a minimum of 1.0 **motor vehicle parking stalls** per two (2) resident staff and additional **motor vehicle parking stalls** may be required based on the projected level of visits by non-resident staff and visitors; and

(e) does not require **bicycle parking stalls – class 1 or class 2**.
179 “Custodial Quarters”

(a) means a use:

(i) where living accommodation is provided primarily in an industrial district;

(ii) which will only be approved on a parcel where another use has been approved; and

(iii) where the occupant of the use performs a custodial or security function that is necessary for the operation of the use with which the Custodial Quarters is combined;

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

(c) deleted

(d) does not require bicycle parking stalls – class 1 or class 2.
180  “Dinner Theatre”

(a) means a use:

(i) where live performance of theatre, music and dance are provided to the public;

(ii) where food and beverages must be prepared on the premises and served to the patrons of the theatre before, during or after the performance; and

(iii) that may have a specific licence for the sale of liquor, that is issued by the Alberta Gaming and Liquor Commission, that allows minors on the premises at any time;

(b) is a use within the Eating and Drinking Group in Schedule A to this Bylaw;

(c) must provide a sufficient area adjacent to outdoor entry doors for patrons to queue;

(d) must not be located within 45.0 metres of 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 an intervening street;

(g) deleted

(h) does not require bicycle parking stalls – class 1; and

(i) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of public area.

181  “Distribution Centre”

(a) means a use:

(i) where goods are stored inside a building for a short duration before being loaded onto transport trucks;
(ii) where the use has a gross floor area that is a minimum of 20 000.0 square metres;

(iii) where areas of the parcel are used for movement of transport trucks on, off and within the parcel;

(iv) that does not accommodate the manufacture of any goods;

(v) that does not accommodate the display or sale of goods; and

(vi) may include the administrative functions associated with the use.

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

(c) must provide screening for loading docks when the loading docks are within view of an expressway or major street;

48P2020  
(d) deleted

(e) does not require bicycle parking stalls – class 1; and

(f) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

182 “Drinking Establishment – Large”

(a) means a use:

(i) where liquor is sold for consumption on the premises;

(ii) where a specific licence for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that restricts minors on the premises;

(iii) that may include the preparation and sale of food for consumption on the premises;

(iv) that has a public area of 300.0 square metres or greater; and

(v) that may have a maximum of 10.0 square metres of public area used for the purpose of providing entertainment;

(b) is a use within the Eating and Drinking Group in Schedule A to this Bylaw;
(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;

(d) must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street;

(e) must not be within 45.0 metres of a residential district when the use is located within the S-R district, which must be measured from the building containing the use to the nearest property line of a parcel designated as a residential district;

(f) deleted

(g) does not require bicycle parking stalls – class 1; and

(h) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of public area.

183 “Drinking Establishment – Medium”

(a) means a use:

(i) where liquor is sold for consumption on the premises;

(ii) where a specific licence for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that restricts minors on the premises;

(iii) that may include the preparation and sale of food for consumption on the premises;

(iv) that has a public area greater than 75.0 square metres and less than 300.0 square metres; and

(v) that may have a maximum of 10.0 square metres of public area used for the purpose of providing entertainment;

(b) is a use within the Eating and Drinking Group in Schedule A to this Bylaw;

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;
must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street;

must not be within 45.0 metres of a residential district when the use is located within the C-C1, C-C2, C-COR1, C-COR2, CC-COR, CC-X, MU-2 and S-R Districts, which must be measured from the building containing the use to the nearest property line of a parcel designated as a residential district;

deleted

does not require bicycle parking stalls – class 1; and

requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of public area.

“Drinking Establishment – Small”

means a use:

(i) where liquor is sold for consumption on the premises;

(ii) where a specific licence for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that restricts minors on the premises;

(iii) that may include the preparation and sale of food for consumption on the premises;

(iv) that has a public area of 75.0 square metres or less; and

(v) that may have a maximum of 10.0 square metres of public area used for the purpose of providing entertainment;

is a use within the Eating and Drinking Group in Schedule A to this Bylaw;

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;

must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street;
(e) deleted

(f) does not require bicycle parking stalls – class 1; and

(g) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of public area.

185 “Drive Through”

(a) means a use:

(i) where services are provided to patrons who are in a motor vehicle; and

(ii) that will always be approved with another use;

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

(c) may have outdoor speakers provided:

(i) the speakers are not located within 23.0 metres of a property line of any parcel designated as a residential district; or

(ii) they are separated from a residential district by a building;

(d) must screen any drive through aisles that are adjacent to a residential district;

(e) must not have any drive through aisles in a setback area;

(f) must fence any drive through aisles, where necessary, to prevent access to a lane or street;

(g) must not have pedestrian access into the premises that crosses a drive through aisle;

(h) must have 5.0 vehicle stacking spaces per order board or ordering window, for the purpose of queuing motor vehicles; and

(i) deleted

(j) does not require bicycle parking stalls – class 1 or class 2.
"Dry-cleaning and Fabric Care Plant"

(a) means a use:

(i) where clothes, fabrics or rugs are cleaned;
(ii) where solvents are used in the process of laundering;
(iii) that has a gross floor area larger than 150.0 square metres;
(iv) where vehicles may pick up and deliver items associated with the use;

(iv.1) that may have an area for customers to drop-off and pick-up the clothes, fabrics or rugs;
(v) that may contain the administrative functions associated with the use; and
(vi) that does not involve the production or sale of goods as part of the use;

(b) is a use within the General Industrial Group in Schedule A to this Bylaw;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.
187  "Duplex Dwelling"
   (a) means a building which contains two Dwelling Units, one located above the other, with each having a separate entrance;
   (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.

188  "Dwelling Unit"
   (a) means a use:
      (i) that contains two or more rooms used or designed to be used as a residence by one or more persons; and
      (ii) that contains a kitchen, living, sleeping and sanitary facilities;
   (b) is a use within the Residential Group in Schedule A to this Bylaw;
   (c) requires a minimum number of motor vehicle parking stalls in accordance with the District the use is listed in;
   (d) requires a minimum of 0.5 bicycle parking stalls – class 1 per Dwelling Unit for developments greater than 20 Dwelling Units; and
   (e) requires a minimum of 0.1 bicycle parking stalls – class 2 per Dwelling Unit for developments greater than 20 Dwelling Units.

189  "Emergency Shelter"
   (a) means a use:
      (i) that may provide transitional housing for people in need of shelter;
      (ii) that may provide temporary accommodation for persons in need of short term accommodation;
      (ii.1) that may include sobering facilities, but does not include treatment for an addiction;
      (iii) that may offer health, education, and other programs and services to the population the use serves;
      (iv) that may provide a food preparation, kitchen or eating area for the staff or population the use serves;
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(v) that has staff providing supervision of the people being accommodated at all times the facility operates; and

(vi) that must be approved only on a parcel designated as a Direct Control District that specifically includes Emergency Shelter 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 and bicycle parking stalls – class 1 or class 2, based on a parking study required at the time of land use redesignation application.

190 “Equipment Yard”

(a) means a use:

(i) where equipment used in road construction, building construction, agricultural operations, oil and gas operations or other similar industries are stored or rented when they are not being used;

(ii) that may be located within or outside of a building;

(iii) that may be combined with Vehicle Storage – Large;

(iv) where the vehicles and equipment stored or rented may be serviced, cleaned, tested or repaired;

(v) that may include the incidental sale of used vehicles and equipment that were previously stored or rented on the parcel; and

(vi) that does not involve the storage of derelict vehicles, derelict equipment or construction material;
(b) is a use within the Storage Group in Schedule A to this Bylaw; and

(c) deleted

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

191 “Extensive Agriculture”

(a) means a use:

(i) where land is used to raise crops or graze livestock outdoors;

(ii) where trees and shrubs are intensively grown outdoors;

(iii) that may have ancillary agricultural buildings and structures that support the outdoor activities; and

(iv) that may include ancillary structures for small-scale subsidiary agricultural pursuits;

(b) is a use within the Agriculture and Animal Group in Schedule A to this Bylaw;

(c) where an ancillary structure is a greenhouse in the S-FUD or S-TUC District:

(i) it is limited to a maximum of 200 square metres in gross floor area;

(ii) it must be 30 metres from a Dwelling Unit located on a parcel in a residential district or in another municipality, measured from the closest point of the greenhouse to the closest point of the Dwelling Unit; and

(iii) it must use existing approved road access;

(d) does not require motor vehicle parking stalls; and

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

192 “Fertilizer Plant”

(a) means a use:

(i) where fertilizers are manufactured, packaged or stored in bulk quantities; and

(ii) that must be approved only on a parcel designated as a Direct Control District that specifically includes Fertilizer Plant as a use;
(b) is a use within the Direct Control Uses Group in Schedule A to this Bylaw; and
(c) requires a minimum number of motor vehicle parking stalls, based on a parking study required at the time of land use redesignation application.

193 “Financial Institution”

(a) means a use where:
   (i) banks, credit unions, trust companies, and treasury branches operate, but does not include
       (A) Pawn Shops or businesses that offer financing for products sold at that business; or,
       (B) businesses that solely offer secured or guaranteed financing;
       (C) Payday Loans; or
   (ii) three or more automated banking machines are located directly adjacent to each other;
(b) is a use within the Sales Group in Schedule A to this Bylaw;
(c) must not be combined with a Drive Through in the C-N1 and C-COR1 Districts; and
(d) deleted
(e) does not require bicycle parking stalls – class 1 or class 2.

194 “Firing Range”

(a) means a use:
   (i) where firearms are discharged outdoors for recreation, sport or training purposes;
   (ii) that may provide a building containing change rooms, washrooms or showers and rooms for the administrative functions and storage required for the use;
   (iii) that may provide seating areas for the occasional viewing of the sport associated with the use; and
   (iv) that must be approved only on a parcel designated as a Direct Control District that specifically includes Firing Range 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.

195 “Fitness Centre”

(a) means a use:

(i) where space, equipment or instruction is provided for people to pursue physical fitness or skills relating to physical activities; and

(ii) that may include the incidental sale of products relating to the service provided;

(b) is a use within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

195.1 “Fleet Service”

(a) means a use:

(i) where vehicles used for the common purpose of providing transportation or services to persons or goods are stored, repaired, cleaned and otherwise maintained for safe operation when not in use;

(ii) where the vehicles may include buses, couriers, limousines, taxis or roadside assistance vehicles;

(iii) that may include the dispatch and administrative operations associated with the use; and

(iv) that does not involve the production, display, sale or rental of vehicles as part of the use;

(b) is a use within the Automotive Service Group in Schedule A to this Bylaw;
(c) must provide a stall for every vehicle stored on the parcel;

(d) deleted

(e) does not require bicycle parking stalls – class 1; and

(f) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area;

32P2009  196 deleted

32P2009  197 deleted

198 “Food Kiosk”

(a) means a use:

(i) where food and beverages are provided for immediate consumption;

(ii) that must not have a seating area;

(iii) that has a maximum gross floor area of 75.0 square metres;

(iv) that may have a permanent foundation; and

(v) that must not be combined with a Drive Through;

(b) is a use within the Eating and Drinking Group in Schedule A to this Bylaw; and

48P2020  (c) deleted

(d) does not require bicycle parking stalls – class 1 or class 2.
198.1 “Food Production”

(a) means a use:

(i) where plants are grown to produce food in a building;

(ii) that may include hydroponics, aquaponics and vertical growing;

(iii) where food grown on-site may be processed and packaged;

(iv) that may include aquaculture and raising insects for food only when the use is in the I-G or I-H Districts;

(v) where no dust or vibration is seen or felt outside of the building containing the use; and

(vi) where all of the processes and functions associated with the use are contained in a fully enclosed building;

(b) is a use in the General Industrial Group in Schedule A to this Bylaw;

(c) where the Development Authority may require, as a condition of a development permit, equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system;

(d) where the Development Authority may require, as a condition of a development permit, a Public Utility and Waste Management Plan, completed by a qualified professional, that includes detail on:

(i) the management and disposal of waste products and airborne emissions, including smell;

(ii) the quantity and characteristics of liquid and waste material discharged the use; and

(iii) the method and location of collection and disposal of liquid and waste material;

(e) deleted
(f) does not require *bicycle parking stalls – class 1*; and

(g) requires a minimum of 1.0 *bicycle parking stalls – class 2* per 2000.0 square metres of *gross usable floor area*.

199 “Freight Yard”

(a) means a *use*:

(i) where goods are transported to a *parcel* for pick-up or distribution;
(ii) where goods are stored in a trailer, shipping container, pole barn, quonset hut or other moveable, non-permanent structure with a roof;

(iii) where goods may be moved from one container to another for transport off the parcel;

(iv) where goods are not stored in a permanent building;

(v) where goods may be stacked or piled outside;

(vi) where goods being stored are not motor vehicles, equipment or waste;

(vii) where no production or sale of any goods as part of the use is allowed; and

(viii) that may have a building for administrative purposes;

(b) is a use within the Storage Group in Schedule A to this Bylaw; and

(c) deleted

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

200 “Funeral Home”

(a) means a use:

(i) where funerals are arranged and held;

(ii) where the deceased are prepared for burial or cremation;

(iii) that may accommodate one cremation chamber; and

(iv) that may include a Columbarium;

(b) is a use within the Care and Health Group in Schedule A to this Bylaw; and

(c) deleted

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

201 “Gaming Establishment – Bingo”

(a) means a use:

(i) where bingo games are held on three or more days in any one calendar week; and
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(ii) that occurs entirely within a building that has the capacity to accommodate more than 250 persons at any one time;

(b) is a use within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;

(d) must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street; and

(e) deleted

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

202 “Gaming Establishment – Casino”

(a) means a use:

(i) where gambling occurs, but does not include Gaming Establishment – Bingo or a Race Track; and
(ii) that must be approved only on a parcel designated as a Direct Control District that specifically includes Gaming Establishment – Casino as a use;

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

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;

(d) must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street; and

(e) requires a minimum number of motor vehicle parking stalls, based on a parking study required at the time of land use redesignation application.

203 “Gas Bar”

(a) means a use:

(i) where automotive fuels are sold;

(ii) where motor vehicle accessories and products may be sold; and

(iii) where any building that is not combined with another use has a maximum gross floor area of 40.0 square metres;

(b) is a use within the Automotive Service Group in Schedule A to this Bylaw;

(c) must not have a canopy that exceeds 5.0 metres in height when measured from grade;

(d) must have fully recessed canopy lighting;

(e) may have an outdoor display of products related to the use, provided they are within 4.5 metres of the building entrance or on gas pump islands; and

(f) deleted

(g) does not require bicycle parking stalls – class 1 or class 2.
203.1 “General Industrial – Heavy”

(a) means a use:

(i) where any of the following activities occur:

(A) the manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, food, beverages, products or equipment, provided live animals are not involved in any aspect of the operation;

(B) the cleaning, servicing, testing, repairing or maintenance of industrial or commercial goods and equipment; or

(C) the crushing, dismantling, sorting or processing of discarded goods, provided these activities do not involve chemicals or the application of heat;

(ii) where part or all of the processes and functions associated with the use are located outside of a building, including the function of using trailer units or railway cars prior to shipping;

(iii) where dust or vibration may be seen or felt beyond the parcel containing the use; and

(iv) that may include Food Production;

(b) is a use within the General Industrial Group in Schedule A to this Bylaw;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.
203.2 “General Industrial – Light”

(a) means a use:

(i) where any of the following activities occur:

(A) the manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, food, beverages, products or equipment, provided live animals are not involved in any aspect of the operation;

(B) the cleaning, servicing, testing, repairing or maintenance of industrial or commercial goods and equipment;

(C) the offices or workshops of contractors engaged in either building trades and services, or road and utility construction;

(D) the crushing, dismantling, sorting or processing of discarded goods, provided these activities do not involve chemicals or the application of heat;

(E) the warehousing, shipping and distribution of goods, including the functions of repackaging and wholesaling, provided the gross floor area of the warehouse is less than 20,000.0 square metres;

(F) the analysis or testing of materials or substances in a laboratory;

(G) research and development; or

(H) the repair, service or refurbishment of furniture, electronic equipment and appliances that are used in the home;

(ii) that may include any of the following uses:

(A) deleted;

(B) Health Services Laboratory – Without Clients;

(C) Printing, Publishing and Distributing; and

(D) Food Production;

(iii) where all of the processes and functions associated with the use are contained within a fully enclosed building; and
(iv) where no dust or vibration is seen or felt outside of the building containing the use;
(b) is a use within the General Industrial Group in Schedule A to this Bylaw;
(c) that may have a limited area for the accessory outdoor storage of goods, materials or supplies when located in the I-G, I-R, I-C or I-H Districts;
(d) deleted
(e) does not require bicycle parking stalls – class 1; and
(f) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

203.3 “General Industrial – Medium”

(a) means a use:

(i) where any of the following activities occur:

(A) the manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, food, beverages, products or equipment, provided live animals are not involved in any aspect of the operation;

(B) the cleaning, servicing, testing, repairing or maintenance of industrial or commercial goods and equipment;

(C) the offices or workshops of contractors engaged in either building trades and services, or road and utility construction;

(D) the crushing, dismantling, sorting or processing of discarded goods, provided these activities do not involve chemicals or the application of heat;

(E) the warehousing, shipping and distribution of goods, including the functions of repackaging and wholesaling, provided the gross floor area of the warehouse is less than 20 000.0 square metres;

(F) the analysis or testing of materials or substances in a laboratory; or

(G) research and development;
(ii) where part of the processes and functions associated with the use may be located outside of a building, including the function of using trailer units or railway cars prior to shipping;

(iii) where dust or vibration may be seen or felt outside of the building containing the use provided it is contained on the parcel; and

(iv) that may include Food Production;

(b) is a use within the General Industrial Group in Schedule A to this Bylaw;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

204 “Health Services Laboratory – With Clients”

(a) means a use:

(i) where bodily samples are taken from members of the public, to be tested;
(ii) where imaging technology is employed on members of the public, for medical assessments; or

(iii) where prosthetics, dental aids or medical devices are fitted or serviced;

(b) is a use within the Care and Health Group in Schedule A to this Bylaw;

(c) must not create electronic interference which would be considered objectionable outside of the use;

(d) deleted

(e) does not require bicycle parking stalls – class 1; and

(f) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

205 “Health Services Laboratory – Without Clients”

(a) means a use:

(i) where any of the following activities occur:

(A) bodily samples are tested;

(B) medical assessments and research are conducted; or

(C) prosthetics, dental aids or medical devices are serviced; and

(ii) where no members of the public visit the use for any reason;

(b) is a use within the Industrial Support Group in Schedule A to this Bylaw;

(c) must not create electronic interference which would be considered objectionable, outside of the use;

(d) deleted

(e) does not require bicycle parking stalls – class 1; and

(f) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

206 “Hide Processing Plant”

(a) means a use:

(i) where animal hides and other animal by-products are processed; and
must be approved only in a Direct Control District that specifically includes Hide Processing Plant as a use;

(b) is a use within the Direct Control Uses Group in Schedule A to this Bylaw; and

(c) requires a minimum number of motor vehicle parking stalls, based on a parking study required at the time of land use redesignation application.

206.1 “Home Based Child Care – Class 1”

(a) means:

(i) an incidental use by a resident of a Dwelling Unit for the purpose of providing temporary care or supervision to a maximum of 6 children:

(A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and

(B) for periods of less than 24 consecutive hours;

(ii) a use where no other person, other than a resident of the Dwelling Unit, works at the Dwelling Unit where the use is located;

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

(c) must not be located in a Dwelling Unit containing another Home Based Child Care – Class 1 or Class 2, or Home Occupation – Class 2;

(c.1) must not display any signs related to the use on the parcel;

(d) must have screening for any outdoor play areas;

(e) does not require additional motor vehicle parking stalls; and

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

206.2 “Home Based Child Care – Class 2”

(a) means:

(i) an incidental use by a resident of a Contextual Single Detached Dwelling, Contextual Semi-detached Dwelling, Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling for the purpose of providing temporary care or supervision to a maximum of 10 children:

(A) under the age of 13 years, or children of 13 or 14 years of age who, because of a special need, require child care; and
(B) for periods of less than 24 consecutive hours;

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

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

(c) must be located on a parcel with a parcel width equal to or greater than 9.0 metres;

(d) may have an outdoor play area on the parcel, provided the outdoor play area is screened by a fence;

(e) must not:

(i) locate play structures within an actual front setback area; and

(ii) display any signs related to the use on the parcel;

(f) requires a minimum of 1.0 motor vehicle parking stalls in addition to the motor vehicle parking stalls required for the Contextual Single Detached Dwelling or Single Detached Dwelling;

(g) requires a minimum of 1.0 pick-up and drop-off stalls; and

(h) does not require bicycle parking stalls – class 1 or class 2;

207 “Home Occupation – Class 1”

(a) means:

(i) the incidental use by a resident of a Dwelling Unit for business purposes; and

(ii) a use that meets all the rules of this section;

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

(c) may have a maximum of three (3) business associated vehicle visits per week which includes but is not limited to drop-offs, pick-ups, deliveries, and visits from customers or consultants;

(d) may only have residents of the Dwelling Unit work on the parcel where the use is located;

(e) must not use the private garage or Accessory Residential Building for business related activities, except storage where:
(i) the storage does not impact a required motor vehicle parking stall related to other uses on the parcel; and

(ii) the private garage or Accessory Residential Building is fully enclosed;

(f) is limited to a maximum of two (2) per Dwelling Unit, with a combined maximum of three (3) business associated vehicle visits per week, as described in section 207(c);

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

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

(i) must not advertise the address of the use to the general public;

(j) may only occupy the lesser of 20.0 per cent of the cumulative floor area of the Dwelling Unit, or 30.0 square metres;

(k) must not have any activities related to the use take place outside of a Dwelling Unit, which includes the outside storage of materials, tools, products or equipment except for storage as described in subsection (e);

(l) may only have one (1) vehicle, associated with the use, provided that vehicle is not a large vehicle;

(m) must not directly sell any goods at the premises, unless they are incidental and related to the services provided by the use;

(n) does not require additional motor vehicle parking stalls; and

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

208 “Home Occupation – Class 2”

(a) means the incidental use by a resident of a Dwelling Unit for business purposes;

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

(c) may have more than three (3) business associated vehicle visits per week which includes but is not limited to drop-offs, pick-ups, deliveries, and visits from customers or consultants;

(d) may only have one (1) non-residents of the Dwelling Unit work on the parcel where the use is located;

(e) may use the private garage or Accessory Residential Building for business related activities, including storage;
(f) is limited to one (1) per Dwelling Unit;

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

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

(i) must not advertise the address of the use to the general public;

(j) may only occupy the lesser of 20.0 per cent of the cumulative floor area of the Dwelling Unit, or 30.0 square metres;

(k) must not have any activities related to the use take place outside of a Dwelling Unit, which includes the outside storage of materials, tools, products or equipment;

(l) may only have one (1) vehicle, associated with the use, provided that vehicle is not a large vehicle;

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

(n) must not directly sell any goods at the premises, unless they are incidental and related to the services provided by the use;

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

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

208.1 “Hospital”

(a) means a use:

(i) that maintains and operates facilities for both inpatient and outpatient medical care;
(ii) that may include long-term and short-term care, overnight stays, diagnostic, laboratory, and surgical services, for the treatment of human illness, injury, and disease; and

(iii) that may include the accessory uses necessary for the functioning of the institution;

(b) is a use within the Care and Health Group in Schedule A to this Bylaw;

(c) requires a minimum number of motor vehicle parking stalls based on a parking study required at the time of land use redesignation application;

(d) requires a minimum of 1.0 bicycle parking stalls – class 1 per 1000.0 square metres of gross usable floor area; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 1000.0 square metres gross usable floor area.

209 “Hotel”

(a) means a use:

(i) where sleeping accommodation, other than a Dwelling Unit, is provided to visitors for remuneration; and

(ii) that may be combined with a use from the Eating and Drinking Group in Schedule A when such a use is contained within a Hotel;

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

(c) does not have a maximum use area in any District;

(d) must not have more than 20 guest rooms in all mixed use districts and 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

(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; and

(f) deleted
(g) does not require *bicycle parking stalls – class 1 or class 2.*
“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;

(ii) where the specifically built facilities are things such as swimming pools, skating rinks, or gymnasiums;

(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) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 0.5 bicycle parking stalls – class 2 per 100.0 square metres of gross usable floor area.

“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 Sales Group in Schedule A to this Bylaw;

(c) deleted
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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)  deleted

(g) does not require bicycle parking stalls – class 1; and

(h) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.
217.1 “Intensive Agriculture”

(a) means a use:

(i) where livestock or other farmed animals are continuously confined in a building or outside;

(ii) where concentrated feeding and rearing methods are used to grow, maintain and bring animals and their products to market; and

(iii) includes feedlots, hog and poultry farms, rabbitries, fur farms and other intensive methods of feeding and raising livestock;

(b) is a use within the Direct Control Uses Group in Schedule A to this Bylaw;

(c) requires a minimum number of motor vehicle parking stalls based on a parking study required at the time of land use redesignation application; and

(d) does not require bicycle parking stalls class 1 or class 2.

218 deleted

218.1 “Inter-City Bus Terminal”

(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;
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(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 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; and

(d) deleted

(e) does not require bicycle parking stalls – class 1 or class 2.
221 “Large Vehicle and Equipment Sales”

(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*;

(g) must provide a designated storage area for all equipment stored on the *parcel*;

(h) *deleted*

(i) does not require *bicycle parking stalls – class 1*; and

(j) requires a minimum of 1.0 *bicycle parking stalls – class 2* per 250.0 square metres of *gross usable floor area*. 
“Large Vehicle Service”

(a) means a use where vehicles with a gross vehicle weight greater than 4536 kilograms undergo maintenance and repair;

(b) is a use within the Automotive Service Group in Schedule A to this Bylaw; and

(c) deleted

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

“Large Vehicle Wash”

(a) means a use where vehicles with a gross vehicle weight greater than 4536 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:

      (A) deleted

      (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; and

(f) deleted

(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) deleted
(d) does not require bicycle parking stalls – class 1; and
(e) requires a minimum of 0.5 bicycle parking stalls – class 2 per 100.0 square metres of gross usable floor area.

225 “Liquor Store”
(a) means a use where alcoholic beverages are sold for consumption off the retail outlet premises, that has been licensed by the Alberta Gaming and Liquor Commission;
(b) is a use within the Sales Group in Schedule A to this Bylaw;
(c) in the C-N1 and C-N2 Districts, must only be located on a parcel with a front property line on a major street or a primary collector street;
(d) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 300.0 metres of any other Liquor Store, when measured from the closest point of a Liquor Store to the closest point of another Liquor Store;
(e) in all commercial, industrial and mixed use districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 150.0 metres of a parcel that contains a School – Private or a School Authority – School, when measured from the closest point of a Liquor Store to the closest point of a parcel that contains a School Authority – School or a School – Private;
(e.1) in all Centre City East Village Districts, Liquor Stores must not be located:
   (i) within 150.0 metres of a parcel that contains an Emergency Shelter, when measured from the closest point of a Liquor Store to the closest point of a parcel that contains an Emergency Shelter; and
(ii) on parcels north of 5 Avenue SE and west of 4 Street SE;

(e.2) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not:

(i) abut a Cannabis Store;

(ii) if not for one or more intervening actual side setback areas, abut a Cannabis Store; and

(iii) when located on the same parcel, if not for a vacant space between buildings, not including an internal road, abut a Cannabis Store.

(f) deleted

(g) does not require bicycle parking stalls – class 1; and

(h) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

226 “Live Work Unit”

(a) means a use:

(i) where a business is operated from a Dwelling Unit, by the resident of the Dwelling Unit, but does not include a Home Occupation – Class 1 or Home Occupation – Class 2;

(ii) that may incorporate only the following uses in a Dwelling Unit to create a Live Work Unit when located in the commercial districts, mixed use districts, CC-EMU, CC-ET, CC-EIR or CR20-C20/R20 District:

(A) Artist’s Studio;

(B) Counselling Service;

(C) Instructional Facility;

(D) Office; and

(E) Retail and Consumer Service, provided any products sold are also made on the premises or directly related to the service provided;

(iii) that may incorporate only the following uses in a Dwelling Unit to create a Live Work Unit when located in the multi-residential districts or the CC-EPR District:

(A) Artist’s Studio;
(B) **Counselling Service**;

(C) **Office**;

(D) **Retail and Consumer Service**, provided any products sold are also made on the premises or directly related to the service provided; and

(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**;

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

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

“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.
"Market"

(a) means a *use*:

(i) where individual vendors provide goods for sale directly to the public;

(ii) where the goods may be sold both inside and outside of a *building*;

(iii) where the vendors may change on a frequent or seasonal basis;

(iv) where the goods being sold are finished consumer goods, food products, produce, handcrafted articles, antiques or second hand goods;

(v) where the items being sold are not live animals;

(vi) that may include a limited seating area; and

(vii) that does not include a Retail and Consumer Service or Supermarket;

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

(b.1) may display merchandise related to the *use* outside of a *building*, provided the merchandise:

(i) is within 6.0 metres of a *public entrance* of the *use*; and

(ii) is not located in a *setback area*, a parking area or on a sidewalk if it impedes pedestrian movement;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 0.25 bicycle parking stalls – class 2 per 100.0 square metres of gross usable floor area.
PART 4 - DIVISION 2: DEFINED USES

233  “Medical Clinic”

(a) means a use where human health services that are preventative, diagnostic, therapeutic or rehabilitative are provided without overnight accommodation for patients;

(b) is a use within the Care and Health Group in Schedule A to this Bylaw;

(c) deleted 48P2020

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

233.1 deleted 7P2014, 25P2018
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</table>
“Motion Picture Filming Location”

(a) means a use:

(i) where motion pictures are filmed, either within a building or outdoors; and

(ii) that must be approved on a temporary basis for a period of time not greater than one year;

(b) is a use within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) must not construct any permanent buildings, or make permanent exterior renovations or additions to an existing building or structure;

(d) does not have a maximum use area in any District;

(e) does not require motor vehicle parking stalls; and

(f) does not require bicycle parking stalls – class 1 or class 2.
237  “Motion Picture Production Facility”

(a) means a use:

(i) where motion pictures are filmed and produced;

(ii) where part of the processes and functions associated with the use may be located outside of a building;

(iii) that may have the functions of packaging or shipping the products made as part of the use; and

(iv) that may have the administrative functions associated with the use;

(b) is a use within the Industrial Support Group in Schedule A to this Bylaw;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

238  “Motorized Recreation”

(a) means a use:

(i) where people participate in motorized sports and recreation activities outdoors;

(ii) that may provide a building containing change rooms, washrooms, showers and rooms for the administrative and storage functions required to operate the use;

(iii) that may provide seating areas for viewing the sport and recreation activities associated with the use; and

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

(b) is a use within the Direct Control Uses Group in Schedule A to this Bylaw; and

(c) requires a minimum number of motor vehicle parking stalls based on a parking study required at the time of land use redesignation application.
239  “Multi-Residential Development”

(a) means a **use**:

(i) that consists of one or more **buildings**, each containing one or more **units**;

(ii) that has a minimum of three **units**;

(iii) where all of the **units** in a **development** with only three **units** are provided within the same **main residential building**;

(iv) where a minimum of 50.0 per cent of the **units** in a **development** with a minimum of four **units** and a maximum of nine **units** are provided in **buildings** containing two or more **units**; and

(v) where a minimum of 90.0 per cent of the **units** in a **development** with 10 or more **units** are provided in **buildings** containing three or more **units**;

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

(c) provides for all **building** forms referenced in subsection (a), including **building** forms similar to **Townhouse** and **Rowhouse Building**, unless otherwise referenced in a District;

(d) requires a minimum number of **motor vehicle parking stalls** as referenced in Part 6, Division 1 or Part 11;

(e) requires a minimum number of **visitor parking stalls** as referenced in Part 6, Division 1 or Part 11; and

(f) requires a minimum number of **bicycle parking stalls** – **class 1** and **class 2** as referenced in Part 6, Division 1 or Part 11.

240  “Multi-Residential Development – Minor”

(a) means a **use**:

(i) on a **parcel** 1.0 hectares or less in area;

(ii) that consists of one or more **buildings**, each containing one or more **units**;

(iii) that has a minimum of three **units**;

(iv) where a minimum of 90.0 per cent of the **units** are provided in **buildings** containing three or more **units**; and

(v) that complies with all of the rules specified for the **use** in the district;

(b) is a **use** within the Residential Group in Schedule A to this Bylaw;
(c) provides for all building forms referenced in subsection (a), including building forms similar to Townhouse and Rowhouse Building, unless otherwise referenced in a District;

(d) requires a minimum number of motor vehicle parking stalls as referenced in Part 6, Division 1;

(e) requires a minimum number of visitor parking stalls as referenced in Part 6, Division 1;

(f) requires a minimum number of bicycle parking stalls – class 1 and class 2 as referenced in Part 6, Division 1.

241 “Municipal Works Depot”

(a) means a use:

(i) where infrastructure maintenance services are provided by a level of government;

(ii) where large areas of land are required for buildings and storage;

(iii) that may store and service equipment, vehicles, LRT trains and other municipal vehicles;

(iv) that may store sand, gravel and other goods that are capable of being stacked or piled;

(v) that may have buildings to service the equipment, vehicles, and LRT trains;

(vi) that may have a building for training staff in the operation of the vehicles, equipment or LRT trains; and

(vii) that may have a building for administrative functions associated with the use;

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

(c) must provide screening on the same parcel as the use where the parcel shares a property line with a residential district or special purpose district and where there are piles or stacks of loose materials stored on the parcel;

(d) must provide screening equal to the height of the piles or stacks of materials stored on the parcel, as referenced in subsection (c).

(e) must provide a berm with a 3:1 slope if the berm is used to satisfy the screening requirements referenced in subsections (3) and (4);
(f) *deleted*

(g) does not require *bicycle parking stalls – class 1*; and

(h) requires a minimum of 1.0 *bicycle parking stalls – class 2* per 2000.0 square metres of *gross usable floor area*.

242  “Museum”

(a) means a *use*:

(i) where artifacts and information are displayed for public viewing;

(ii) where artifacts are investigated, restored and preserved for the public;

(iii) that may be contained entirely within or partially outside of a *building*;

(iv) that may have rooms for the provision of educational programs related to the *use*;

(v) that may provide lecture theatres, meeting rooms, study space and computers for users of the *use*;

(vi) that may have rooms for the administrative functions of the *use*;

(b) is a *use* within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) *deleted* 48P2020

(d) does not require *bicycle parking stalls – class 1*; and

(e) requires a minimum of 0.5 *bicycle parking stalls – class 2* per 100.0 square metres of *gross usable floor area*. 6P2021
PART 4 - DIVISION 2: DEFINED USES

243 “Natural Area”

(a) means a use where open space is set aside:
   (i) to maintain existing natural or native plant or animal communities; or
   (ii) to allow disturbed lands to be naturalized;

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

(c) may be improved by benches, interpretive displays, pathways, picnic shelters, trails, viewpoints and washrooms;

(d) may have small buildings that do not exceed 75.0 square metres when required for maintenance facilities or for the study of the Natural Area;

(e) may have a parking area, provided it is located a minimum of 3.0 metres from the nearest property line;

(f) does not require motor vehicle parking stalls; and

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

244 “Natural Resource Extraction”

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

(b) is a use within the Direct Control Uses Group in Schedule A to this Bylaw; and

(c) requires a minimum number of motor vehicle parking stalls based on a parking study required at the time of land use redesignation application.
PART 4 - DIVISION 2: DEFINED USES

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) deleted

(h) does not require bicycle parking stalls – class 1; and

(i) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of public area.
“Office”

(a) means a use:

(i) where business people, professional, clerical and administrative staff work in fields other than medical or counselling fields;

(ii) that provides services to either a select clientele or no clients, and therefore has limited contact with the public at large;

(iii) that may have a reception area;

(iv) that may contain work stations, boardrooms, and meeting rooms; and

(v) that does not have facilities for the production or sale of goods directly to the public inside the use;

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

(c) deleted

(d) deleted

(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.

“Outdoor Café”

(a) means a use:

(i) where food or beverages are served or offered for sale for consumption on a portion of the premises which are not contained within a fully enclosed building; and

(ii) that must be approved with another use listed within the Eating and Drinking Group in Schedule A, or with a Convenience Food Store, Brewery, Winery and Distillery, Specialty Food Store or Supermarket;

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

(c) must not have a floor higher than 0.6 metres above the height of the first storey floor level when the use is located within 100.0 metres of a residential district;
(d)  *deleted*  

(e) must not be combined with a **Drinking Establishment – Small** when located in the M-H2 or M-H3 districts;  

(f) *deleted*  

(g) *deleted*  

(h) does not require **motor vehicle parking stalls**; and  

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

### 248 “Outdoor Recreation Area”

(a) means a use:  

(i) where people participate in sports and athletic activities outdoors;  

(ii) where the sport or athletic activity is not **Motorized Recreation** or **Firing Range**;  

(iii) that may include a **building** containing change rooms, washrooms or showers and rooms for the administrative functions required to operate the use; and  

(iv) that may provide a temporary seating area for the viewing of the sport or athletic activity associated with the use;  

(b) is a use within the Culture and Leisure Group in Schedule A to this Bylaw; and  

(c) *deleted*  

(d) does not require **bicycle parking stalls – class 1 or class 2**.
“Park”

(a) means a use:

(i) where open space is set aside for recreational, educational, cultural or aesthetic purposes;

(ii) that may be improved for the comfort of park users; and

(iii) may include land or buildings used to grow food and ornamental plants for recreational, social, educational and community purposes, and may include:

(A) sheds, compost bins, greenhouses or other structures used to grow food;

(B) raised beds, cold frames and temporary hoop enclosures; and

(C) washrooms and sheds for maintenance equipment and materials.

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

(c) may have washroom facilities;

(c.1) may have small sheds less than 10.0 square metres in gross floor area for park maintenance equipment and materials;

(d) may have a parking area, provided it is located a minimum of 3.0 metres from the nearest property line;

(e) does not require motor vehicle parking stalls; and

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

“Park Maintenance Facility – Large”

(a) means a use:

(i) where equipment, vehicles or materials, that are for park maintenance, are stored;

(ii) where all buildings related to the use have a total gross floor area greater than 300.0 square metres;

(iii) that may have buildings for storage or servicing of equipment; and

(iv) that may have buildings for the administrative functions associated with the use;

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

(c) must provide screening when piles or stacks of loose materials are stored on the parcel, and the screening must be equal in height to the stored materials;
(d) must provide a berm with a maximum 3:1 slope, if the berm is used to satisfy the **screening** requirements referenced in subsection (c);

(e) does not require **motor vehicle parking stalls**; and

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

251 “Park Maintenance Facility – Small”

(a) means a **use**:

(i) where equipment, vehicles or materials, for park maintenance, are stored;

(ii) **deleted**

(iii) where all **buildings** related to the **use** have a total **gross floor area** of 300.0 square metres or less;

(iv) that may have **buildings** for storage or servicing of equipment;

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

(c) must provide **screening** when piles or stacks of loose materials are stored on the **parcel**, and the **screening** must be equal in height to the stored materials;

(d) must provide a berm with a maximum 3:1 slope, if the berm is used to satisfy the **screening** requirements referenced in subsection (c);

(e) does not require **motor vehicle parking stalls**; and

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

252 “Parking Lot – Grade”

(a) means a **use**:

16P2018

(i) where motor vehicles are parked for vehicles for a short duration, independent of the provision of any other **use**; and

13P2008

(ii) where vehicles are parked at **grade**;

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

(c) must provide landscaping as referenced in Part 7, Division 1 when the total surface area of the **use** is equal to or greater than 5000.0 square metres; and

(d) requires a minimum number of **bicycle parking stalls – class 1 and class 2** based on 2.5 per cent of the number of **motor vehicle parking stalls** provided.
252.1 Parking Lot - Grade (temporary)

(a) means a use:

(i) where motor vehicles are parked for a short duration independent of the provision of any other use;

(ii) where vehicles are parked at grade; and

(iii) that must be approved on a temporary basis for a period of time not greater than three years;

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

(c) may only have a development permit issued once on a parcel; and

(d) must provide landscaping as referenced in Part 7, Division 1 when the total surface area of the use is equal to or greater than 5000.0 square metres.

253 “Parking Lot – Structure”

(a) means a use:

(i) where motor vehicles are parked for vehicles for a short duration, independent of the provision of any other use; and

(ii) where a parking lot is designed for the parking of vehicles in tiers of floors;

(iii) where all buildings related to the use have a total gross floor area of 300.0 square metres or less;

(b) is a use within the Infrastructure Group in Schedule A to this Bylaw; and

(c) requires a minimum number of bicycle parking stalls – class 1 and class 2 based on 2.5 per cent of the number of motor vehicle parking stalls provided.

254 “Pawn Shop”

(a) means a use:

(i) where money is lent in conjunction with the exchange of merchandise;

(ii) where the merchandise may be sold to the public according to the agreement with the owner of the merchandise; and
(iii) where merchandise other than motor vehicles is contained entirely within a building;

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

(c) where the pawned merchandise includes motor vehicles:
   (i) may only be approved in a District where Vehicle Sales – Major or Vehicle Sales – Minor are listed uses; and
   (ii) must provide 1.0 motor vehicle parking stalls for every inventory vehicle on the parcel;

(c.1) must not be located within 400.0 metres of any other Pawn Shop, measured from the closest point of a Pawn Shop to the closest point of another Pawn Shop;

(d) deleted

(e) does not require bicycle parking stalls – class 1; and

(f) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

254.1 “Payday Loan”

(a) means a use where the advancement of money with a principal of $1,500 or less and term of 62 days or less is made in exchange for a post-dated cheque, a pre-authorized debit or a future payment of a similar nature, but not for any guarantee, suretyship, overdraft protection or security on property, and not through a margin loan, pawnbroker, a line of credit or a credit card;

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

(c) must not be located within 400.0 metres of any other Payday Loan or any other approved use for the activities described in subsection (a), when measured from the closest point of a Payday Loan to the closest point of another Payday Loan or any other approved use for the activities described in subsection (a);

(d) deleted

(e) requires a minimum of 1.0 bicycle parking stalls – class 1 per 100.0 square metres of gross usable floor area; and

(f) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.
255 “Performing Arts Centre”
   (a) means a use where live performance of theatre, music, dance or other artistic activities are available to the public;
   (b) is a use within the Culture and Leisure Group in Schedule A to this Bylaw;
   (c) requires a minimum number of motor vehicle parking stalls based on a parking study required at the time of development permit application;
   (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.

256 deleted

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 Sales Group in Schedule A to this Bylaw;
   (c) must not have any outside enclosures, pens, runs or exercise areas;
   (d) deleted
   (e) deleted
   (f) does not require bicycle parking stalls – class 1; and
   (g) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

258 deleted

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;

(c) when it contains a Child Care Service must also ensure that the Child Care Service complies with the rules for that use;

(c.1) when located in an industrial district:

(i) must not include Dwelling Units; and

(ii) must be located in a building at least 250.0 metres from the property line of any parcel designated Industrial – Heavy District;

(d) deleted

(e) does not require bicycle parking stalls – class 1; and

(f) requires a minimum of 0.5 bicycle parking stalls – class 2 per 100.0 square metres of gross usable floor area.
261 “Place of Worship – Medium”

(a) means a use:

(i) where people assemble for religious or spiritual purposes;

(ii) where the largest assembly area of the use is greater than 300.0 square metres and less 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.

(c) when it contains a Child Care Service must also ensure that the Child Care Service complies with the rules for that use;

(d) deleted

(e) does not require bicycle parking stalls – class 1; and

(f) requires a minimum of 0.5 bicycle parking stalls – class 2 per 100.0 square metres of gross usable floor area.
262 “Place of Worship – Small”

(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 less than 300.0 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.

(c) when it contains a Child Care Service must also ensure that the Child Care Service complies with the rules for that use;

(d) deleted

(e) does not require bicycle parking stalls – class 1; and

(f) requires a minimum of 0.5 bicycle parking stalls – class 2 per 100.0 square metres of gross usable floor area.
“Post-secondary Learning Institution”

(a) means a use:

(i) where post-secondary educational programs of study are offered to enrolled students by an authorized agent, pursuant to the Post-secondary Learning Act;

(ii) where dormitories, food and other services may be offered to enrolled students, faculty members and staff;

(iii) that may have facilities for the advancement or support of educational and research needs of the students, faculty and staff; and

(iv) that may provide education programs for the general public;

(b) is a use within the Teaching and Learning Group in Schedule A to this Bylaw;

(c) may be provided as a cluster of buildings or facilities when located in the Special Purpose – Community Institution District;

(d) requires a minimum number of motor vehicle parking stalls based on a parking study required at the time of land use redesignation application;

(e) requires a minimum of bicycle parking stalls – class 1 based on 3.0 per cent of the maximum projected enrolment of the use; and

(f) requires a minimum of bicycle parking stalls – class 2 based on 3.0 per cent of the maximum projected enrolment of the use.

“Power Generation Facility – Large”

(a) means a use:

(i) where electrical power is generated;

(ii) where the total power generation capacity is 12.5 megawatts or greater; and

(iii) that must be approved only on a parcel designated as a Direct Control District that specifically includes Power Generation Facility – Large as a use;

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

265 “Power Generation Facility – Medium”

(a) means a use:

(i) where electrical power is generated; and

(ii) where the total power generation capacity is between 1.0 and 12.5 megawatts;

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

(c) must not be located within 50.0 metres of a residential district, measured from the building containing the use to the nearest property line of a parcel designated as a residential district;

(d) must be located within a building, with the exception of solar collectors;

(e) must be shielded and insulated so as to limit noise generation as much as possible;

(f) must not:

(i) exceed the height of the District it is located in, excluding ancillary structures; and

(ii) be located in a required setback area, excluding solar collectors;

(g) must be screened, with the exception of solar collectors;

(h) does not require motor vehicle parking stalls; and

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

266 “Power Generation Facility – Small”

(a) means a use:

(i) where electrical power is generated;

(ii) where the total power generation capacity is between 10 watts and 1.0 megawatts; and

(iii) that does not include a Wind Energy Conversion System – Type 1 or a Wind Energy Conversion System – Type 2 when listed as a use in a commercial, industrial or special purpose district;
(b) is a use within the Infrastructure Group in Schedule A to this Bylaw;

(c) must not:
   (i) exceed the height of the District it is located in, excluding ancillary structures; and
   (ii) be located in a required setback area, excluding solar collectors;

(d) must be screened, with the exception of solar collectors;

(e) does not require motor vehicle parking stalls; and

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

267 “Print Centre”

(a) means a use:
   (i) where graphic and printed materials are printed or duplicated on a custom order basis for individuals or businesses;
   (ii) that may include self-service photocopiers;
   (iii) where film or digital images may be processed and finished;
   (iv) that may include the binding of printed materials; and
   (v) that may have the incidental sale of products relating to the services provided by the use;

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

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

268 “Printing, Publishing and Distributing”

(a) means a use:
   (i) where graphic and printed materials are printed or duplicated on a large scale primarily for distribution from the parcel;
   (ii) that may include the binding of printed materials;
   (iii) deleted
   (iv) that may have an area for supplies required to make the product as part of the use;
(v) that may have the functions of packaging or shipping the products made as part of the use; and
(vi) that may have the administrative functions associated with the use;

32P2010 (b) is a use within the General Industrial Group in Schedule A to this Bylaw;
(c) may have supplies and products located outside of a building, provided such items are screened from view of a street;

48P2020 (d) deleted
(e) does not require bicycle parking stalls – class 1; and
(f) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

39P2010 269 deleted

270 “Protective and Emergency Service”
(a) means a use where police, fire and publicly operated emergency medical services are provided;
(b) is a use within the Infrastructure Group in Schedule A to this Bylaw;
(c) does not require motor vehicle parking stalls; and
(d) does not require bicycle parking stalls – class 1 or class 2.

1P2009 270.1 “Public Transit System”
(a) means a use where public facilities are provided for the operation of a municipal public transit system including bus shelters, LRT platforms, LRT stations, pedestrian bridges, City-owned at grade motor vehicle and bicycle parking facilities provided solely for users of the system, and linear rail tracks and associated equipment;
(b) is a use within the Infrastructure Group in Schedule A to this Bylaw;
(c) is not required to meet the rules of any land use district;
(d) does not require motor vehicle parking stalls; and
(e) does not require bicycle parking stalls – class 1 or class 2.
271 “Race Track”

(a) means a use:

(i) where animals and non-motorized vehicles are entered in competition against one another or against time;

(ii) that has tiers of seating or viewing areas for spectators;

(iii) that may involve gambling associated with the racing activity;

(iv) that may occur within or entirely outside of a building; and

(v) that must be approved only on a parcel designated as a Direct Control District that specifically includes Race Track as a use;

(b) is a use within the Direct Control Uses Group in Schedule A to this Bylaw;

(c) when combined with other uses, must also have those uses included as a use in the Direct Control District; and

(d) requires a minimum number of motor vehicle parking stalls based on a parking study required at the time of land use redesignation application.

272 “Radio and Television Studio”

(a) means a use where radio, television, motion pictures, or audio performances are produced or recorded, and broadcast;

(b) is a use within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.
“Recreational Vehicle Sales”

(a) means a use where recreational vehicles are sold, leased or rented;
(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 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;
(g) deleted
(h) does not require bicycle parking stalls – class 1; and
(i) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

“Recreational Vehicle Service”

(a) means a use where recreational vehicles undergo maintenance and repair;
(b) is a use within the Automotive Service Group in Schedule A to this Bylaw; and
(c) deleted
(d) does not require bicycle parking stalls – class 1 or class 2.
274.1 “Recyclable Construction Material Collection Depot (temporary)”

(a) means a use:

(i) where recyclable waste materials from the construction of buildings on other parcels are stored temporarily prior to their removal and processing on a different parcel;

(ii) where the materials may be dimensional lumber, drywall, woody vegetation and shrubs, asphalt shingles, asphalt and concrete, scrap metal, plastics, wire, and cardboard, but must not include adhesives or sealants, aerosols, food, vegetable matter, motor vehicles or motor vehicle parts, tires, or petroleum and petroleum-based products;

(iii) that is not a landfill, waste disposal facility, or recycling plant for any materials or components of these materials;

(iv) where storage activities may occur either within or outside of a building;

(v) that may have limited equipment used for crushing, dismantling or moving the materials;

(vi) that does not involve the manufacture or assembly of any goods; and

(vii) that may have a temporary building for administrative functions associated with the use;

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

(c) may be approved for a period no greater than five (5) years;

(d) must provide screening for any materials located outside of a building, that are within view of a street;

(e) may store materials outside of a building provided that piles have a maximum height of 5.0 metres including any pallets, supports or other things the materials are stacked on;

(f) does not require motor vehicle parking stalls; and

(g) does not require bicycle parking stalls – class 1 or class 2.
274.2 “Recyclable Material Drop-Off Depot”

(a) means a use where:

(i) 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; or

(ii) other types of recyclable material, which do not require the refund of a deposit may be returned;

(iii) bottles, beverage containers, and other types of recyclable material may be sorted and stored on site; and

(iv) that does not include Tire Recycling or Recyclable Construction Material Collection Depot (temporary);

(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) when located within 300.0 metres to a parcel designated as a residential district, must:

(i) not have any outside storage of carts, bottles, other beverage containers, other recyclable material, palettes, or cardboard boxes;

(ii) not allow for loading or the movement of recyclable material from the premise between the hours of 9:00pm-7:00am;

(iii) not have compaction of materials occurring outside of a building;

(e) unless otherwise referenced in subsection (d):

(i) must provide total concealment, through a solid screen or fence, for any materials located outside of a building;

(ii) may be required to demonstrate how impacts such as debris, grocery carts, litter or recyclable material will be managed;

(f) deleted

(g) does not require bicycle parking stalls – class 1; and

(h) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.
“Refinery”

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

(b) is a use within the Direct Control Uses Group in Schedule A to this Bylaw; and

(c) requires a minimum number of motor vehicle parking stalls based on a parking study required at the time of land use redesignation application.

“Residential Care”

(a) means a use:

   (i) where social, physical or mental care is provided to five or more persons who live full time in the facility; and

   (ii) that has at least one staff person at the facility at all times when at least one resident is within the facility;

(b) is a use within the Care and Health Group in Schedule A to this Bylaw;

(c) may have a maximum of 10 residents when located in a low density residential district;

(d) requires a minimum of 1.0 motor vehicle parking stalls per three (3) residents; and

(e) does not require bicycle parking stalls – class 1 or class 2.
“Restaurant: Food Service Only – Large”

(a) means a use:

(i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;

(ii) that is not licensed for the sale of liquor by the Alberta Gaming and Liquor Commission;

(iii) that has a public area of 300.0 square metres or greater; and

(iv) that may have a maximum of 10.0 square metres of public area used for the purpose of providing entertainment;

(b) is a use within the Eating and Drinking Group in Schedule A to this Bylaw;

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;

(d) must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated by an intervening street;

(d.1) must not be within 45.0 metres of a residential district when the use is located within the C-C2 and S-R Districts, which must be measured from the building containing the use to the nearest property line of a parcel designated as a residential district;

(e) deleted

(f) does not require bicycle parking stalls – class 1; and

(g) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of the public area.
“Restaurant: Food Service Only – Medium”

(a) means a use:

(i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;

(ii) that is not licensed for the sale of liquor by the Alberta Gaming and Liquor Commission;

(iii) that has a public area greater than 75.0 square metres but less than 300.0 square metres; and

(iv) that may have a maximum of 10.0 square metres of public area used for the purpose of providing entertainment;

(b) is a use within the Eating and Drinking Group in Schedule A to this Bylaw;

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;

(d) must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street;

(d.1) must not be within 45.0 metres of a residential district when the use is located within the C-C1, C-C2, C-COR1, C-COR2, CC-COR, CC-X, MU-1, MU-2 and S-R Districts, which must be measured from the building containing the use to the nearest property line of a parcel designated as a residential district;

(e) deleted

(f) does not require bicycle parking stalls – class 1; and

(g) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of the public area.
280 “Restaurant: Food Service Only – Small”

(a) means a use:

(i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;

(ii) that is not licensed for the sale of liquor by the Alberta Gaming and Liquor Commission;

(iii) that has a public area of 75.0 square metres or less; and

(iv) that may have a maximum of 10.0 square metres of public area used for the purpose of providing entertainment;

(b) is a use within the Eating and Drinking Group in Schedule A to this Bylaw;

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;

(d) must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street;

(e) deleted

(f) does not require bicycle parking stalls – class 1; and

(g) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of the public area.

281 “Restaurant: Licensed – Large”

(a) means a use:

(i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;

(ii) where a specific licence for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that allows minors on the premises at any time;

(iii) that has a public area of 300.0 square metres or greater; and

(iv) that may have a maximum of 10.0 square metres of public area used for the purpose of providing entertainment;
PART 4 - DIVISION 2: DEFINED USES

(b) is a use within the Eating and Drinking Group in Schedule A to this Bylaw;

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;

(d) must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street;

(d.1) must not be within 45.0 metres of a residential district when the use is located within the C-C2 and S-R Districts, which must be measured from the building containing the use to the nearest property line of a parcel designated as a residential district;

(e) deleted

(f) does not require bicycle parking stalls – class 1; and

(g) requires a minimum of 1.0 bicycle parking stalls – class per 250.0 square metres of the public area.

282 “Restaurant: Licensed – Medium”

(a) means a use:

(i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;

(ii) where a specific licence for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that allows minors on the premises at any time;

(iii) that has a public area greater than 75.0 square metres but less than 300.0 square metres; and

(iv) that may have a maximum of 10.0 square metres of public area used for the purpose of providing entertainment;

(b) is a use within the Eating and Drinking Group in Schedule A to this Bylaw;

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a residential district or abuts a lane separating the parcel from a residential district;

(d) must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street;
must not be within 45.0 metres of a residential district when the use is located within the C-C1, C-C2, C-COR1, C-COR2, CC-COR, CC-X, MU-1, MU-2 and S-R Districts, which must be measured from the building containing the use to the nearest property line of a parcel designated as a residential district;

deleted
does not require bicycle parking stalls – class 1; and
requires a minimum of 1.0 bicycle parking stalls – class per 250.0 square metres of the public area.

“Restaurant: Licensed – Small”

means a use:

where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;

where a specific licence for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that allows minors on the premises at any time;

that has a public area of 75.0 square metres or less; and

that may have a maximum of 10.0 square metres of public area used for the purpose of providing entertainment;

is a use within the Eating and Drinking Group in Schedule A to this Bylaw;

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;

must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street;

deleted
does not require bicycle parking stalls – class 1; and
requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of public area.
283.1 “Restaurant: Neighbourhood”

(a) means a use:

(i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;

(ii) that may be licensed for the sale of liquor by the Alberta Gaming and Liquor Commission; and

(iii) that has a public area of 150.0 square metres or less; and

(b) where the following neighbourhood sensitive rules are met:

(i) that may have a maximum of 10.0 square metres of public area used for the purposes of providing entertainment for patrons which is ancillary to the service of food;

(ii) minors are never prohibited;

(c) is a use within the Eating and Drinking Group in Schedule A to this Bylaw;

(d) 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;

(e) must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated by an intervening street; and

(f) deleted

(g) does not require bicycle parking – class 1 or class 2.

284 “Restored Building Products Sales Yard”

(a) means a use:

(i) where products that have been recovered from demolished buildings are stored, displayed or sold either entirely within a building or outside of a building;

(ii) that does not accommodate the wrecking, dismantling, manufacturing, servicing or repairing of anything on the same parcel as the use;

(iii) that does not accommodate the display, wrecking or sale of any motor vehicles or auto parts;
(iv) that does not accommodate waste disposal or landfilling of any product; and
(v) that does not accommodate a drop off site for products related to the use;

(b) is a use within the Sales Group in Schedule A to this Bylaw; and

(c) deleted

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

285 “Retail Garden Centre”

(a) means a use:

(i) where gardening products, plants, seeds, shrubbery, trees and other gardening related products are sold to the public from a permanent building;

(ii) that may accommodate temporary structures such as greenhouses and pole barns for the planting and growing of plants;

(iii) that may accommodate temporary structures and specifically identified outdoor areas for the storage, display and sale of plants and products; and

(iv) that may not accommodate the sale of produce or other food stuff;

(b) is a use within the Sales Group in Schedule A to this Bylaw; and

(c) deleted

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

286 deleted

39P2010 286.1 “Retail and Consumer Service”

(a) means a use where any of the following activities occur:

(i) the general retail sale or rental of goods, materials products or supplies including merchandise that may also be sold at a Building Supply Centre;

(ii) services related to the care and appearance of the human body or hair;

(iii) services intended for relaxation and rejuvenation through massage, aromatherapy and similar non-medical therapies;
(iv) the care, cleaning, alteration or repair of clothing, jewellery, or shoes;
(v) portrait and professional photography services; or
(vi) the repair, service or refurbishment of furniture, electronic equipment and appliances that are used in the home;

(b) is a use within the Sales Group in Schedule A to this Bylaw;
(c) may display merchandise related to the use outside of a building, provided the merchandise does not impede pedestrian movement;
(d) may only stock merchandise on the premises in quantities sufficient only to supply the premises;
(e) may contain laundering services provided it:
   (i) does not include a Dry-cleaning and Fabric Care Plant; and
   (ii) is not located within a Live Work Unit;
(f) when located in the C-R1 District, may incorporate the following uses within a Retail and Consumer Service, provided the requirements referenced in subsection (g) are satisfied:
   (i) Amusement Arcade;
   (ii) Computer Games Facility;
   (iii) Counselling Service;
   (iv) Financial Institution;
   (v) Fitness Centre;
   (vi) Health Services Laboratory – With Clients;
   (vii) Medical Clinic;
   (viii) Office;
   (ix) Pet Care Service;
   (x) Print Centre;
   (xi) Radio and Television Studio;
   (xii) Restaurant: Food Service Only – Small;
   (xiii) Restaurant: Food Service Only – Medium;
   (xiv) Take Out Food Service; and
   (xv) Veterinary Clinic;
must only incorporate the uses referenced in section (f) when those uses:

(i) are located in an existing approved building;

(ii) are located in a use area that is a minimum of 3600.0 square metres;

(iii) are located within a use area that contains a Retail and Consumer Service;

(iv) do not exceed 10.0 per cent of the use area of the Retail and Consumer Service within which they are located; and

(v) do not have direct customer access outside of the Retail and Consumer Service within which they are located;

(h) deleted

(i) does not require bicycle parking stalls – class 1; and

(j) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

287 “Rowhouse Building”

(a) means a use where a building:

(i) contains three or more Dwelling Units, located side by side and separated by common party walls extending from foundation to roof;

(ii) where one façade of each Dwelling Unit directly faces a public street;

(iii) where no intervening building is located between the street facing façade of each Dwelling Unit and the adjacent public street;

(iv) where each Dwelling Unit has a separate direct entry from grade to an adjacent public sidewalk or an adjacent public street;

(v) where no Dwelling Unit is located wholly or partially above another Dwelling Unit; and

(vi) may contain a Secondary Suite within a Dwelling Unit in a district where a Secondary Suite is a listed use and conforms with the rules of the district;

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

288  “Salvage Processing – Heat and Chemicals”

(a) means a use:

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

(b) is a use within the Direct Control Uses Group in Schedule A to this Bylaw; and

(c) requires a minimum number of motor vehicle parking stalls based on a parking study required at the time of land use redesignation application.

288.1 “Salvage Yard”

(a) means a use:

(i) where any of the following are stored, dismantled or crushed:

(A) dilapidated vehicles; and
(B) damaged, inoperable or obsolete goods, machinery or equipment, building materials, or other scrap material;

(ii) where motor vehicles in their complete and operable state are not displayed or sold;

(iii) where part or all of the use takes place outside of a building;
(iv) that may have equipment located outdoors to assist in the processes and functions of the use;

(v) that may have the incidental sale of parts and materials that are recovered from the dilapidated vehicles, goods, machinery or equipment, building materials, or other scrap material;

(vi) that may have a building for administrative functions associated with the use;

(vii) that does not involve the manufacture or assembly of any goods; and

(viii) that does not involve the servicing or repair of anything;

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

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

289 “Sawmill”

(a) means a use:

(i) where timber is cut, sawed, planed or milled to finished lumber or an intermediary step;

(ii) that may include facilities for the kiln drying of lumber;

(iii) that may include areas for the outdoor storage of raw or finished lumber products;

(iv) that may include the distribution or sale of lumber products; and

(v) that must be approved only on a parcel designated as a Direct Control District that specifically includes Sawmill as a use;

(b) is a use within the Direct Control Uses Group in Schedule A to this Bylaw; and

(c) requires a minimum number of motor vehicle parking stalls based on a parking study required at the time of land use redesignation application.
PART 4 - DIVISION 2: DEFINED USES

290 “School – Private”

(a) means a use:

(i) where an operator other than the following teaches students the education curriculum from kindergarten to grade 12 pursuant to the School Act:

(A) a school district;

(B) a school division; or

(C) a society or company named within a charter approved by the Minister of Education operating a charter school;

(ii) that may have before and after school care programs that are defined in this Bylaw as Child Care Service;

(iii) where other educational programs pursuant to the School Act may be offered to students; and

(iv) that may provide food service for students and staff;

(b) is a use within the Teaching and Learning Group in Schedule A to this Bylaw;

(c) requires a minimum of 1.0 pick-up and drop-off stalls per 100 students, based upon the maximum number of students stated in the development permit;

(d) requires a minimum number of bicycle parking stalls – class 1 equal to 3.0 per cent of the number of employees; and

(e) requires a minimum number of bicycle parking stalls – class 2 equal to 10.0 per cent of the maximum number of students as stated in the development permit.

291 “School Authority – School”

(a) means a use:

(i) where any of the following teaches students the education curriculum from kindergarten to grade 12 pursuant to the School Act:

(A) a school district;

(B) a school division; or

(C) a society or company named within a charter approved by the Minister of Education operating a charter school;
(ii) that may have before and after school care programs that are defined in this Bylaw as Child Care Service;

(iii) that will include any building and related playing fields;

(iv) that may provide food service to the students and staff; and

(v) that may provide programs for parental and community involvement;

(b) is a use within the Teaching and Learning Group in Schedule A to this Bylaw;

(c) requires the following number of pick-up and drop-off stalls:

(i) for the maximum number of students that may be enrolled in kindergarten to grade 9, a minimum 2.5 pick-up and drop-off stalls per 100 students, with a minimum of 5.0 pick-up and drop-off stalls; and

(ii) for the maximum number of students that may be enrolled in grades 10 to 12, a minimum of 1.5 pick-up and drop-off stalls per 100 students, with a minimum of 5.0 pick-up and drop-off stalls;

(d) requires a minimum number of bicycle parking stalls – class 1 equal to 3.0 per cent of the maximum number of employees; and

(e) requires a minimum number of bicycle parking stalls – class 2 equal to 10.0 per cent of the maximum number of students as stated in the development permit.

292 “School Authority Purpose – Major”

(a) means a use:

(i) where a school division or school district may:

(A) provide the administration of the school division or school district;

(B) provide training for teachers, school administrators or other employees;

(C) provide programs to the public to further parental and community involvement in the schools;

(D) provide a Child Care Service that is limited to preschool programs or before and after school care; and

(E) store surplus equipment and materials used by that school division or school district; and
(ii) where the activities associated with the use occur either within a building or outside of a building;

(b) is a use within the Teaching and Learning Group in Schedule A to this Bylaw;

(c) deleted

(d) requires a minimum of 1.0 bicycle parking stalls – class 1 per 1000.0 square metres of gross usable floor area where the area for the administrative function of the use is greater than 1000.0 square metres;

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 1000.0 square metres of gross usable floor area where the area for the administrative function of the use is greater than 1000.0 square metres.

293 “School Authority Purpose – Minor”

(a) means a use:

(i) where a school division or school district may:

(A) provide the administration of the school division or school district;

(B) provide training for teachers, school administrators or other employees;

(C) provide programs to the public to further parental and community involvement in the schools;

(D) provide a Child Care Service that is limited to preschool programs or before and after school care; and

(E) store surplus equipment and materials used by that school division or school district;

(ii) where the storage of surplus equipment and materials associated with the use occur entirely within a building;

(iii) where another approved use is located within the building;

(iv) where the gross floor area of the use is a maximum of 25.0 per cent of the gross floor area of the entire building;
PART 4 - DIVISION 2: DEFINED USES

(b) is a use within the Teaching and Learning Group in Schedule A to this Bylaw;

(c) deleted

(d) requires a minimum of 1.0 bicycle parking stalls – class 1 per 1000.0 square metres of gross usable floor area where the area for the administrative function of the use is greater than 1000.0 square metres or greater;

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 1000.0 square metres of gross usable floor area where the area for the administrative function of the use is greater than 1000.0 square metres.

294 “Seasonal Sales Area”

(a) means a use:

(i) where goods are displayed and offered for sale;

(ii) where those goods are not fully contained within an enclosed building; and

(iii) that must always be approved with another use;

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

(c) does not require motor vehicle parking stalls; and

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

295 “Secondary Suite”

(a) means a use that:

(i) contains two or more rooms used or designed to be used as a residence by one or more persons;

(ii) contains a kitchen, living, sleeping and sanitary facilities;

(iii) is self-contained and located within a Dwelling Unit;

(iv) is considered part of and secondary to a Dwelling Unit;

(v) except as otherwise indicated in subsection (vi) and (vii) must be contained in a Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Semi-detached Dwelling, or a Single Detached Dwelling;

(vi) in the R-CG District or a multi-residential district must be contained in a Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling,
Rowhouse Building, Semi-detached Dwelling, or a Single Detached Dwelling; and

(vii) in the R-G and R-Gm Districts must be contained in a Rowhouse Building, Semi-detached Dwelling or a Single Detached Dwelling;

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

(c) requires a minimum of 1.0 motor vehicle parking stalls; and

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

295.1 deleted 12P2010, 24P2014

295.2 deleted 12P2010, 24P2014

296 “Self Storage Facility”

(a) means a use:

(i) where goods are stored in a building;

(ii) where the building is made up of separate compartments and each compartment has separate access;

(iii) that may be available to the general public for the storage of personal items;

(iv) that may include the administrative functions associated with the use; and

(v) that may incorporate Custodial Quarters for the custodian of the facility;

(b) is a use within the Storage Group in Schedule A to this Bylaw; and

(c) deleted 48P2020

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

297 “Semi-detached Dwelling” 24P2014

(a) means a use where a building contains two Dwelling Units located side by side and separated by a common party wall extending from foundation to roof;

(b) may contain a Secondary Suite within a Dwelling Unit in a district where a Secondary Suite is a listed use and conforms with the rules of the district;

(c) is a use within the Residential Group in Schedule A to this Bylaw;
(d) requires a minimum of 1.0 *motor vehicle parking stalls* per Dwelling Unit; and

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

298 “Service Organization”

(a) means a *use*:

(i) where health or educational programs and services are offered to the public;

(ii) that does not include a Health Services Laboratory – With Clients or Medical Clinic;

(iii) that does not provide a food preparation kitchen or eating area for the public;

(iv) where there are rooms for the administrative functions of the *use*; and

(v) where there may be a meeting room or auditorium available for programs related to the *use*;

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

(c) deleted

(d) does not require *bicycle parking stalls – class 1*; and

(e) requires a minimum of 1.0 *bicycle parking stalls – class 2* per 250.0 square metres of *gross usable floor area*.

67P2008, 35P2011 299 “Sign – Class A”

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

(i) “Address Sign” which means a *sign* that identifies:

(A) the municipal address of a *building*;

(B) the name of a *building*;

(C) the name of a business or organization operating a *building*; or

(D) the name of any individuals occupying a *building*;

(ii) “Art Sign” which means a *sign* that is primarily an artistic rendering applied to or affixed to any exterior of a *building* and where less than 10.0 per cent of the area of the *sign* contains written *copy*;

(iii) “Banner Sign” which means a *sign* that is constructed of non-rigid material capable of being displayed without the use of a flag pole;
(iv) “Construction Sign” which means a sign that is displayed on a parcel undergoing construction, which identifies the party responsible for the management of a parcel, a person who is furnishing labour, services, materials or financing, or the future use of the parcel;

(v) “Directional Sign” which means a sign that guides, warns or restrains people or motor vehicles and may be freestanding on a permanent structure or attached to a building;

(vi) “Election Sign” which means a sign that:
(A) indicates support for a candidate in a Federal, Provincial or local election;
(B) sets out a position or information relating to an issue in an election; or
(C) provides information respecting an election;

(vii) “Flag Sign” which means a sign that is made of fabric or flexible material attached to or designed to be flown from a permanently constructed flagpole or light standard;

(viii) “Gas Bar Sign” which means a sign that is accessory to a Gas Bar, and which may advertise services or products stored outside of a building such as, but not limited to, windshield wiper fluid, motor vehicle oils, firewood, ice, air and propane;

(ix) “Pedestrian Sign” which means a type of Temporary Sign with no external supporting structure that is intended to be placed near a sidewalk to attract attention from passing pedestrians;

(x) “Real Estate Sign” which means a sign that contains information regarding the management, sale, leasing or rental of a parcel or building;

(xi) “Show Home Sign” which means a sign that identifies a newly constructed residential building as a sample of the type of building a builder is providing, and where prospective purchasers may acquire information regarding the community and the purchase of homes from that builder;

(xii) “Special Event Sign” which means a sign that promotes a charitable, educational, community, civic, cultural, public health, recreational, religious or sporting event;

(xiii) “Temporary Sign” which means a sign that is not permanently affixed to a structure or is displayed on a
structure that is designed to be moved from place to place or is easily movable;

(xiv) “Window Sign” which means a sign that is attached to, painted on or displayed on the interior or exterior of a window of a building so that its content is visible to a viewer outside of the building and:

(A) in the Stephen Avenue Mall heritage area, includes signs that are erected 1.8 metres or less behind a window;

(B) in all other areas, includes signs that are erected 0.90 metres or less behind a window; and

(C) does not include any type of product or window display that is intended to be visible to a viewer outside of the building, and

(xv) any type of sign located in a building not intended to be viewed from outside; and

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

300 “Sign – Class B”

(a) means only the following sign type:

(i) “Fascia Sign” which means a sign that:

(A) is attached to, marked or ascribed on and is parallel to an exterior wall of a building; and

(B) does not project more than 0.40 metres from the wall of a building; and

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

301 “Sign – Class C”

(a) means only the following sign type:

(i) “Freestanding Sign” which means a sign that:

(A) is displayed on a permanent, non-moveable structure other than a building;

(B) may incorporate a Message Sign; and

(C) may incorporate a Digital Sign that has an approved development permit for a Sign – Class E; and

(b) is a use within the Signs Group in Schedule A to this Bylaw.
302  “Sign – Class D”  

(a) means only the following sign types:

(i) “Canopy Sign” which means a sign that displayed on, under or attached to a canopy, awning or marquee that is attached to an exterior wall of a building;

(ii) “Projecting Sign” which means a sign that is attached to an exterior wall of a building and is perpendicular to the building; and

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

303  “Sign – Class E”  

(a) means only the following sign types:

(i) “Digital Message Sign” which means a “Message Sign”, referenced in subsection (iv) that:

(A) displays copy by means of a digital display, but does not contain copy that is full motion video or otherwise gives the appearance of animation or movement; and

(B) does not display third party advertising;

(ii) “Flashing or Animated Sign” which means a sign with copy that flashes or is animated;

(iii) “Inflatable Sign” which means a sign consisting of, or incorporating, a display that is expanded by air or other gas to create a three-dimensional feature;

(iv) “Message Sign” which means a sign that is either permanently attached to a building or that has its own permanent structure and is designed so that copy can be changed on a frequent basis;

(v) “Painted Wall Sign” which means a sign that is painted directly onto an exterior wall of a building, but does not include an Art Sign;

(vi) “Roof Sign” which means a sign installed on the roof of a building or that projects above the eaveline or the parapet of a building;

(vii) “Rotating Sign” which means a sign that rotates or has features that rotate;

(viii) “Temporary Sign Marker” which means an area of a parcel that has been approved and demarked as a location for “Temporary Signs”, which for the purposes of the rules regulating signs, is deemed to be a sign; and
(ix) any type of sign that:
   (A) does not fit within any of the sign types listed in Sign – Class A, Sign – Class B, Sign – Class C, Sign – Class D, Sign – Class F or Sign – Class G; and
   (B) does not contain a digital display; and
   (b) is a use within the Signs Group in Schedule A to this Bylaw.

304 “Sign – Class F”
(a) means only the following sign types:

30P2011, 4P2013
(i) “Third Party Advertising Sign” which means a sign that displays copy directing attention to a business, commodity, service or entertainment that is conducted, sold or offered elsewhere than on the site where the sign is located and does not contain a digital display; and

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

304.1 “Sign – Class G”
(a) means only the following sign types:

4P2013
(i) “Digital Third Party Advertising Sign” which means a sign that:
   (A) displays copy directing attention to a business, commodity, service or entertainment that is conducted, sold or offered elsewhere than on the site where the sign is located; and
   (B) displays copy by means of a digital display but does not contain copy that is full motion video or otherwise gives the appearance of animation or movement; and

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

305 “Single Detached Dwelling”
(a) means a use where a building contains only one Dwelling Unit and may contain a Secondary Suite in a district where a Secondary Suite is a listed use and conforms with the rules of the district, but does not include a Manufactured Home;
(b) is a *use* within the Residential Group in Schedule A to this Bylaw;

(c) requires a minimum of 1.0 *motor vehicle parking stalls* per *Dwelling Unit*; and

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

### 306 “Slaughter House”

(a) means a *use*:

(i) where live animals are processed into food for human consumption;

(ii) that may have an area for supplies required to make the food products as part of the *use*;

(iii) that may have the functions of packaging or shipping the products made as part of the *use*;

(iv) that may have the function of using trailer units to keep the product on the *parcel* prior to shipping;

(v) that may have the administrative functions associated with the *use*; and

(vi) that must be approved only on a *parcel* designated as a Direct Control District that specifically includes *Slaughter House* as a *use*;

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

(c) deleted

(d) does not require *bicycle parking stalls – class 1*; and

(e) requires a minimum of 1.0 *bicycle parking stalls – class 2* per 2000.0 square metres of *gross usable floor area*.

### 307 “Social Organization”

(a) means a *use*:

(i) where members of a club or group assemble to participate in recreation, social or cultural activities;

(ii) where there are sports, recreation, cultural, or social events for the members of the group;

(iii) where there may be an area for the preparation or consumption of food; and

(iv) that may have meeting rooms for the administration of the group;

(b) is a *use* within the Culture and Leisure Group in Schedule A to this Bylaw;
must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a residential district or abuts a lane separating the parcel from a residential district, or a C-N1, C-N2, C-COR1 District;

(d) must not have an exterior entrance located on a façade that faces a residential district, unless that façade is separated from the residential district by an intervening street;

(e) must not have a public area greater than 75.0 square metres where the use shares a property line with, or is only separated by an intervening lane from a residential district, or a C-N1, C-N2, C-COR1 District;

(f) deleted

(g) does not require bicycle parking stalls – class 1; and

(h) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

“Special Function – Class 1”

(a) means a use where temporary structures are erected on a parcel:

(i) that allow for an educational, recreational, sporting, social, and worship event that includes, but is not limited to a wedding, circus, birthday, trade show and ceremony; or

(ii) that allow an existing approved use to expand within the parcel that includes, but is not limited to a grand opening, customer appreciation event, staff appreciation event and sale;

(b) means a use that may allow for the provision of entertainment or the sale and consumption of liquor but does not include a Special Function – Class 2;

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

(d) may only be located on a parcel, excluding the time used to erect and dismantle the temporary structures, for a maximum of:

(i) 60 consecutive days; and

(ii) 120 cumulative days in a calendar year;

(e) has a maximum height for covered temporary structures of one storey;

(f) may be temporarily located on any part of the parcel, other than a corner visibility triangle;
(g) does not require *motor vehicle parking stalls*; and

(h) does not require *bicycles parking stalls – class 1 or class 2*.

309 “Special Function – Class 2”

(a) means a use where temporary structures are erected on a *parcel* which operate as a:

(i.) Brewery, Winery and Distillery;  

(ii) Drinking Establishment – Large;  

(iii) Drinking Establishment – Medium;  

(iv) Drinking Establishment – Small;  

(v) Restaurant: Licensed – Large;  

(vi) Restaurant: Licensed – Medium;  

(vii) Restaurant: Licensed – Small;  

(vii) Restaurant: Neighbourhood; or

(ix) Night Club;

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

(c) may only be located on a *parcel* for 15 cumulative days in a calendar year, excluding the time used to erect or dismantle the temporary structures;

(d) has a maximum height for covered temporary structures of one *storey*;

(e) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a *residential district* unless that façade is separated from the residential district by a *street*;

(f) must not exceed a cumulative area for covered temporary structures of 75.0 square metres when located on a *parcel* designated C-N1, C-N2, I-E, I-R, CC-ER and CC-EPR;

(g) may be temporarily located on any part of the *parcel*, other than a *corner visibility triangle*;

(h) does not require *motor vehicle parking stalls*; and

(i) does not require *bicycles parking stalls – class 1 or class 2*. 
309.1 “Specialized Industrial”

(a) means a use:

(i) where any of the following activities occur:

(A) research and development;

(B) the analysis or testing of materials or substances in a laboratory; or

(C) the manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, products or equipment, provided live animals are not involved in any aspect of the operation;

(ii) that may include any of the following uses:

(A) Food Production; and

(B) Health Services Laboratory – Without Clients;

(iii) where all of the processes and functions associated with the use are contained within a fully enclosed building; and

(iv) where no dust or vibration is seen or felt outside of the building containing the use;

(b) is a use within the General Industrial Group in Schedule A to this Bylaw;

(c) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 2000.0 square metres of gross usable floor area.

310 “Specialty Food Store”

(a) means a use:

(i) where food and non-alcoholic beverages for human consumption are made;

(ii) where live animals are not involved in the processing of the food;

(iii) where the food products associated with the use may be sold within the premises;

(iv) with a maximum gross floor area of 465.0 square metres;

(v) that has the functions of packaging, bottling or shipping the products made as part of the use;
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(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) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

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) deleted

(d) does not require bicycle parking stalls – class 1; and

(e) requires a minimum of 0.5 bicycle parking stalls – class 2 per 100.0 square metres of gross usable floor area.
312 “Stock Yard”

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

(b) is a *use* within the Direct Control Uses Group in Schedule A to this Bylaw; and

(c) requires a minimum number of *motor vehicle parking stalls* based on a parking study required at the time of land use redesignation application.

313 “Storage Yard”

(a) means a *use*:
   (i) where goods, materials and supplies are stored outside;
   (ii) where goods, materials and supplies being stored are capable of being stacked or piled;
   (iii) where the goods, materials and supplies stored are not motor vehicles, equipment or waste;
   (iv) where the goods, materials and supplies are not stored in a *building*, shipping container, trailer, tent or any enclosed structure with a roof;
   (v) where the piles or stacks of goods, materials and supplies may be packaged into smaller quantities for transportation off the *parcel*; and

9P2012

(vi) deleted

9P2012

(vii) that may have a *building* for the administrative functions associated with the *use*;

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

(c) may cover piles or stacks of goods, materials and supplies associated with the *use*, with tarps or a structure with a roof but it must be open on the sides; and

48P2020

(d) deleted

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

(a) means a use:

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

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

(c) that is located in the C-R1 District may incorporate the following uses within a Supermarket, provided the requirements referenced in subsection (d) are satisfied:

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

(i) are located in an existing approved *building*;

(ii) are located in a *use area* that is a minimum of 3600.0 square metres;

(iii) are located within a *use area* that contains a *Supermarket*;

(iv) do not exceed 10.0 per cent of the *use area* of the *Supermarket* within which they are located; and

(v) do not have direct customer access outside of the *Supermarket* within which they are located;

(e) *deleted*

(f) does not require *bicycle parking stalls – class 1*; and

(g) requires a minimum of 1.0 *bicycle parking stalls – class 2* per 250.0 square metres of *gross usable floor area*. 
315 “Take Out Food Service”

(a) means a use:
   (i) where prepared food is sold for consumption off the premises;
   (ii) where customers order and pick-up their food; and
   (iii) that may have a delivery service;

(b) is a use within the Eating and Drinking Group in Schedule A to this Bylaw;

(c) must not provide any dine-in opportunity for customers;

(d) may provide a customer service waiting area, provided that area is not more than 15.0 square metres and is clearly demised and separate from the kitchen area;

(e) deleted

(f) does not require bicycle parking stalls – class 1; and

(g) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of public area.

316 “Temporary Residential Sales Centre”

(a) means a use:
   (i) where units are offered for sale to the public;
   (ii) that is located in a residential district;
   (iii) that may include sales offices and displays of materials used in the construction of the units that are offered for sale; and
   (iv) that must only occur:
      (A) in a unit, which may be temporarily modified to accommodate the use; or
      (B) in a temporary building;

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

(c) must not operate for longer than:
   (i) two (2) years when located in a low density residential district; or
   (ii) four (4) years when located in a multi-residential district;

(d) does not require motor vehicle parking stalls; and

(e) does not require bicycle parking stalls – class 1 or class 2.
317 **“Temporary Shelter”**

(a) means a *use*:

(i) where an existing *building* is used to provide temporary sleeping accommodation for persons in need of short term accommodation;

(ii) that has staff providing supervision of the people being accommodated at all times the facility is being operated;

(iii) that only provides limited additional services such as shower or laundry facilities; and

(iv) that restricts the provision of meals to persons staying at the facility;

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

(c) does not require *motor vehicle parking stalls*; and

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

318 **“Tire Recycling”**

(a) means a *use*:

(i) where used automotive tires are stored, recycled and processed; and

(ii) that must be approved only on a *parcel* designated as a Direct Control District that specifically includes *Tire Recycling* 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.

319 **“Townhouse”**

(a) means a *building*:

(i) comprising three or more *Dwelling Units*;

(ii) where each *Dwelling Unit* has a separate direct entry from *grade*;

(iii) where no *Dwelling Unit* is located wholly or partially above another *Dwelling Unit*; and

(iv) that does not include a *Rowhouse Building*;
(b) is a *use* within the Residential Group in Schedule A to this Bylaw;

(c) requires a minimum number of *motor vehicle parking stalls* based on:

(i) 1.0 stalls per **Dwelling Unit** where the **Townhouse** is located in Area 2 and 3 of the Parking Areas Map, as illustrated on Map 7; and

(ii) 1.25 stalls per **Dwelling Unit** where the **Townhouse** is located in Area 1 of the Parking Areas Map, as illustrated on Map 7;

(d) requires a minimum of 0.15 *visitor parking stalls* per **Dwelling Unit**; and

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

320 **“Tree Farm”**

(a) means a *use* where trees and shrubs are intensively grown but are not sold commercially;

(b) is a *use* within the Agriculture and Animal Group in Schedule A to this Bylaw;

(c) does not require *motor vehicle parking stalls*; and

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

320.1 **“Urban Agriculture”**

(a) means a *use* where plants are grown outdoors for a commercial purpose;

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

(c) may be accessory to another *use*;

(d) may include raised beds, cold frames and temporary hoop enclosures that are 1.5 metres or less in height, and which are used only to extend the growing season;

(e) may include the use of ancillary *buildings*;

(f) may include **local food sales** of food grown on site;

(g) must not include permanent outside storage of goods, materials or supplies;

(h) does not require *motor vehicle parking stalls*; and

(i) does not require *bicycle parking stalls – class 1 or class 2*. 
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321 “Utilities”

(a) means a use:

(i) where facilities for water distribution, irrigation and drainage, waste water collection, gas, water heating and cooling for district energy, electricity, cable, telephone and telecommunications are provided; and

(ii) that is not Utilities – Linear or Utility Building;

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

(c) must not be located in a building with a gross floor area greater than 10.0 square metres;

(d) does not require motor vehicle parking stalls; and

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

321.1 “Utilities – Linear”

(a) means a use:

(i) where lines for water distribution, irrigation and drainage, waste water collection, water heating and cooling for the purpose of district energy, gas, electricity, cable, telephone and telecommunications transmission are provided;

(ii) that is not located in a building; and

(iii) that may be located above, below or at grade;

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

(c) is not required to meet the rules of any land use district;

(d) does not require motor vehicle parking stalls; and

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

322 “Utility Building”

(a) means a building greater than 10.0 square metres in gross floor area:

(i) where water or steam, sewage treatment or disposal, irrigation, drainage, gas, electricity, heat, waste management, water heating and cooling for the purpose of district energy and telecommunications are located;

(ii) where the use is partially or wholly above grade; and

(iii) that does not include a Sewage Treatment Plant or a Water Treatment Plant;
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(b) is a use within the Infrastructure Group in Schedule A to this Bylaw; and

(c) deleted

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

323 “Vehicle Rental – Major”

(a) means a use:

(i) where passenger vehicles and light trucks are rented to the public;

(ii) where the gross vehicle weight of the vehicles rented is less than 8200 kilograms; and

(iii) where more than five (5) vehicles are available for rent;

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

(c) must provide 1.0 motor vehicle parking stalls for every inventory vehicle on the parcel; and

(d) deleted

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

324 “Vehicle Rental – Minor”

(a) means a use:

(i) where passenger vehicles and light trucks are rented to the public;

(ii) where the gross vehicle weight of the vehicles rented is equal to or less than 4536 kilograms; and

(iii) where no more than five (5) vehicles are available for rent;

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

(b.1) must store rental vehicles within a building when the use is located in a mixed use district;

(c) must provide 1.0 motor vehicle parking stalls for every inventory vehicle on the parcel; and

(d) deleted

(e) does not require bicycle parking stalls – class 1 or class 2.
325  “Vehicle Sales – Major”

(a) means a use:

(i) where motor vehicles are sold or leased;

(ii) where six (6) or more vehicles, each with a gross vehicle weight equal to or less than 4536 kilograms, are available for sale or lease; and

(iii) that may be combined with an Auto Body and Paint Shop;

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

(c) must not have more than 25.0 per cent of the gross floor area occupied by an Auto Body and Paint Shop;

(d) must not have an outdoor speaker system;

(e) may only store or display vehicles on portions of the parcel approved exclusively for storage or display;

(f) must only accept deliveries and offloading of vehicles within a designated area on the parcel;

(g) must provide 1.0 motor vehicle parking stall for every inventory vehicle on the parcel;

(h) deleted

(i) does not require bicycle parking stalls – class 1; and

(j) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

326  “Vehicle Sales – Minor”

(a) means a use:

(i) where motor vehicles are sold or leased; and

(ii) where no more than five (5) vehicles, each with a gross vehicle weight equal to or less than 4536 kilograms, are available for sale or lease;

(iii) deleted

(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 on portions of the parcel approved exclusively for storage or display;

(d.1) must store or display vehicles within a building when the use is located in a mixed use district;
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(e) must only accept deliveries and offloading of vehicles within a designated area on the parcel;

(f) must provide 1.0 motor vehicle parking stalls for every inventory vehicle on the parcel;

(g) deleted

(h) does not require bicycle parking stalls – class 1; and

(i) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

327 “Vehicle Storage – Large”

(a) means a use:

(i) where motor vehicles with a gross vehicle weight greater than 4536 kilograms are stored when they are not in use;

(ii) where the vehicles stored are not serviced, cleaned or repaired either in a building or outdoors;

(iii) that does not accommodate the storage of any equipment;

(iv) that does not accommodate the storage of any dilapidated vehicles;

(v) that may have a building for administrative functions associated with the use; and

(vi) that does not involve the production, display or sale of vehicles as part of the use;

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

(c) must provide 1.0 motor vehicle parking stalls for every vehicle stored on the parcel; and

(d) deleted

(e) does not require bicycle parking stalls – class 1 or class 2.
“Vehicle Storage – Passenger”

(a) means a use:

(i) where motor vehicles with a gross vehicle weight of 4536 kilograms or less are stored when they are not in use;

(ii) where the vehicles stored are not serviced, cleaned or repaired either in a building or outdoors;

(iii) that does not accommodate the storage of any equipment;

(iv) that does not accommodate the storage of any dilapidated vehicles;

(v) that may have a building for administrative functions associated with the use; and

(vi) that does not involve the production, display or sale of vehicles as part of the use;

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

(c) must provide 1.0 motor vehicle parking stalls for every vehicle stored on the parcel; and

(d) deleted

(e) does not require bicycle parking stalls – class 1 or class 2.
329  “Vehicle Storage – Recreational”

(a) means a use:

(i) where recreational vehicles are stored when they are not in use;

(ii) where the vehicles stored are not serviced, cleaned or repaired either in a building or outdoors;

(iii) that does not accommodate the storage of any equipment;

(iv) that does not accommodate the storage of any dilapidated vehicles;

(v) that may have a building for administrative functions associated with the use; and

(vi) that does not involve the production, display or sale of vehicles as part of the use;

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

(c) must provide 1.0 motor vehicle parking stalls for every vehicle stored on the parcel; and

(d) deleted

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

330  “Veterinary Clinic”

(a) means a use:

(i) where small animals or pets receive medical treatment; and

(ii) that may provide for the incidental sale of products related to the use;

(b) is a use within the Agriculture and Animal Group in Schedule A to this Bylaw;

(c) must only provide medical treatment to small animals or pets that have been bred and raised to live with, and are dependent on, people for care, food and shelter;

(d) must not:

(i) have outside enclosures, pens, runs or exercise areas; or

(ii) store equipment, products or other things associated with the use outdoors;
(e) must not allow animals to stay overnight, except for animals in the care of the use where overnight stays are necessary for medical observation or recovery of the animal;

(f) deleted

(g) does not require bicycle parking stalls – class 1; and

(h) requires a minimum of 1.0 bicycle parking stalls – class 2 per 250.0 square metres of gross usable floor area.

333 “Waste Disposal and Treatment Facility”

(a) means a use:

(i) where waste is collected or disposed and treated;

(ii) where waste may be stored permanently in piles open to the air or in pits covered with earth;

(iii) where waste may be stored temporarily in piles or inside structures before being transported to another location for treatment;

(iv) where waste may be treated in buildings and structures or areas open to the air; and

(v) where there may be a building for the administrative functions of the use;

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

(c) does not require motor vehicle parking stalls; and

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

333.1 “Wind Energy Conversion System – Type 1”

(a) means a use:

(i) that includes a wind turbine, its supporting pole structure, and an associated mechanical control and conversion electronics;

(ii) that may or may not be mounted to a building;

(iii) that must have a rotor diameter less than or equal to 4.0 metres;

(iv) that must have a total Wind Energy Conversion System height less than or equal to 15.0 metres; and
(v) that has certification approval from, or equivalent to, the Canadian Standards Association (CSA);

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

(c) must not be located in a required setback area;

(d) does not require motor vehicle parking stalls; and

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

### 333.2 “Wind Energy Conversion System – Type 2”

(a) means a use:

(i) that includes a wind turbine, a tower and foundation, and an associated mechanical control and conversion electronics; and

(ii) that has certification approval from, or equivalent to, the Canadian Standards Association (CSA);

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

(c) must have a rotor diameter greater than 4.0 metres or a total Wind Energy Conversion System height greater than 15.0 metres;

(d) must not:

(i) be located in a required setback area;

(ii) be mounted to a building;

(e) does not require motor vehicle parking stalls; and

(f) does not require bicycle parking stalls – class 1 or class 2.
PART 5: LOW DENSITY RESIDENTIAL DISTRICTS

Division 1: General Rules for Low Density Residential Land Use Districts

Projections Into Setback Areas

334 (1) Unless otherwise referenced in this Part, buildings must not be located in any setback area.

(2) Portions of a building located above the surface of the ground may project into a setback area only in accordance with the rules contained in this Part.

(3) Portions of a building below the surface of the ground may extend without any limits into a setback area, with the exception of the required front setback area.

(4) Patios and wheelchair ramps may project without any limits into a setback area.

(5) Signs located in a setback area must be in accordance with Part 3, Division 5.

Length of Portions of a Building in Setback Areas

335 (1) On each storey, the total combined length of all projections into any setback area must not exceed 40.0 per cent of the length of the façade.

(2) The maximum length of an individual projection into any setback area is 3.1 metres.

(3) Subsections (1) and (2) do not apply to:

   a) decks, eaves, porches as described in sections 336 and 339.1, ramps, and stairs when located in any setback area; and

   b) a private garage attached to a main residential building when located in the rear setback area.

Projections Into Front Setback Area

336 (1) Unless otherwise referenced in subsection (6), bay windows and eaves may project a maximum of 0.6 metres into the front setback area.

(2) Landings, ramps other than wheelchair ramps and stairs may project into a front setback area provided:

   a) they provide access to the main floor or lower level of the building; and

   b) the area of a landing does not exceed 2.5 square metres.
(3) deleted

(4) Window wells may project without limits into any front setback area.

(5) In a Developed Area, a porch may project a maximum of 1.8 metres into a front setback area where:

(a) it forms an entry to the main floor of a Dwelling Unit of a main residential building;

(b) the setback of the porch from the front property line is not less than the minimum setback in the district;

(c) the maximum height of the porch platform is 1.2 metres measured from grade, excluding stairs and a landing area not exceeding 2.5 square metres; and

(d) the portion of the porch that projects into a front setback area is unenclosed, other than by a railing, balustrade or privacy walls located on porches between attached units.

(6) Eaves may project an additional 0.6 metres from a porch into the front setback area, as described in subsection 5.

Projections Into Side Setback Area

(1) deleted

(1.1) Portions of a building greater than or equal to 2.4 metres above grade may project a maximum of 0.6 metres into any side setback area.

(a) for a Contextual Semi-detached Dwelling and a Semi-detached Dwelling, only where the side setback area is on the street side of a corner parcel; and

(b) for all other uses:

(i) when located on a corner parcel;

(ii) where at least one side setback area is clear of all portions of the building measure from grade to a height of 2.4 metres; or

(iii) where the side setback area contains a private maintenance easement required by this Bylaw and no portion of the building projects into the required private maintenance easement.

(1.3) Window wells may project a maximum of 0.8 metres into any side setback area.

(2) Window wells and portions of a building, other than eaves, must not project into a 3.0 metre side setback area required on a laneless parcel.
(3) Eaves may project a maximum of 0.6 metres into any side setback area.

(4) deleted

(5) Landings, ramps other than wheelchair ramps and stairs may project in a side setback area provided:

(a) they provide access to the main floor or lower level of the building;
(b) the area of a landing does not exceed 2.5 square metres;
(c) the area of any portion of a landing that projects into the side setback area does not exceed 1.8 square metres;
(d) they are not located in a 3.0 metre side setback area required on a laneless parcel; and
(e) they are not located in a side setback area required to be clear of projections, unless pedestrian access from the front to the rear of the parcel is provided.

(6) deleted

(7) deleted

(8) Any portion of a building that projects into a side setback area, other than eaves, landings, window wells, ramps and stairs, must not be located closer than 0.9 metres from the nearest front façade.

(9) Balconies and decks must not project into any side setback area.

(10) Central air conditioning equipment may project a maximum of 1.0 metres into a side setback area.

   (a) deleted

   (b) deleted

Projections Into Rear Setback Area

338  (1) Stairs, air conditioning equipment and window wells may project without limits into any rear setback area.

(2) Awnings, balconies, bay windows, canopies, chimneys, decks, eaves, fireplaces, fire escapes, landings, porches, and ramps other than wheelchair ramps may project a maximum of 1.5 metres into any rear setback area.

(3) A private garage attached to a building may project without limits into a rear setback area provided it:

   (a) does not exceed 4.6 metres in height, measured from the finished floor of the private garage;

   (b) does not exceed 75.0 square metres in gross floor area for each Dwelling Unit located on the parcel;

   (c) has no part that is located closer than 0.60 metres to the rear property line; and
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(d) has no eave closer than 0.6 metres to a side property line.

(4) When an attached private garage has a balcony or deck, the balcony or deck must not be located within 6.0 metres of a rear property line or 1.2 metres of a side property line.

Patios

338.1 (1) Unless otherwise referenced in subsections (2) and (3), a privacy wall may be located on a patio, provided it does not exceed a height of 2.0 metres when measured from the surface of the patio.

(2) A privacy wall located on a patio must not exceed 2.0 metres in height, when measured from grade and when the privacy wall is located within:

(a) a side setback area; or

(b) 6.0 metres of a rear property line.

(3) A privacy wall located on a patio must not exceed 1.2 metres in height when measured from grade when the privacy wall is located between the foremost front façade of the main residential building and the front property line.

Decks

339 (1) The height of a deck in the Developing Area must not exceed 0.3 metres above the main floor level of the closest main residential building on the parcel.

57P2008, 3P2010

(2) The height of a deck in the Developed Area must not exceed:

(a) 1.5 metres above grade at any point, except where the deck is located on the same façade as the at-grade entrance to a walkout basement; and

(b) 0.3 metres above the main floor level of the closest main residential building on the parcel.

(2.1) Unless otherwise referenced in subsection (3), a privacy wall located on a deck:

(a) must not exceed 2.0 metres in height when measured from the surface of the deck; and

(b) must not be located between the foremost front façade of the main residential building and the front property line.


(3) A deck attached to a Contextual Semi-detached Dwelling, Semi-detached Dwelling, Rowhouse Building or Townhouse within 1.2 metres of a party wall must have a solid privacy wall that:

(a) is a minimum of 2.0 metres in height;

(b) is a maximum of 3.0 metres in height; and

(c) extends the full depth of the deck.
Porches

339.1 In a Developed Area, a porch is exempt from parcel coverage where:

(a) the porch is located between the façade of the main residential building and:
   (i) the front property line; or
   (ii) the side property line on the street side of a corner parcel;

(b) the porch is unenclosed on a minimum of two sides, other than by a railing, balustrade or privacy walls located on porches between attached units when the porch is at or exceeds the contextual front setback; and

(c) there is no enclosed floor area or balcony located directly above the roof of the porch.

Balconies

340 (1) Unless otherwise referenced in this Part, an open balcony must not project more than 1.85 metres from the building façade to which it is attached.

(2) Unless otherwise referenced in this Part, the floor area of a recessed balcony must not exceed 10.0 square metres.

(2.1) Unless otherwise referenced in this Part, a privacy wall located on a balcony:

(a) must not exceed 3.0 metres in height when measured from the surface of the balcony; and

(b) must not be located between the foremost front façade of the main residential building and the front property line.

(3) A balcony attached to a Contextual Semi-detached Dwelling, Semi-detached Dwelling, Rowhouse Building or Townhouse within 1.2 metres of a party wall must have a solid privacy wall that:

(a) is a minimum of 2.0 metres in height;

(b) is a maximum of 3.0 metres in height; and

(c) extends the full depth of the balcony.

(4) deleted

Driveways

341 (1) A driveway must not have direct access to a major street unless:

(a) there is no practical alternative method of vehicular access to the parcel; and
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(b) a turning space is provided on the parcel to allow all vehicles exiting to face the major street.

9P2012

(2) A driveway connecting a street to a private garage must:

(a) be a minimum of 6.0 metres in length along the intended direction of travel for vehicles and measured from:

(i) the back of the public sidewalk to the door of the private garage; or

(ii) a curb where there is no public sidewalk to the door of a private garage; and

(b) contain a rectangular area measuring 6.0 metres in length and 3.0 metres in width.

9P2012

(3) A driveway connecting a lane to a private garage must be a minimum of 0.60 metres in length along the intended direction of travel for vehicles, measured from the property line shared with the lane to the door of a private garage.

9P2012

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

9P2012

(5) That portion of a driveway, including a motor vehicle parking stall, within 6.0 metres of a public sidewalk, or a curb on a street where there is no public sidewalk, must not exceed a width of:

(a) 6.0 metres where the parcel width is 9.0 metres or less; or

(b) 7.0 metres where the parcel width is greater than 9.0 metres and less than 15.0 metres.

57P2008, 13P2011

(6) In the Developed Area a driveway accessing a street must not be constructed, altered or replaced except where:

(a) it is located on a laneless parcel;

(b) it is located on a laned parcel and 50.0 per cent or more parcels on the same block face have an existing driveway accessing a street; or

(c) there is a legally existing driveway that it is not being relocated or widened.

13P2011

(7) A driveway constructed, altered or replaced in accordance with subsection (6) may be extended in length.

57P2008, 13P2011

(8) Where a parcel is the subject of development, the Development Authority must not require the removal of a legally existing driveway accessing a street even where the proposed development is a discretionary use.
Retaining Walls

342 (1) A *retaining wall* must be less than 1.2 metres in height when measured from the lowest *grade* at any point *adjacent* to the *retaining wall* to the highest *grade* retained by the *retaining wall*.

(2) A minimum horizontal separation of 1.0 metre must be maintained between *retaining walls* on the same *parcel*.

Fences

343 The height of a *fence* above *grade* at any point along a *fence* line must not exceed:

(a) 1.2 metres for any portion of a *fence* extending between the foremost front façade of the *main residential building* and the *front property line*;

(b) 2.0 metres in all other cases; and

(c) 2.5 metres at the highest point of a gate that is not more than 2.5 metres in length.

Solar Collectors

343.1 (1) A *solar collector* may only be located on the wall or roof of a *building*.

(2) A *solar collector* mounted on a roof with a pitch of less than 4:12, may project:

(a) a maximum of 0.5 metres from the surface of a roof, when the solar collector is located 5.0 metres or less from a side property line, measured directly due south from any point along the *side property line*; and

(b) in all other cases, maximum of 1.3 metres from the surface of a roof.

(3) A *solar collector* mounted on a roof with a pitch of 4:12 or greater, may project a maximum of 1.3 metres from the surface of a roof.

(4) A *solar collector* mounted on a roof must not extend beyond the outermost edge of the roof.

(5) A *solar collector* that is mounted on a wall:

(a) must be located a minimum of 2.4 metres above *grade*; and

(b) may project a maximum of:

(i) 1.5 metres from the surface of that wall, when the wall is facing a *rear property line*; and

(ii) in all other cases, 0.6 metres from the surface of that wall.
Skateboard and Sports Ramps

343.2 (1) All skateboard and sports ramp structures must be located within the maximum envelope dimensions of 1.5 metres high by 5.0 metres wide by 6.0 metres long.

(2) More than one structure may be contained within the maximum envelope dimensions referenced in subsection (1).

(3) The maximum envelope dimensions referenced in subsection (1) do not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete.

(4) Notwithstanding subsection (1), railings for safety purposes may extend beyond the maximum envelope dimensions referenced in subsection (1) provided they are not designed or used as a surface upon which to operate a skateboard, bicycle, scooter, roller skates or other similar device.

(5) There must only be one skateboard and sports ramp envelope per parcel.

(6) All skateboard and sports ramp structures must be located between the rear façade of the main residential building and the rear property line.

(7) The height of a skateboard and sports ramp at any point is measured from grade.

(8) All skateboard and sports ramp structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a side property line.

(9) All skateboard and sports ramp structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a rear property line.

(10) Skateboard and sports ramp structures must not be included in parcel coverage.

(11) A skateboard and sports ramp must not be attached to a deck, another structure, fence, or building such as, but not limited to, a main residential building, Backyard Suite or Accessory Residential Building.

Objects Prohibited or Restricted

344 (1) A recreational vehicle must not remain in an actual front setback area for longer than 24 hours.

(2) A trailer that may be used or is intended to be used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste must not remain in an actual front setback area except while actively engaged in loading or unloading.
(3) A **dilapidated vehicle** must not be located outside of a **building**.

(4) A **large vehicle** must not remain on a **parcel** except while actively engaged in loading or unloading. Only one **large vehicle** may remain on a **parcel** while actively engaged in loading or unloading.

(5) A satellite dish greater than 1.0 metre in diameter must:

(a) not be located in an **actual front setback area** or in an **actual side setback area** where the **parcel** shares a **property line** with a **street**;

(b) not be located higher than 3.0 metres from **grade**; and

(c) not be illuminated.

(6) Subsection (5) does not apply to a satellite dish greater than 1.0 metre in diameter when the applicant demonstrates:

(a) compliance with subsection (5) would prevent signal reception; and

(b) the satellite dish will be located and **screened** to the satisfaction of the **Development Authority**.

(7) **deleted**

(8) A **Power Generation Facility – Small** with a capacity greater than 100kW must not be located on a **parcel** when the principal **use** on the **parcel** is a **Contextual Single Detached Dwelling**, **Contextual Semi-detached Dwelling**, **Duplex Dwelling**, **Single Detached Dwelling**, or **Semi-detached Dwelling**.

**Accessory Residential Building**

345 (1) Unless otherwise referenced in subsection (2), the minimum **building setback** for an **Accessory Residential Building** is:

(a) 1.2 metres from a **side** or **rear property line** shared with a **street**; or

(b) 0.6 metres from a **side** or **rear property line** in all other cases.

(2) The minimum **building setback** for an **Accessory Residential Building** that does not share a **side** or **rear property line** with a **street** may be reduced to zero metres when:

(a) the **Accessory Residential Building** is less than 10.0 square metres **gross floor area**;

(b) the wall of the **Accessory Residential Building** is constructed of maintenance-free materials and there is no overhang of eaves onto an **adjacent parcel**; or

(c) the owner of the **adjacent parcel** grants a 1.5 metre private maintenance easement that must:
(i) be registered against the title of the parcel proposed for development and the title of the adjacent parcel; and
(ii) include a 0.60 metre eave and footing encroachment easement.

(3) An Accessory Residential Building must not be located in the actual front setback area.

(4) A private garage on a laneless parcel may be located within the required 3.0 metre side setback area, except along the street side of a corner parcel.

(5) The minimum distance between any façade of an Accessory Residential Building 10.0 square metres or more and a main residential building is 1.0 metres.

(6) The height of an Accessory Residential Building must not exceed:

   (a) 4.6 metres, measured from the finished floor of the building;
   (b) 3.0 metres at any eaveline, when measured from the finished floor of the building; or
   (c) one storey, which may include an attic space that:
       (i) is accessed by a removable ladder;
       (ii) does not have windows;
       (iii) is used by the occupants of the main residential building for placement of personal items; and
       (iv) has a maximum height of 1.5 metres when measured from the attic floor to the underside of any rafter.

Restrictions on Use of Accessory Residential Building

346 (1) The finished floor of an Accessory Residential Building, other than a private garage, must not exceed 0.6 metres above grade.

24P2014 (2) An Accessory Residential Building must not be used as a Dwelling Unit, unless a Backyard Suite has been approved.

(3) An Accessory Residential Building must not have a balcony or rooftop deck.

45P2015 (4) The area of a parcel covered by all Accessory Residential Buildings located on a parcel:

62P2018 (a) must not exceed the lesser of:

   (i) the building coverage of the main residential buildings; or
   (ii) 75.0 square metres for each Dwelling Unit located on the parcel; and
(b) deleted

(c) the calculation to determine the area of a parcel covered by Accessory Residential Buildings must not include any Accessory Residential Buildings with a cumulative gross floor area of 10.0 square metres or less.

(5) All roof drainage from an Accessory Residential Building must be discharged onto the parcel on which the building is located.

General Landscaping Rules for the Developed Areas

346.1 (1) In Developed Areas, trees required by this section:

(a) may be provided through the planting of new trees or the preservation of existing trees;

(b) must be provided on a parcel within 12 months of issuance of a development completion permit;

(c) must be maintained on the parcel for a minimum of 24 months after issuance of a development completion permit;

(d) must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association;

(e) are not required to be shown on a plan that is part of an application for development permit unless subject to subsection (f); and

(f) may be provided through the planting of a new tree in an adjacent boulevard to the parcel approved by the Development Authority for a Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling.

(2) A minimum of 2.0 trees must be provided for each unit of a Contextual Semi-detached Dwelling, Duplex Dwelling, Rowhouse Building or Semi-detached Dwelling.

(3) Where a Contextual Single Detached Dwelling or Single Detached Dwelling is located on a parcel with a parcel width less than or equal to 10.0 metres a minimum of 2.0 trees must be provided.

(4) Where a Contextual Single Detached Dwelling or Single Detached Dwelling is located on a parcel with a parcel width greater than 10.0 metres a minimum of 3.0 trees must be provided.

(5) A minimum of 1.2 trees per unit must be provided for a Cottage Housing Cluster.

(6) The requirement for the provision of 1.0 tree is met where:

(a) a deciduous tree has a minimum calliper of 60 millimetres; or

(b) a coniferous tree has a minimum height of 2.0 metres.
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(7)  The requirement for the provision of 2.0 trees is met where:

(a)  a deciduous tree has a minimum calliper of 85 millimetres; or
(b)  a coniferous tree has a minimum height of 4.0 metres.
Contextual Single Detached Dwelling

347 (1) A Contextual Single Detached Dwelling:

(a) must have:

(i) a portion of the front façade, with an area less than or equal to 50% of the area of all front façades, recessed or projecting forward from the remaining façade that has a minimum dimension of:

(A) 2.0 metres in width
(B) 0.6 metres in depth; and
(C) 2.4 metres in height; or

(ii) a porch projecting from the front façade with a minimum dimension of:

(A) 2.0 metres in width; and
(B) 1.2 metres in depth;

(b) must not have vehicular access from the lane to an attached private garage;

(c) must not have windows that are located beyond the rear façade of a main residential building on an adjoining parcel unless:

(i) the window is located below the second storey;
(ii) the window is located on the rear façade;
(iii) the glass in the window is entirely obscured; or
(iv) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; and

(d) must not have a roof slope less than 4:12 within 1.5 metres of the horizontal plane forming the maximum building height; and

(e) must not be located on a parcel where the difference between the average building reference points is greater than 2.4 metres.

(f) deleted
(2) Unless otherwise referenced in this Part, a Contextual Single Detached Dwelling:

(a) may have a balcony located on a side façade:
   (i) where it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or
   (ii) where it is on the street side of a corner parcel;

(b) may have a balcony located on a rear façade where:
   (i) it does not form part of the side façade unless the side façade is on the street side of a corner parcel;
   (ii) a privacy wall is provided where the balcony is facing a side property line shared with a parcel; and
   (iii) the privacy wall is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height; and

(c) must not have a balcony with a height greater than 6.0 metres, when measured vertically at any point from grade to the platform of the balcony.

(3) Where a Contextual Single Detached Dwelling is located on a parcel with a parcel width less than or equal to 10.0 metres the maximum building depth is the greater of:

(a) 65.0 per cent of the parcel depth; or

(b) the contextual building depth average.

(4) Where a Contextual Single Detached Dwelling is located on a parcel with a parcel width greater than 10 metres the maximum building depth is the contextual building depth average.

(5) Where a Contextual Single Detached Dwelling is located on a parcel with a parcel width greater than 10.0 metres, the maximum area of a horizontal cross section through each storey above the first storey must not exceed the building coverage.

(6) Where a private garage is attached to a Contextual Single Detached Dwelling, the maximum building coverage is the maximum parcel coverage which must be reduced by 21.0 square metres for each required motor vehicle parking stall.
Contextual Semi-detached Dwelling

347.1 (1) **A Contextual Semi-detached Dwelling:**

(a) must have:

(i) the principal front façade of one unit staggered a minimum of 0.6 metres behind the principal front façade of the other unit; and

(ii) the principal rear façade of one unit staggered a minimum of 0.6 metres behind the principal rear façade of the other unit;

(b) must have façade articulation for each unit, by including:

(i) a portion of the front façade, with an area less than or equal to 50% of the area of all front façades of each unit, recessed or projecting forward from the remainder of the front façade of that unit, with the projecting or recessed portion having a minimum dimension of:

(A) 2.0 metres in width;

(B) 0.6 metres in depth; and

(C) 2.4 metres in height; or

(ii) a porch that projects from the front façade a minimum dimension of:

(A) 2.0 metres in width; and

(B) 1.2 metres in depth;

(c) located on a corner parcel must have an exterior entrance which is visible from the street side of the corner parcel;

(d) must not have vehicular access from the lane to an attached private garage;

(e) must not have windows that are located beyond the rear façade of a contextual adjacent building on an adjoining parcel unless:

(i) the window is located below the second storey;

(ii) the window is located on the rear façade;

(iii) the glass in the window is entirely obscured; or

(iv) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; and

(f) must not have a roof slope less than 4:12 within 1.5 metres of the horizontal plane forming the maximum building height;

(g) must not be located on a parcel where the difference between the average building reference points is greater than 2.4 metres; and
(h) must not have an exterior entrance from grade located on a side façade, unless the entrance provides access to a Secondary Suite or is located on the street side of a corner parcel.

(i) deleted

(2) Unless otherwise referenced in this Part, a Contextual Semi-detached Dwelling:

(a) may have a balcony located on a side façade where:

   (i) it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or

   (ii) it is on the street side of a corner parcel;

(b) may have a balcony located on a rear façade where:

   (i) it does not form part of the side façade unless the side façade is on the street side of a corner parcel;

   (ii) a privacy wall is provided where the balcony is facing a side property line shared with a contextual adjacent building; and

   (iii) the privacy wall is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height; and

(c) must not have a balcony with a height greater than 6.0 metres, when measured vertically at any point from grade to the platform of the balcony.

(3) The maximum building depth of a Contextual Semi-detached Dwelling is the greater of:

(a) 60.0 per cent of the parcel depth; or

(b) the contextual building depth average.

(4) Where a private garage is attached to a Contextual Semi-detached Dwelling, the maximum building coverage is the maximum parcel coverage which must be reduced by 21.0 square metres for each required motor vehicle parking stall.

(5) A Contextual Semi-detached Dwelling must not be located on a parcel that contains more than one main residential building.

347.2 deleted
Permitted use Rowhouse Building

347.3 (1) To be a permitted use in the R-CG District a Rowhouse Building:

(a) must have façade articulation for each Dwelling Unit, by including:

(i) a portion of a street facing façade of each unit recessed behind or projecting forward from the remainder of the street facing façade of that unit, with the projecting or recessed portion having a minimum dimension of:

(A) 2.0 metres in width;
(B) 0.3 metres in depth; and
(C) 2.4 metres in height; or

(ii) a porch that projects from a street facing façade a minimum dimension of:

(A) 2.0 metres in width; and
(B) 1.2 metres in depth;

(b) must have the main floor located above grade adjacent to the building to a maximum of 1.20 metres above grade for street facing façades;

(c) located on a corner parcel must have an exterior entrance which is visible from each street side of the corner parcel;

(d) must not have an attached private garage;

(e) must have a motor vehicle parking stall or private garage for each Dwelling Unit with direct, individual access to a lane;

(f) must not have windows on an exposed side façade of a unit that are located beyond the rear façade of a contextually adjacent building on an adjoining parcel unless:

(i) the window is located below the second storey;
(ii) the glass in the window is entirely obscured;
(iii) there is a minimum distance of 1.5 metres between the finished floor and the bottom of the window sill; or
(iv) the façade that contains the window is setback a minimum of 4.2 metres from the side property line; and

(g) must not be located on a parcel where the difference between the average building reference points is greater than 2.4 metres.
292.2 **LAND USE BYLAW – 1P2007 July 23, 2007**

(2) **deleted**

(3) Unless otherwise referenced in subsection (4) the maximum **building depth** of a **Rowhouse Building** that is a **permitted use** in the R-CG District is the greater of:

(a) 60.0 per cent of the **parcel depth**; or

(b) the **contextual building depth average**.

(4) There is no maximum **building depth** for a **Rowhouse Building** located on a **corner parcel** in the R-CG District.

(5) To be a **permitted use** in the R-CG District a **Rowhouse Building** must not be located on a **parcel** that contains more than one **main residential building**.

### Visibility Setback

348 Within a **corner visibility triangle**, **buildings**, **fences**, **finished grade** of a **parcel** and vegetation must not exceed the lowest elevation of the **street** by more than 0.75 metres above lowest elevation of the **street**.

### Roof Equipment Projection

349 (1) There is no vertical projection limit from the surface of a roof on a **building** for antennae, chimneys and wind powered attic ventilation devices.

68P2008 (2) Mechanical equipment may project a maximum of 0.3 metres from the surface of a roof on a **building**.
Private Maintenance Easements

350 A private maintenance easement, provided pursuant to this Bylaw, must require the easement area be kept free of all buildings, structures and objects that would prevent or restrict the easement being used for the purpose of building maintenance.

Secondary Suite

351 (1) For a Secondary Suite the minimum building setback from a property line, must be equal to or greater than the minimum building setback from a property line for the main residential building.

(2) Except as otherwise stated in subsections (2.1) and (3), the maximum floor area of a Secondary Suite, excluding any area covered by stairways and landings, is 100.0 square metres:

(a) in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-1, R-1s and R-1N Districts; or
(b) when located on a parcel with a parcel width less than 13.0 metres

(2.1) There is no maximum floor area for a Secondary Suite wholly located in a basement. Internal landings and stairways providing access to the basement may be located above grade.

(3) The maximum floor area of a Secondary Suite may be relaxed by the Development Authority to a maximum of 10.0 per cent.

(4) A Secondary Suite must have a private amenity space that:

(a) is located outdoors; and
(b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres.

(c) deleted

351.1 deleted

Backyard Suite

352 (1) For a Backyard Suite, the minimum building setback from a rear property line is:

(a) 1.5 metres for any portion of the building used as a Backyard Suite; and
(b) 0.6 metres for any portion of the building used as a private garage.

(2) Unless otherwise specified in the district, for a Backyard Suite, the minimum building setback from a side property line is 1.2 metres for any portion of the building used as a Backyard Suite.
Unless otherwise referenced in subsections (3.1) and (3.2), a minimum separation of 5.0 metres is required between the closest façade of the main residential building to the closest façade of a Backyard Suite.

The minimum façade separation in subsection (3) may be reduced to 1.5 metres where amenity space is provided at grade that:

(a) is adjacent to the main residential building and the Backyard Suite; and

(b) has no dimension less than 5.0 metres.

Where portions of a Backyard Suite meet the requirements of subsection (b) these portions may project:

(i) into a setback area from a property line shared with a street or a lane to a minimum building setback of 0.6 metres from the shared property line; and

(ii) 0.6 metres into the minimum separation area required in subsection (3) or the amenity space required in subsection (3.1);

Projections described in subsection (a) must:

(i) not exceed 40.0 per cent of the length of the façade on each storey for the total combined length of all projections;

(ii) each contain a window; and

(iii) each have a maximum length of 3.1 metres

Unless otherwise referenced in subsection (4.1), the maximum building height for a Backyard Suite is 7.5 metres.

The maximum building height for a Backyard Suite is:

(a) 5.0 metres measured from grade at a side property line shared with a parcel designated with a low density residential district;

(b) 3.0 metres measured from grade at a rear property line shared with a parcel designated with a low density residential district; and

(c) increases at a 45 degree angle to a maximum of 7.5 metres at a proportional distance from the shared property line.

The maximum floor area of a Backyard Suite, excluding any area covered by stairways and internal landings not exceeding 2.5 square metres, is 75.0 square metres.
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(6) The maximum floor area of a Backyard Suite may be relaxed by the Development Authority to a maximum of 10.0 per cent.

(7) A Backyard Suite must have a private amenity space that:

(a) is located outdoors; and

(b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres.

(c) deleted

(8) A Backyard Suite may include a balcony where the balcony:

(a) projects from a façade that faces a property line shared with a lane or a street; or

(b) includes a privacy wall that screens the balcony from a property line shared with a parcel designated with low density residential district where:

(i) the balcony is setback less than 4.0 metres from the shared property line; and

(ii) the privacy wall is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height.

(9) A balcony attached to a Backyard Suite may project into a required setback area from a property line shared with a street or a lane to a minimum setback of 0.6 metres from the property line.

Secondary Suite – Outdoor Private Amenity Space

353 deleted

Accessory Suite – Density

354 (1) Unless otherwise referenced in subsection (4), there must not be more than one Backyard Suite located on a parcel.

(1.1) There must not be more than one Secondary Suite contained within a Dwelling Unit.

(2) Unless otherwise referenced in subsection (4), a Secondary Suite and a Backyard Suite must not be located on the same parcel.

(3) A Secondary Suite or a Backyard Suite must not be separated from the main residential use on a parcel by the registration of a condominium or subdivision plan.

(4) In the R-CG District, one Backyard Suite or one Secondary Suite may be located on a bare land unit containing a Dwelling Unit.

Secondary Suite – Entry and Stairways

355 deleted
Secondary Suite – Building Height

Delete 356

Parcels Deemed Conforming

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

Dwellings Deemed Conforming

(1) Decks greater than 1.5 metres in height, landings, retaining walls and window wells that are legally existing or approved prior to the effective date of this Bylaw are deemed to conform with the requirements of this Bylaw.

(2) When a Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling has been constructed in accordance with this Bylaw, and is located in a Developed Area, the maximum building height, minimum building setback from a front property line and maximum building depth determined at the time of the development are the requirements until further development occurs on the parcel.

(3) The building setback from the front property line for a Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling in the Developed Area is deemed to conform with the requirements of this Bylaw if:

(a) the Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling was legally existing or approved prior to the effective date of this Bylaw;

(b) the building setback from the front property line is:

(i) a minimum of 6.0 metres for the R-C1L or R-C1Ls districts; or

(ii) a minimum of 3.0 metres for any other residential district; and

(c) the main residential building:

(i) has not been added to after the effective date of this Bylaw; or

(ii) has been added to after the effective date of this Bylaw and the addition complies with the requirements specified in this Bylaw for a building setback from the front property line.

(4) The building height for a Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling in the Developed Area is deemed to conform with the requirements of this Bylaw providing:
(a) the Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling was legally existing or approved prior to the effective date of this Bylaw; and

(b) all subsequent additions and alterations conformed to the rules of this Bylaw.

(5) A relaxation or variance of one or more rules applicable to an Accessory Residential Building, Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling granted by a development permit under a previous Land Use Bylaw is deemed to continue to be valid under this Bylaw.

Personal Sales

359 Personal sales may be conducted on a parcel a total of eight days in any calendar year.

Building Height

360 (1) Unless otherwise referenced in (5), the building height of a Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling and Single Detached Dwelling, must not exceed a height plane described in this section.

(2) When the difference between the average building reference point at the front corners of the parcel and those at the rear of the parcel is greater than or equal to 1.0 metres, the building height must not be greater than a height plane that:

(a) begins at the highest average building reference point;

(b) extends vertically to the maximum building height plus 1.0 metre;

(c) extends horizontally towards the opposite end of the parcel to a point that is 5.5 metres closer than the point on the foundation which is furthest from the highest average building reference point; and

(d) extends downward at a 4:12 slope.

(3) When the difference between the average building reference points at the front corners of the parcel and those at the rear of the parcel is less than 1.0 metres, the building height must not be greater than the height plane that:

(a) begins at the highest average building reference point;

(b) extends vertically to the maximum building height plus 1.0 metre; and

(c) extends horizontally towards the opposite end of the parcel.
The following diagrams illustrate the rules of subsections (2) and (3).

Illustration 1:
Building Height
Subsection 360(2)

(5) The building height for an addition to a main residential building is measured from grade at any point adjacent to the addition when the addition is less than or equal to:

(a) 7.5 metres in height from grade where the existing building has a walkout basement; and

(b) 6.0 metres in height from grade where the existing building does not have a walkout basement.

Building Height on a Corner Parcel

(1) In addition to the rules of sections 360 (2) and (3), for a Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling and Single Detached Dwelling located on a corner parcel, the building height must not be greater than a height plane that intersects the horizontal portion of
the height plane described in section 360 at a point that is 4.5 metres from the street side property line, and extends downward toward the street side property line at a 4:12 slope.

(2) The following diagram illustrates the rules of subsection 361(1)

Illustration 2:

Building Height on a Corner Parcel
Section 361(1)

362 deleted

Approved Building Grade Plans
363 All building reference points must be in accordance with a building grade plan.

Gated Access
364 A gate must not be located across a private condominium roadway.

Exempt Additions
365 In order for the exemption in section 25(2)(a) to apply to an exterior alteration or addition to an existing Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:

(a) the existing building must:

(i) conform to the rules of this Bylaw; and

(ii) be legally existing or approved prior to the effective date of this Bylaw;

(b) the addition may be a maximum of:

(i) 40.0 square metres in floor area for any portion at a height less than or equal to:
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292.10


(A) 7.5 metres measured from grade where the existing building has a walkout basement; or

(B) 6.0 metres measured from grade where the existing building does not have a walkout basement; and

(ii) 10.0 square metres in floor area for any portion not exceeding the highest point of the existing roof;

(b.1) The additions allowed in Section 365(b)(i) and (ii) must not be located on the same storey.

(c) the addition or exterior alteration may:

(i) reduce the existing building setback from a front property line a maximum of 1.5 metres, or 1.8 metres for a porch, provided the building will comply with the minimum setback from a front property line specified in the district; and

(ii) reduce the existing building setback from rear property line a maximum of 4.6 metres provided the building will comply with the minimum setback from a rear property line specified in the district; and

(d) the addition or exterior alteration must meet the rules:

(i) of section 347(1)(c) where there is a new window opening being created or where an existing window is being moved or enlarged; and

(ii) of section 347(2) where a new balcony is being constructed or an existing balcony is being altered.

Cottage Housing Cluster

365.1 (1) Unless otherwise referenced in subsection (2), the minimum separation distance between cottage buildings is 3.0 metres.

(2) When a common amenity space – outdoors is located between two cottage buildings, the minimum separation distance between those buildings is 6.0 metres.

(3) Within each Cottage Housing Cluster the maximum number of Dwelling Units is 25.

(4) Each cottage building must be adjacent to the common open space.

(5) The maximum gross floor area of any individual storey of a Dwelling Unit in a cottage building is 100.0 square metres.

(6) The maximum gross floor area of a Dwelling Unit in a cottage building is 150.0 square metres.

(7) Each Dwelling Unit in a cottage building must have a private amenity space that:
(a) is provided outdoors; and  
(b) has a minimum area of 12.0 square metres with no dimension less than 1.5 metres.

(8) For Dwelling Units in a cottage building that are located on the floor closest to grade, a private amenity space must be provided in the form of a patio, porch or deck.

(9) For Dwelling Units in a cottage building that are located entirely above a private garage, a private amenity space must be provided in the form of a patio, deck or balcony.

(10) Common outdoor amenity space required for each Cottage Housing Cluster must be provided at grade, and  
(a) have a minimum area of 15.0 square metres per Dwelling Unit;  
(b) have no dimension less than 6.0 metres;  
(c) must be centrally located in a single contiguous area;  
(d) have either a soft surfaced landscaped area or hard surfaced landscaped area;  
(e) must include a sidewalk to the street;  
(f) must not be used for vehicular access; and  
(g) must not be located in any setback area.

(11) Private amenity space is not to be included in the calculation to determine the required common amenity space in subsection (10).

(12) Unless otherwise referenced in subsection (13), for a parcel containing a Cottage Housing Cluster the provisions referenced in sections 334, 335, 336, 337 and 338 do not apply.

(13) Eaves on a cottage building may project a maximum of 0.6 metres into any setback area.

(14) One Accessory Residential Building less than 10.0 square metres, not including a private garage, may be provided for each cottage building.

(15) For a parcel containing a Cottage Housing Cluster garbage and waste material must be stored either:  
(a) inside a building; or  
(b) in a garbage container enclosure approved by the Development Authority that:

(i) must not be located in an actual front setback area;  
(ii) must not be located in an actual side setback area on the public street side of a corner parcel; and
(iii) unless specified in subsection (16) must not be located in any setback area.

(16) A garbage container enclosure on a parcel containing a Cottage Housing Cluster may be located in a setback area provided that:

(a) the wall of the enclosure is constructed of maintenance free materials; and

(b) there is no overhang of eaves onto an adjacent parcel or lane.

(17) Recycling facilities must be provided for a Cottage Housing Cluster.

(18) Motor vehicle parking stalls in a Cottage Housing Cluster must not be located between the common amenity space and a cottage building.

(19) Unless otherwise referenced in subsection (20) access to motor vehicle parking stalls and private garages in a Cottage Housing Cluster must be from a lane.

(20) For a Cottage Housing Cluster located on a laneless parcel access from a street to motor vehicle parking stalls and private garages may be provided via a single shared driveway.
Division 2: Residential – Contextual Large Parcel One Dwelling (R-C1L) (R-C1Ls) District

Purpose

366 (1) The Residential – Contextual Large Parcel One Dwelling District is intended to accommodate existing residential development and contextually sensitive redevelopment in the form of Single Detached Dwellings in the Developed Area on large parcels.

(2) Parcels designated R-C1Ls are intended to accommodate a Secondary Suite as a permitted use on the same parcel as a Single Detached Dwelling.

Permitted Uses

367 The following uses are permitted uses in the Residential – Contextual Large Parcel One Dwelling District:

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

Discretionary Uses

368 The following uses are discretionary uses in the Residential – Contextual Large Parcel One Dwelling District:

(a) Backyard Suite; 24P2018
(a.1) Bed and Breakfast; 24P2018
(b) Community Entrance Feature;
(b.1) Home Based Child Care – Class 2; 17P2009
(c) Home Occupation – Class 2;
(d) Place of Worship – Small;
(e) Power Generation Facility – Small;
(e.1) Secondary Suite; 24P2018
(f) Sign – Class B;
(g) Sign – Class C;
(h) Sign – Class E;
(i) Single Detached Dwelling;
(j) Temporary Residential Sales Centre; and
(k) Utility Building.

12P2010, 33P2011

Permitted and Discretionary Uses for Parcels Designated R-C1Ls

369  (1) Parcels designated R-C1Ls have the same permitted uses referenced in section 367 with the additional permitted uses of:

(a) Secondary Suite.

24P2014

(2) Parcels designated R-C1Ls have the same discretionary uses referenced in section 368 with the additional discretionary uses of:

(a) Backyard Suite.

Rules

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

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

13P2008

Number of Main Residential Buildings on a Parcel

371  The maximum number of main residential buildings on a parcel is one.

Parcel Width

372  The minimum parcel width is 24.0 metres.

12P2010, 23P2016

Parcel Depth

373  The minimum parcel depth is 22.0 metres.
Parcel Area
374 The minimum area of a parcel is 1100.0 square metres.

Parcel Coverage
375 The maximum parcel coverage is 40.0 per cent of the area of a parcel, which must be reduced by 21.0 square metres for each required motor vehicle parking stall that is not provided in a private garage.

deleted
376

Building Setback Areas
377 The minimum depth of all setback areas must be equal to the minimum building setback required in sections 378, 379 and 380.

Building Setback from Front Property Line
378 (1) For a Contextual Single Detached Dwelling and a Single Detached Dwelling, the minimum building setback from a front property line is the greater of:
   (a) the contextual front setback less 1.5 metres; or
   (b) 6.0 metres.
(2) deleted
(3) deleted
(4) For an addition or exterior alteration to a Single Detached Dwelling, which was legally existing or approved prior to the effective date of this Bylaw, the minimum building setback from a front property line is the lesser of:
   (a) the contextual front setback less 1.5 metres to a minimum of 6.0 metres; or
   (b) the existing building setback less 1.5 metres to a minimum of 6.0 metres.
(5) For all other uses, the minimum building setback from a front property line is 6.0 metres.

Building Setback from Side Property Line
379 (1) For a laned parcel, the minimum building setback from any side property line is 2.4 metres.
   (2) For a laneless parcel, the minimum building setback from any side property line is:
      (a) 2.4 metres; or
(b) 3.0 metres on one side of the parcel when no provision has been made for a private garage on the front or side of a building.

(3) For a corner parcel, the minimum building setback from a side property line shared with a street is 3.0 metres.

Building Setback from Rear Property Line

380 The minimum building setback from a rear property line is 7.5 metres.

Building Height

381 (1) For a Contextual Single Detached Dwelling and a Single Detached Dwelling, the maximum building height is the greater of:

(a) 8.6 metres; or

(b) the contextual height plus 1.5 metres, to a maximum of 10.0 metres.

382 deleted

383 deleted
Division 3: Residential – Contextual One Dwelling
(R-C1) (R-C1s) District

Purpose
384 (1) The Residential – Contextual One Dwelling District is intended to accommodate existing residential development and contextually sensitive redevelopment in the form of Single Detached Dwellings in the Developed Area.

(2) Parcels designated R-C1s are intended to accommodate a Secondary Suite as a permitted use on the same parcel as a Single Detached Dwelling.

Permitted Uses
385 (1) The following uses are permitted uses in the Residential – Contextual One Dwelling District:

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

(2) The following uses are permitted uses on a parcel that has a building used or previously used as a Community Recreation Facility or School Authority – School:

(a) Community Recreation Facility;
(b) School Authority – School; and
(c) School Authority Purpose – Minor.

Discretionary Uses
386 (1) The following uses are discretionary uses in the Residential – Contextual One Dwelling District:

(a) Addiction Treatment;
(a.1) Assisted Living;
(a.2) Backyard Suite;
(b) Bed and Breakfast;
(c) Community Entrance Feature;
(d) Custodial Care;
(d.1) Home Based Child Care – Class 2;
(e) Home Occupation – Class 2;
(f) Place of Worship – Small;
(g) Power Generation Facility – Small;
(h) Residential Care;
(h.1) Secondary Suite;
(i) Sign – Class B;
(j) Sign – Class C;
(k) Sign – Class E;
(l) Single Detached Dwelling;
(m) Temporary Residential Sales Centre; and
(n) Utility Building.

(2) The following uses are additional discretionary uses if they are located in buildings used or previously used as Community Recreation Facility or School Authority – School in the Residential – Contextual One Dwelling District:

(a) Child Care Service;
(b) Library;
(c) Museum;
(d) School – Private;
(e) School Authority Purpose – Major; and
(f) Service Organization.

(3) The following uses are additional discretionary uses on a parcel in the Residential – Contextual One Dwelling District that has a building used or previously used as School Authority – School:

(a) Community Recreation Facility;
(b) Food Kiosk;
(c) Indoor Recreation Facility;
(d) Outdoor Recreation Area;
(e) Park Maintenance Facility – Large; and
(f) Park Maintenance Facility – Small.

(4) The following uses are additional discretionary uses on a parcel that has an existing building used as a Place of Worship – Large or Place of Worship – Medium provided any new development proposed does not result in the increase of any assembly area:
(a) Place of Worship – Large; and
(b) Place of Worship – Medium.

Permitted and Discretionary Uses for Parcels Designated R-C1s

387 (1) Parcels designated R-C1s have the same permitted uses referenced in section 385 with the additional permitted uses of:
(a) Secondary Suite.

(2) Parcels designated R-C1s have the same discretionary uses referenced in section 386 with the additional discretionary uses of:
(a) Backyard Suite.

Rules

388 In addition to the rules in this District, all uses in this District must comply with:
(a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;
(b) the Rules Governing All Districts referenced in Part 3;
(c) the applicable Uses And Use Rules referenced in Part 4; and
(d) the applicable rules for the Special Purpose – Community Service District for those uses referenced in sections 385(2) and 386(2) and (3).

Number of Main Residential Buildings on a Parcel

389 The maximum number of main residential buildings on a parcel is one.

Parcel Width

390 The minimum parcel width is 12.0 metres.
Parcel Depth

12P2010, 23P2016

391 The minimum parcel depth is 22.0 metres.

Parcel Area

12P2010, 23P2016

392 The minimum area of a parcel is 330.0 square metres.

Parcel Coverage

393 The maximum parcel coverage is 45.0 per cent of the area of a parcel, which must be reduced by 21.0 square metres for each required motor vehicle parking stall that is not provided in a private garage.

Building Setback Areas

395 The depth of all setback areas must be equal to the minimum building setback required in sections 396, 397 and 398.

Building Setback from Front Property Line

3P2010

396 (1) For a Contextual Single Detached Dwelling and a Single Detached Dwelling, the minimum building setback from a front property line is the greater of:

(a) the contextual front setback less 1.5 metres; or

(b) 3.0 metres.

46P2009

(2) deleted

3P2010

(3) deleted

46P2009

(4) For an addition or exterior alteration to a Single Detached Dwelling, which was legally existing or approved prior to the effective date of this Bylaw, the minimum building setback from a front property line is the lesser of:

(a) the contextual front setback less 1.5 metres to a minimum of 3.0 metres; or

(b) the existing building setback less 1.5 metres to a minimum of 3.0 metres.

(5) For all other uses, the minimum building setback from a front property line is 3.0 metres.

Building Setback from Side Property Line

397 (1) For a laned parcel, the minimum building setback from any side property line is 1.2 metres.

(2) For a laneless parcel, the minimum building setback from any side property line is:
(a) 1.2 metres; or

(b) 3.0 metres on one side of the parcel when no provision has been made for a private garage on the front or side of a building.

(3) Unless otherwise referenced in subsection (4), for a corner parcel the minimum building setback from a side property line shared with a street is 1.2 metres, provided there is no portion of a building, except for a projection allowed in 337(3), located within 3.0 metres of:

(a) the back of the public sidewalk; or

(b) the curb, where there is no public sidewalk.

(4) Where a corner parcel shares a side property line with a street and the parcel forms part of a plan of subdivision approved by the Calgary Planning Commission prior to March 31, 1980, the minimum building setback from that side property line is 1.2 metres.

(5) The building setback required in 2(b) may be reduced where the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, an exclusive private access easement:

(a) where the width of the easement, in combination with the reduced building setback, must be at least 3.0 metres; and

(b) provides unrestricted vehicle access to the rear of the parcel.

(6) One building setback from a side property line may be reduced to zero metres where:

(a) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a 2.4 metre private maintenance easement that provides for a 0.60 metre eave and footing encroachment easement; and

(b) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

Building Setback from Rear Property Line

398 The minimum building setback from a rear property line is 7.5 metres.
Building Height

For a Contextual Single Detached Dwelling and a Single Detached Dwelling, the maximum building height is the greater of:

(a) 8.6 metres; or
(b) the contextual height plus 1.5 metres, to a maximum of 10.0 metres.

For all other uses, the maximum building height is 10.0 metres.
Division 4: Residential – Contextual Narrow Parcel One Dwelling (R-C1N) District

Purpose

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

Permitted Uses

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

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

Discretionary Uses

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

(a) Addiction Treatment;
(a.1) Assisted Living;  
24P2011
(a.2) Backyard Suite;  
24P2014
(b) Bed and Breakfast;
(c) Community Entrance Feature;
(d) Custodial Care;
(d.1) Home Based Child Care – Class 2;  
17P2009
(e) Home Occupation – Class 2;
(f) Place of Worship – Small;
(g) Power Generation Facility – Small;
(h) Residential Care;
(h.1) Secondary Suite;
(h.2) deleted
(h.3) deleted
(i) Sign – Class B;
(j) Sign – Class C;
(k) Sign – Class E;
(l) Single Detached Dwelling;
(m) Temporary Residential Sales Centre; and
(n) Utility Building.

Rules
407 In addition to the rules in this District, all uses in this District must comply with:
   (a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;
   (b) the Rules Governing All Districts referenced in Part 3; and
   (c) the applicable Uses And Use Rules referenced in Part 4.

Number of Main Residential Buildings on a Parcel
408 The maximum number of main residential buildings on a parcel is one.

Parcel Width
409 (1) The minimum parcel width is:
   (a) 7.5 metres for a parcel containing a Contextual Single Detached Dwelling or Single Detached Dwelling;
   (b) 9.0 metres for a parcel containing a Backyard Suite or Secondary Suite, unless otherwise referenced in subsection (c); and
   (c) 7.5 metres for a parcel containing a Backyard Suite or Secondary Suite where:
       (i) it is located on a corner parcel or laned parcel; and
       (ii) 3.0 or more motor vehicle parking stalls are provided on the parcel;

(2) The maximum parcel width is 11.6 metres unless the parcel is:
   (a) a corner parcel;
(b) a parcel on the bulb of a cul-de-sac; or
(c) a parcel with a front property line shared with a street at a point where the street has a significant change in direction.

Parcel Depth
410 The minimum parcel depth is 22.0 metres.

Parcel Area
411 The minimum area of a parcel is 233.0 square metres.

Parcel Coverage
412 (1) Unless otherwise referenced in subsections (2) and (3), the maximum parcel coverage is 45.0 per cent of the area of a parcel.

(2) Unless otherwise referenced in subsection (3), the maximum parcel coverage is 50.0 per cent of the area of a parcel where:
   (a) the area of a parcel is equal to or less than 300.0 square metres; and
   (b) the parcel width is less than 10.0 metres.

(3) The maximum parcel coverage referenced in subsections (1) and (2) must be reduced by 21.0 square metres for each required motor vehicle parking stall that is not located in a private garage.

413 deleted

Building Setback Areas
414 The depth of all setback areas must be equal to the minimum building setback required in sections 415, 416 and 417.

Building Setback from Front Property Line
415 (1) For a Contextual Single Detached Dwelling and a Single Detached Dwelling, the minimum building setback from a front property line is the greater of:
   (a) the contextual front setback less 1.5 metres; or
   (b) 3.0 metres.

(2) deleted

(3) deleted

(4) For an addition or exterior alteration to a Single Detached Dwelling, which was legally existing or approved prior to the effective date of
this Bylaw, the minimum building setback from a front property line is the lesser of:

(a) the contextual front setback less 1.5 metres to a minimum of 3.0 metres; or

(b) the existing building setback less 1.5 metres to a minimum of 3.0 metres.

(5) For all other uses, the minimum building setback from a front property line is 3.0 metres.

Building Setback from Side Property Line

416 (1) For a laned parcel, the minimum building setback from any side property line is 1.2 metres.

(2) For a laneless parcel, the minimum building setback from any side property line is:

(a) 1.2 metres; or

(b) 3.0 metres on one side of the parcel when no provision has been made for a private garage on the front or side of a building.

(3) For a corner parcel, the minimum building setback from a side property line shared with a street is 1.2 metres, provided there is no portion of a building except for a projection allowed in 337(3), located within 3.0 metres of:

(a) the back of the public sidewalk; or

(b) the curb where there is no public sidewalk.

(4) The building setback required by subsection 2(b) may be reduced where the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, an exclusive private access easement:

(a) where the width of the easement, in combination with the reduced building setback, must be at least 3.0 metres; and

(b) that provides unrestricted vehicle access to the rear of the parcel.

(5) One building setback from a side property line may be reduced to zero metres where:

(a) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a minimum 1.5 metre private maintenance easement that provides for:
(i) a 0.30 metre eave encroachment easement with the requirement that the eaves must not be closer than 0.90 metres to the eaves on a building on an adjacent parcel; and

(ii) a 0.60 metre footing encroachment easement; and

(b) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

(6) deleted

Building Setback from Rear Property Line

The minimum building setback from a rear property line is 7.5 metres.

Building Height

(1) For a Contextual Single Detached Dwelling and a Single Detached Dwelling, the maximum building height is the greater of:

(a) 8.6 metres; or

(b) the contextual height plus 1.5 metres, to a maximum of 10.0 metres.

(2) deleted

(3) For all other uses, the maximum building height is 10.0 metres.

Motor Vehicle Parking Stalls

The minimum number of motor vehicle parking stalls is 2.0 stalls for a Contextual Single Detached Dwelling or Single Detached Dwelling, where either is located on a parcel with a parcel width less than 9.0 metres.
Division 5: Residential – Contextual One / Two Dwelling
(R-C2) District

Purpose
The Residential – Contextual One / Two Dwelling District is intended to accommodate existing residential development and contextually sensitive redevelopment in the form of Duplex Dwellings, Semi-detached Dwellings, and Single Detached Dwellings in the Developed Area.

Permitted Uses
(1) The following uses are permitted uses in the Residential – Contextual One / Two Dwelling District:

(a) Accessory Residential Building;

(a.1) Contextual Semi-detached Dwelling; 27P2011

(b) Contextual Single Detached Dwelling;

(b.1) Home Based Child Care – Class 1; 17P2009

(c) Home Occupation – Class 1;

(d) deleted

(e) Park;

(f) Protective and Emergency Service;

(f.1) Secondary Suite; 33P2011

(g) Sign – Class A; and

(h) deleted

(i) Utilities.

(2) The following uses are permitted uses on a parcel that has a building used or previously used as a Community Recreation Facility or School Authority – School:

(a) Community Recreation Facility;

(b) School Authority – School; and

(c) School Authority Purpose – Minor.

Discretionary Uses
(1) The following uses are discretionary uses in the Residential – Contextual One / Two Dwelling District:

(a) Addiction Treatment;

(a.1) Assisted Living; 24P2011

(a.2) Backyard Suite; 24P2014
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(b) Bed and Breakfast;
(c) Community Entrance Feature;
(d) Custodial Care;

(d.1) deleted
(e) Duplex Dwelling;

(e.1) Home Based Child Care – Class 2;
(f) Home Occupation – Class 2;
(g) Place of Worship – Small;
(h) Power Generation Facility – Small;
(i) Residential Care;

(j) deleted

(j.1) deleted

(j.2) deleted

(k) Semi-detached Dwelling;
(l) Sign – Class B;
(m) Sign – Class C;
(n) Sign – Class E;
(o) Single Detached Dwelling;
(p) Temporary Residential Sales Centre; and
(q) Utility Building.

(2) The following uses are additional discretionary uses if they are located in buildings used or previously used as Community Recreation Facility or School Authority – School in the Residential – Contextual One / Two Dwelling District:

(a) Child Care Service;
(b) Library;
(c) Museum;
(d) School Authority Purpose – Major;
(e) School – Private; and
(f) Service Organization.

(3) The following uses are additional discretionary uses on a parcel in the Residential – Contextual One / Two Dwelling District that has a building used or previously used as School Authority – School:

(a) Community Recreation Facility;
(b) Food Kiosk;
(c) Indoor Recreation Facility;
(d) Outdoor Recreation Area;
(e) Park Maintenance Facility – Large; and
(f) Park Maintenance Facility – Small.

(4) The following uses are additional discretionary uses on a parcel that has an existing building used as a Place of Worship – Large or Place of Worship – Medium provided any new development proposed does not result in the increase of any assembly area:
(a) Place of Worship – Large; and
(b) Place of Worship – Medium.

Rules
427 In addition to the rules in this District, all uses in this District must comply with:
(a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;
(b) the Rules Governing All Districts referenced in Part 3;
(c) the applicable Uses And Use Rules referenced in Part 4; and
(d) the applicable rules for the Special Purpose – Community Service District for those uses referenced in sections 425(2) and 426(2) and (3).

Number of Main Residential Buildings on a Parcel
428 The maximum number of main residential buildings on a parcel is one.

Parcel Width
429 The minimum parcel width is:
(a) 7.5 metres for a parcel containing a Contextual Single Detached Dwelling or Single Detached Dwelling;
(a.1) 9.0 metres for a parcel containing a Backyard Suite or Secondary Suite in a Contextual Single Detached Dwelling or Single Detached Dwelling, unless otherwise referenced in subsection (a.2);
(a.2) 7.5 metres for a parcel containing a Backyard Suite or Secondary Suite in a Contextual Single Detached Dwelling or Single Detached Dwelling where:
(i) it is located on a corner parcel or laned parcel; and
(ii) 3.0 or more motor vehicle parking stalls are provided on the parcel.
(b) 13.0 metres for a parcel containing a Duplex Dwelling; and

(c) deleted

(d) 13.0 metres for a parcel containing a Contextual Semi-detached Dwelling or a Semi-detached Dwelling and if a parcel containing a Contextual Semi-detached Dwelling or a Semi-detached Dwelling is subsequently subdivided, a minimum parcel width of 6.0 metres must be provided for each Dwelling Unit.

Parcel Depth

430 The minimum parcel depth is 22.0 metres.

Parcel

431 The minimum area of a parcel is:

(a) 233.0 square metres for a parcel containing a Contextual Single Detached Dwelling or Single Detached Dwelling;

(b) 400.0 square metres for a parcel containing a Duplex Dwelling; and

(c) deleted

(d) 400.0 square metres for a parcel containing a Contextual Semi-detached Dwelling or a Semi-detached Dwelling, and if a parcel containing a Contextual Semi-detached Dwelling or a Semi-detached Dwelling is subsequently subdivided, a minimum parcel area of 180.0 square metres must be provided for each Dwelling Unit.

Parcel Coverage

432 The maximum parcel coverage is 45.0 per cent of the area of a parcel, which must be reduced by 21.0 square metres for each required motor vehicle parking stall that is not provided in a private garage.

Building Setback from Front Property Line

435 (1) For a Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling
and a Single Detached Dwelling, the minimum building setback from a front property line is the greater of:
(a) the contextual front setback less 1.5 metres; or
(b) 3.0 metres.

(2) deleted

(3) For an addition or exterior alteration to a Duplex Dwelling, Semi-detached Dwelling, or Single Detached Dwelling which was legally existing or approved prior to the effective date of this Bylaw, the minimum building setback from a front property line is the lesser of:
(a) the contextual front setback less 1.5 metres to a minimum of 3.0 metres; or
(b) the existing building setback less 1.5 metres to a minimum of 3.0 metres.

(4) deleted

(5) For all other uses, the minimum building setback from a front property line is 3.0 metres.

Building Setback from Side Property Line

436 (1) For a laned parcel, the minimum building setback from any side property line is 1.2 metres.

(2) For a laneless parcel, the minimum building setback from any side property line is:
(a) 1.2 metres; or
(b) 3.0 metres on one side of the parcel when no provision is made for a private garage on the front or side of a building.

(3) For a parcel containing a Contextual Semi-detached Dwelling or a Semi-detached Dwelling, there is no requirement for a building setback from the side property line upon which the party wall is located.

(4) Unless otherwise referenced in subsection (5), for a corner parcel, the minimum building setback from a side property line shared with a street is 1.2 metres, provided there is no portion of a building, except for a projection allowed in 337(3), located within 3.0 metres of:
(a) the back of the public sidewalk; or
(b) the curb where there is no public sidewalk.

(5) Where a corner parcel shares a side property line with a street and the parcel forms part of a plan of subdivision approved by the
Calgary Planning Commission prior to March 31, 1980, the minimum building setback from that side property line is 1.2 metres.

(6) The building setback from a side property line of 3.0 metres required in subsection 2(b) may be reduced where the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, an exclusive private access easement:

(a) where the width of the easement, in combination with the reduced building setback, must be at least 3.0 metres; and

(b) that provides unrestricted vehicle access to the rear of the parcel.

(7) One building setback from a side property line may be reduced to zero metres where:

(a) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a 2.4 metre private maintenance easement that provides for a 0.60 metre eave and footing encroachment easement; and

(b) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

Building Setback from Rear Property Line

437 The minimum building setback from a rear property line is 7.5 metres.

Building Height

438 (1) For a Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling and a Single Detached Dwelling, the maximum building height is the greater of:

(a) 8.6 metres; or

(b) the contextual height plus 1.5 metres, to a maximum of 10.0 metres.

(2) deleted

(3) For all other uses, the maximum building height is 10.0 metres.

439 deleted

440 deleted

441 deleted

442 deleted
Motor Vehicle Parking Stalls

443 (1) Unless otherwise referenced in subsection (2) and (3), the minimum number of motor vehicle parking stalls is the requirement referenced in Part 4.

(2) The minimum number of motor vehicle parking stalls for each Contextual Single Detached Dwelling and Single Detached Dwelling is 2.0 stalls per Dwelling Unit where:

(a) the parcel width is less than 9.0 metres and the parcel is part of a plan of subdivision approved after September 7, 1982; or

(b) the area of the parcel is less than 270.0 square metres and the parcel is part of a plan of subdivision approved after September 7, 1982.

(3) The minimum number of motor vehicle parking stalls for a Secondary Suite contained in a Contextual Semi-detached Dwelling or Semi-detached Dwelling is reduced to 0.0 stalls, where 2.0 motor vehicle parking stalls are provided for each Dwelling Unit.
Division 6: Residential – One Dwelling (R-1) (R-1s) District

Purpose

444 (1) The Residential – One Dwelling District is intended to accommodate residential development in the form of Single Detached Dwellings in the Developing Area.

(2) Parcels designated R-1s are intended to accommodate a Secondary Suite as a permitted use on the same parcel as a Single Detached Dwelling.

Permitted Uses

445 The following uses are permitted uses in the Residential – One Dwelling District:

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

Discretionary Uses

446 The following uses are discretionary uses in the Residential – One Dwelling District:

(a) Addiction Treatment;
(a.1) Assisted Living;
(a.2) Backyard Suite;
(b) Bed and Breakfast;
(c) Community Entrance Feature;
(d) Custodial Care;
(d.1) Home Based Child Care – Class 2;
(e) Home Occupation – Class 2;
(f) Place of Worship – Small;
(g) Power Generation Facility – Small;
(h) Residential Care;
Permitted and Discretionary Uses for Parcels Designated R-1s

(1) **Parcels** designated R-1s have the same permitted uses referenced in section 445 with the additional permitted uses of:

(a) **Secondary Suite**.

(2) **Parcels** designated R-1s have the same discretionary uses referenced in section 446 with the additional discretionary uses of:

(a) **Backyard Suite**.

Rules

(1) In addition to the rules in this District, all uses in this District must comply with:

(a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Number of Main Residential Buildings on a Parcel

The maximum number of main residential buildings on a parcel is one.

Parcels Containing Suites

Parcel Width

(1) The minimum parcel width is 10.0 metres.

Parcel Depth

(1) The minimum parcel depth is 22.0 metres.

Parcel Area

(1) The minimum area of a parcel is 330.0 square metres.

Parcel Coverage

(1) The maximum parcel coverage is 45.0 per cent of the area of a parcel, which must be reduced by 21.0 square metres for each required motor vehicle parking stall that is not provided in a private garage.
Building Setback Areas

454 The depth of all *setback areas* must be equal to the minimum *building setback* required by sections 455, 456 and 457.

Building Setback from Front Property Line

455 The minimum *building setback* from a *front property line* is:

(a) 2.0 metres for a *laned parcel*; and

(b) 3.0 metres for a *laneless parcel*.

Building Setback from Side Property Line

456  (1) For a *laned parcel*, the minimum *building setback* from any *side property line* is 1.2 metres.

(2) For a *laneless parcel*, the minimum *building setback* from any *side property line* is:

(a) 1.2 metres; or

(b) 3.0 metres on one side of the *parcel*, when no provision has been made for a *private garage* on the front or side of a *building*.

(3) For a *corner parcel*, the minimum *building setback* from a *side property line* shared with a *street* is 1.2 metres, provided there is no portion of a *building*, except for a projection allowed in 337(3), located within 3.0 metres of:

(a) the back of the public sidewalk; or

(b) the curb where there is no public sidewalk.

(4) The *building setback* required in subsection 2(b) may be reduced where the owner of the *parcel* proposed for *development* and the owner of the *adjacent parcel* register, against both titles, an exclusive private access easement:

(a) where the width of the easement, in combination with the reduced *building setback*, must be at least 3.0 metres; and

(b) provides unrestricted vehicle access to the rear of the *parcel*.

(5) One *building setback* from a *side property line* may be reduced to zero metres where:

(a) the owner of the *parcel* proposed for *development* and the owner of the *adjacent parcel* register, on both titles, a 2.4 metre private maintenance easement that provides for a 0.60 metre eave and footing encroachment easement; and
(b) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

Building Setback from Rear Property Line

457 The minimum building setback from a rear property line is 7.5 metres.

Building Height

458 (1) The maximum building height is 11.0 metres where:

(a) the area of the parcel is less than 400.0 square metres; or

(b) the parcel width is less than 15.0 metres.

(2) The maximum building height is 12.0 metres where:

(a) the area of the parcel is equal to or greater than 400.0 square metres; and

(b) the parcel width is equal to or greater than 15.0 metres.
Division 7: Residential – Narrow Parcel One Dwelling (R-1N) District

Purpose
459 The Residential – Narrow Parcel One Dwelling District is intended to accommodate residential development in the form of Single Detached Dwellings in the Developing Area on narrow or small parcels.

Permitted Uses
460 The following uses are permitted uses in the Residential – Narrow Parcel One Dwelling District:
   (a) Accessory Residential Building;
   (a.1) Home Based Child Care – Class 1; 17P2009
   (b) Home Occupation – Class 1;
   (c) Park;
   (d) Protective and Emergency Service;
   (e) Sign – Class A;
   (f) Single Detached Dwelling; and 4P2012
   (g) deleted 4P2012
   (h) Utilities.

Discretionary Uses
461 The following uses are discretionary uses in the Residential – Narrow Parcel One Dwelling District:
   (a) Addiction Treatment;
   (a.1) Assisted Living 24P2011
   (a.2) Backyard Suite; 24P2014
   (b) Bed and Breakfast;
   (c) Community Entrance Feature;
   (d) Custodial Care;
   (d.1) Home Based Child Care – Class 2; 17P2009
   (e) Home Occupation – Class 2;
   (f) Place of Worship – Small;
   (g) Power Generation Facility – Small;
   (h) Residential Care;
   (h.1) Secondary Suite; 34P2010
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34P2010, 24P2014  
(h.2) *deleted*

34P2010, 24P2014  
(h.3) *deleted*

(i) Sign – Class B;
(j) Sign – Class C;
(k) Sign – Class E;
(l) Temporary Residential Sales Centre; and
(m) Utility Building.

Rules

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

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

13P2008

Number of Main Residential Buildings on a Parcel

463 The maximum number of *main residential buildings* on a *parcel* is one.

Parcel Width

3P2010, 34P2010  
464 (1) The minimum *parcel width* is:

(a) 7.5 metres for a *parcel* containing a *Single Detached Dwelling*;

23P2016  
(b) 9.0 metres for a *parcel* containing a *Backyard Suite* or *Secondary Suite*, unless otherwise referenced in subsection (c); and

24P2014, 23P2016  
(c) 7.5 metres for a *parcel* containing a *Backyard Suite* or *Secondary Suite* where:

(i) it is located on a *corner parcel* or *laned parcel*, and
(ii) 3.0 or more *motor vehicle parking stalls* are provided on the *parcel*.

(2) The maximum *parcel width* is 11.6 metres unless the *parcel* is:

(a) a *corner parcel*;

(b) a *parcel* on the bulb of a cul-de-sac; or

(c) a *parcel* with a *front property line* shared with a *street* at a point where the *street* has a significant change in direction.
Parcel Depth

465 The minimum parcel depth is 22.0 metres.

Parcel Area

466 The minimum area of a parcel is 233.0 square metres.

Parcel Coverage

467 (1) Unless otherwise referenced in subsections (2), (3) and (4), the maximum parcel coverage is 50.0 per cent of the area of a parcel.

(2) Unless otherwise referenced in subsections (3) and (4), the maximum parcel coverage is 60.0 per cent of the area of a parcel where:

(a) the area of a parcel is less than 300.0 square metres; and

(b) the parcel width is less than 8.7 metres.

(3) Unless otherwise referenced in subsection (4), the maximum parcel coverage is 45.0 per cent of the area of a parcel where the parcel width is greater than 11.0 metres.

(4) The maximum parcel coverage referenced in subsections (1), (2) and (3) must be reduced by 21.0 square metres for each required motor vehicle parking stall that is not located in a private garage.

Building Setback Areas

468 The minimum depth of all setback areas must be equal to the minimum building setback required in sections 469, 470 and 471.

Building Setback from Front Property Line

469 The minimum building setback from a front property line is:

(a) 2.0 metres for a laned parcel; and

(b) 3.0 metres for a laneless parcel.

Building Setback from Side Property Line

470 (1) For a laned parcel, the minimum building setback from any side property line is 1.2 metres.

(2) For a laneless parcel, the minimum building setback from any side property line is:

(a) 1.2 metres; or

(b) 3.0 metres on one side of the parcel, when no provision has been made for a private garage on the front or side of a building.
(3) For a corner parcel, the minimum building setback from a side property line shared with a street is 1.2 metres, provided there is no portion of a building, except for a projection allowed in 337(3), located within 3.0 metres of:

(a) the back of the public sidewalk; or

(b) the curb where there is no public sidewalk.

(4) The building setback required in subsection 2(b) may be reduced where the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, an exclusive private access easement:

(a) where the width of the easement, in combination with the reduced building setback, must be at least 3.0 metres; and

(b) that provides unrestricted vehicle access to the rear of the parcel.

(5) One building setback from a side property line may be reduced to zero metres where:

(a) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a minimum 1.5 metre private maintenance easement that provides for:

   (i) a 0.30 metre eave encroachment easement with the requirement that the eaves must not be closer than 0.90 metres to the eaves on a building on an adjacent parcel, and

   (ii) a 0.60 metre footing encroachment easement; and

(b) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

(6) deleted

Building Setback from Rear Property Line

The minimum building setback from a rear property line is 7.5 metres.

Building Height

(1) Unless otherwise referenced in subsection (2), the maximum building height is 10.0 metres.

(2) The maximum building height is 11.0 metres where:

(a) the area of the parcel is equal to or greater than 400.0 square metres; and
(b) the *parcel width* is equal to or greater than 10.0 metres.

**Motor Vehicle Parking Stalls**

*473* The minimum number of *motor vehicle parking stalls* is 2.0 stalls for a Single Detached Dwelling located on a *parcel* with a *parcel width* less than 9.0 metres.
Division 8: Residential – One / Two Dwelling (R-2) District

Purpose

The Residential – One / Two Dwelling District is intended to accommodate residential development in the form of Single Detached Dwellings, Semi-detached Dwellings and Duplex Dwellings in the Developing Area.

Permitted Uses

The following uses are permitted uses in the Residential – One / Two Dwelling District:

(a) Accessory Residential Building;
(b) Duplex Dwelling;
(b.1) Home Based Child Care – Class 1;
(c) Home Occupation – Class 1;
(d) Park;
(e) Protective and Emergency Service;
(e.1) Secondary Suite;
(f) Semi-detached Dwelling;
(g) Sign – Class A;
(h) Single Detached Dwelling; and
(i) deleted
(j) Utilities.

Discretionary Uses

The following uses are discretionary uses in the Residential – One / Two Dwelling District:

(a) Addiction Treatment;
(a.1) Assisted Living
(a.2) Backyard Suite;
(b) Bed and Breakfast;
(c) Community Entrance Feature;
(d) Custodial Care;
(d.1) Home Based Child Care – Class 2;
(e) Home Occupation – Class 2;
(f) Place of Worship – Small;
(g) Power Generation Facility – Small;
(h) Residential Care;

12P2010

(i) deleted
12P2010, 24P2014

(i.1) deleted
12P2010, 24P2014

(i.2) deleted

(j) Sign – Class B;
(k) Sign – Class C;
(l) Sign – Class E;
(m) Temporary Residential Sales Centre; and
(n) Utility Building.

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

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

13P2008

Number of Main Residential Buildings on a Parcel
478 The maximum number of main residential buildings on a parcel is one.

Parcel Width
479 The minimum parcel width is:

(a) 7.5 metres for a parcel containing a Single Detached Dwelling;
34P2010, 23P2016, 76P2019

(a.1) 9.0 metres for a parcel containing a Backyard Suite or Secondary Suite in a Single Detached Dwelling, unless otherwise referenced in subsection (a.2);
23P2016, 76P2019

(a.2) 7.5 metres for a parcel containing a Backyard Suite or Secondary Suite in a Single Detached Dwelling where:

(i) it is located on a corner parcel or laned parcel; and
(ii) 3.0 or more motor vehicle parking stalls are provided on the parcel;
23P2016

(b) 13.0 metres for a parcel containing a Duplex Dwelling; and

(c) deleted
(d) 13.0 metres for a **parcel** containing a **Semi-detached Dwelling**, and if a **parcel** containing a **Semi-detached Dwelling** is subsequently subdivided, a minimum **parcel width** of 6.0 metres must be provided for each **Dwelling Unit**.

**Parcel Depth**

480 The minimum **parcel depth** is 22.0 metres.

**Parcel Area**

481 The minimum area of a **parcel** is:

(a) 330.0 square metres for a **parcel** containing a **Single Detached Dwelling**;

(b) 400.0 square metres for a **parcel** containing a **Duplex Dwelling**; and

(c) deleted

(d) 400.0 square metres for a **parcel** containing a **Semi-detached Dwelling**, and if a **parcel** containing a **Semi-detached Dwelling** is subsequently subdivided, a minimum area of 180.0 square metres must be provided for each **Dwelling Unit**.

**Parcel Coverage**

482 (1) Unless otherwise referenced in subsection (3), the maximum **parcel coverage** for a **Single Detached Dwelling** is 45.0 per cent of the area of a **parcel**.

(2) Unless otherwise referenced in subsection (3), the maximum **parcel coverage** for a **Semi-detached Dwelling** or **Duplex Dwelling** is 50.0 per cent of the area of a **parcel**.

(3) The maximum **parcel coverage** referenced in subsections (1) and (2) must be reduced by 21.0 square metres for each required **motor vehicle parking stall** that is not located in a **private garage**.

(4) For all other **uses**, the maximum **parcel coverage** is 45.0 per cent.

**Building Setback Areas**

483 The depth of all **setback areas** must be equal to the minimum **building setback** required in sections 484, 485 and 486.
Building Setback from Front Property Line

The minimum building setback from a front property line is:

(a) 2.0 metres for a laned parcel; and
(b) 3.0 metres for a laneless parcel.

Building Setback from Side Property Line

(1) For a laned parcel, the minimum building setback from any side property line is 1.2 metres.

(2) For a laneless parcel, the minimum building setback from any side property line is:

(a) 1.2 metres; or
(b) 3.0 metres on one side of the parcel, when no provision is made for a private garage on the front or side of a building.

(3) For a parcel containing a Semi-detached Dwelling, there is no requirement for a building setback from the property line upon which the party wall is located.

(4) For a corner parcel, the minimum building setback from a side property line shared with a street is 1.2 metres, provided there is no portion of a building, except for a projection allowed in 337(3), located within 3.0 metres of:

(a) the back of the public sidewalk; or
(b) the curb where there is no public sidewalk.

(5) The building setback required in subsection 2(b) may be reduced where the owner of the parcel proposed for development and the owner of the adjacent parcel registers, against both titles, an exclusive private access easement:

(a) where the width of the easement, in combination with the reduced building setback, must be at least 3.0 metres; and
(b) provides unrestricted vehicle access to the rear of the parcel.

(6) One building setback from a side property line may be reduced to zero metres where:
(a) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a 2.4 metre private maintenance easement that provides for a 0.60 metre eave and footing encroachment easement; and

(b) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

Building Setback from Rear Property Line

486 The minimum building setback from a rear property line is 7.5 metres.

Building Height

487 (1) Unless otherwise referenced in subsection (2), the maximum building height is 10.0 metres for a Single Detached Dwelling.

(2) The maximum building height is 11.0 metres for Single Detached Dwellings where:

   (a) the area of the parcel is equal to or greater than 400.0 square metres; and

   (b) the parcel width is equal to or greater than 10.0 metres.

(3) The maximum building height for Duplex Dwellings and Semi-detached Dwellings is 11.0 metres.

(4) The maximum building height for all other uses is 10.0 metres.

Motor Vehicle Parking Stalls

488 (1) Unless otherwise referenced in subsection (2) and (3), the minimum number of motor vehicle parking stalls is the requirement referenced in Part 4.

(2) The minimum number of motor vehicle parking stalls for each Single Detached Dwelling is 2.0 stalls per Dwelling Unit where:

   (a) the parcel width is less than 9.0 metres and the parcel is part of a plan of subdivision approved after September 7, 1982; or

   (b) the area of the parcel is less than 270.0 square metres and the parcel is part of a plan of subdivision approved after September 7, 1982.

(3) The minimum number of motor vehicle parking stalls for a Secondary Suite contained in a Semi-detached Dwelling is reduced to 0.0 stalls, where 2.0 motor vehicle parking stalls are provided for each Dwelling Unit.
Division 9: Residential – Low Density Multiple Dwelling (R-2M) District

Purpose

The Residential – Low Density Multiple Dwelling District (R-2M) is intended to primarily accommodate comprehensively designed low density residential development in the form of Duplex Dwellings, Rowhouse Buildings, Semi-detached Dwellings, and Townhouses in the Developing Area.

Permitted Uses

The following uses are permitted uses in the Residential – Low Density Multiple Dwelling District:

(a) Accessory Residential Building;

(a.1) Home Based Child Care – Class 1;

(b) Home Occupation – Class 1;

(c) deleted

(d) Park;

(e) Protective and Emergency Service;

(f) Rowhouse Building;

(g) Sign – Class A; and

(h) deleted

(i) Utilities.

The following uses are permitted uses in the Residential – Low Density Multiple Dwelling District where there is only one main residential building located on a parcel:

(a) Duplex Dwelling;

(b) Secondary Suite; and

(c) Semi-detached Dwelling.

Discretionary Uses

Uses listed in Section 490.1 are discretionary uses in the Residential – Low Density Multiple Dwelling District where there is more than one main residential building on a parcel.

The following uses are discretionary uses in the Residential – Low Density Multiple Dwelling District:

(a) Addiction Treatment;

(a.1) Assisted Living

(a.2) Backyard Suite;
PART 5 - DIVISION 9: R-2M

(b) Bed and Breakfast;
(c) Community Entrance Feature;
(d) Custodial Care;
(d.1) Home Based Child Care – Class 2;
(e) Home Occupation – Class 2;
(f) Place of Worship – Small;
(g) Power Generation Facility – Small;
(h) Residential Care;
(i) deleted
(i.1) deleted
(i.2) deleted
(j) Sign – Class B;
(k) Sign – Class C;
(k.1) Sign – Class D;
(l) Sign – Class E;
(m) Single Detached Dwelling;
(n) Temporary Residential Sales Centre;
(o) Townhouse; and
(p) Utility Building.

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

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

Density
493 The maximum density for a parcel designated Residential – Low Density Multiple Dwelling District is:

(a) 50 units per hectare for Rowhouse Buildings;
(b) 50 units per hectare for Townhouses when:
   (i) all of the buildings containing units face a street; and
(ii) each unit has a separate, direct exterior access facing a public road that is not a private condominium roadway;

(c) 38 units per hectare for Townhouses in all other cases.

Parcel Width

494 The minimum parcel width is:

(a) 10.0 metres for a parcel containing a Single Detached Dwelling;

(b) 13.0 metres for a parcel containing a Duplex Dwelling;

(c) deleted

(d) 13.0 metres for a parcel containing a Semi-detached Dwelling, and if a parcel containing a Semi-detached Dwelling is subsequently subdivided, a minimum parcel width of 6.0 metres must be provided for each Dwelling Unit; and

(e) 5.0 metres for an individual parcel containing a Dwelling Unit in a Rowhouse Building or Townhouse.

Parcel Depth

495 The minimum parcel depth is 22.0 metres.

Parcel Area

496 The minimum parcel area is:

(a) 330.0 square metres for a parcel containing a Single Detached Dwelling;

(b) 400.0 square metres for a parcel containing a Duplex Dwelling;

(c) deleted

(d) 400.0 square metres for a parcel containing a Semi-detached Dwelling, and if a parcel containing a Semi-detached Dwelling is subsequently subdivided, a minimum area of 180.0 square metres must be provided for each Dwelling Unit; and

(e) 160.0 square metres for a parcel containing an individual Dwelling Unit in a Rowhouse Building or Townhouse.
Parcel Coverage

497 (1) Unless otherwise referenced in subsection (2), the maximum parcel coverage is:

(a) 45.0 per cent of the area of the parcel for each Single Detached Dwelling;

(b) 50.0 per cent of the area of the parcel for each Semi-detached Dwelling and Duplex Dwelling; and

(c) 60.0 per cent of the area of the parcel for each Rowhouse Building or Townhouse.

(2) The maximum parcel coverage referenced in subsection (1), must be reduced by 21.0 square metres for each required motor vehicle parking stall that is not located in a private garage.

Building Setback Areas

498 The depth of all setback areas must be equal to the minimum building setback required in sections 499, 500 and 501.

Building Setback from Front Property Line

499 The minimum building setback from a front property line is:

(a) 2.0 metres for a laned parcel; and

(b) 3.0 metres for a laneless parcel.

Building Setback from Side Property Line

500 (1) For a laned parcel, the minimum building setback from any side property line is 1.2 metres.

(2) For a laneless parcel, the minimum building setback from any side property line is:

(a) 1.2 metres; or

(b) 3.0 metres on one side of the parcel, when no provision is made for a private garage on the front or side of a building.

(3) For a corner parcel, the minimum building setback from a side property line shared with a street is 1.2 metres, provided there is no portion of a building, except for a projection allowed in 337(3), located within 3.0 metres of:

(a) the back of the public sidewalk; or

(b) the curb where there is no public sidewalk.

(4) For a parcel with a Rowhouse Building, Semi-detached Dwelling, or Townhouse there is no requirement for a building setback from the property line on which a party wall is located that separates two or more Dwelling Units.
(5) The building setback required in subsection 2(b) may be reduced where the owner of the parcel proposed for development and the owner of the adjacent parcel registers, against both titles, an exclusive private access easement:

(a) where the width of the easement, in combination with the reduced building setback, must be at least 3.0 metres; and

(b) that provides unrestricted vehicle access to the rear of the parcel.

(6) One building setback from a side property line may be reduced to zero metres where:

(a) the owner of the parcel proposed for development and the owner of the adjacent parcel registers, against both titles, a 2.4 metre private maintenance easement that provides for a 0.60 metre eave and footing encroachment easement; and

(b) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

Building Setback from Rear Property Line

501 The minimum building setback from a rear property line for a Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling, Single Detached Dwelling and Townhouse is 7.5 metres.

Building Height

502 The maximum building height is 11.0 metres.

Garbage

503 (1) Where the development is a Townhouse, garbage and waste material must be stored either:

(a) inside a building; or

(b) in a garbage container enclosure approved by the Development Authority.

(2) A garbage container enclosure:

(a) must not be located in an actual front setback area;

(b) must not be located in an actual side setback area on the public street side of a corner parcel; and

(c) unless specified in subsection (3) must not be located in any setback area.

(3) A garbage container enclosure may be located in a setback area provided that:

24P2014

41P2009

41P2009

41P2009

41P2009
(a) the wall of the enclosure is constructed of maintenance free materials; and

(b) there is no overhang of eaves onto an adjacent parcel or lane.

Recycling Facilities

504 Recycling facilities must be provided for all developments containing Rowhouse Buildings and Townhouses.

Motor Vehicle Parking Stalls

505 (1) Unless otherwise referenced in subsection (2) and (3), the minimum number of motor vehicle parking stalls is the requirement referenced in Part 4.

(2) The minimum number of motor vehicle parking stalls for each Single Detached Dwelling is 2.0 stalls per Dwelling Units where:

(a) the parcel width is less than 9.0 metres and the parcel is part of a plan of subdivision approved after September 7, 1982; or

(b) the area of the parcel is less than 270.0 square metres and the parcel is part of a plan of subdivision approved after September 7, 1982.

(3) The minimum number of motor vehicle parking stalls for a Secondary Suite contained in a Semi-detached Dwelling is reduced to 0.0 stalls, where 2.0 motor vehicle parking stalls are provided for each Dwelling Unit.
Division 10: Residential – Manufactured Home (R-MH) District

Purpose

506 (1) The Residential – Manufactured Home District is intended to accommodate existing and new residential development in the form of Manufactured Home Parks and Manufactured Homes in the Developed Area and the Developing Area.

(2) Areas of land greater than 16.0 hectares and less than 8.0 hectares should not be designated Residential - Manufactured Home District for a Manufactured Home Park.

Permitted Uses

507 The following uses are permitted uses in the Residential – Manufactured Home District:

(a) Accessory Residential Building;

(a.1) Home Based Child Care – Class 1;

(b) Home Occupation – Class 1;

(c) Manufactured Home;

(d) Park;

(e) Protective and Emergency Service;

(f) Sign – Class A; and

(g) deleted

(h) Utilities.

Discretionary Uses

508 The following uses are discretionary uses in the Residential – Manufactured Home District:

(a) Community Entrance Feature;

(b) Home Occupation – Class 2;

(c) Manufactured Home Park;

(d) Power Generation Facility – Small;

(e) Sign – Class B;

(f) Sign – Class C;

(g) Sign – Class E;
(h) Temporary Residential Sales Centre; and

(i) Utility Building.

Rules

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

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

Density

510 The maximum density for a Manufactured Home located on a individual parcel is one unit per parcel.

Parcel Width

511 The minimum parcel width is 9.8 metres.

Parcel Frontage

512 The minimum frontage on an internal roadway is 9.0 metres.

Parcel Area

513 The minimum area of a parcel is 270.0 square metres.

Parcel Coverage

514 The maximum parcel coverage is 45.0 per cent of the area of the parcel, which must be reduced by 21.0 square metres for each required motor vehicle parking stall that is not located in a private garage.

Building Setback Areas

515 The depth of all setback areas must be equal to the minimum building setback required in section 516.

Building Setbacks from a Property Line

516 The minimum building setback for a Manufactured Home located on an individual parcel is:

(a) 3.0 metres from a front property line;
(b) 1.2 metres from any side property line; and
(c) 3.0 metres from a rear property line.
Projections into Setback Areas
517 The provisions referenced in sections 334, 335, 336, 337 and 338 do not apply to buildings in the Residential – Manufactured Home District.

Building Height
518 The maximum building height is 5.0 metres.

Outdoor Private Amenity Space
519 (1) Each Manufactured Home must have a private amenity space located outdoors that:
   (a) has a minimum area of 42.0 square metres with no dimension being less than 3.6 metres; and
   (b) must be provided immediately contiguous to the main entrance of the Manufactured Home.

   (2) A private amenity space located outdoors must not be used for motor vehicle parking stalls or contain an Accessory Residential Building.

Manufactured Home Installation
520 A Manufactured Home, when located on an individual parcel or within a Manufactured Home Park:
   (a) must be fixed to a permanent foundation or blocked and anchored on the parcel;
   (b) must be skirted; and
   (c) must have the hitch removed or skirted.

Accessory Residential Building
521 The minimum separation distance between the façades of an Accessory Residential Building and a Manufactured Home is 1.0 metres.

Manufactured Home Park
522 (1) The minimum area of a parcel used for a Manufactured Home Park is 8.0 hectares and the maximum is 16.0 hectares.

   (2) In a Manufactured Home Park each Manufactured Home must:
      (a) be located entirely within the bounds of a Manufactured Home site, as shown on an approved site plan;
      (b) be on a site, that abuts an internal road, with a minimum width of 4.3 metres;
PART 5 - DIVISION 10: R-MH

(c) be on a site which must have a private driveway that provides direct access to an internal road;

(d) be located on a clearly defined site marked by permanent flush stakes or markers;

(e) be addressed with a number;

(f) be located on a site with a minimum area of 240.0 square metres, with a minimum mean width of 9.0 metres; and

(g) be installed on a concrete or asphalt pad, which must be located:

(i) a minimum of 5.0 metres from any adjacent concrete or asphalt pad provided for another Manufactured Home;

(ii) a minimum of 3.0 metres from any property line;

(iii) a minimum of 3.0 metres from any internal road; and

(iv) a minimum of 15.0 metres from any concrete or asphalt pad provided for another Manufactured Home or another permanent building located on the opposite side of an internal roadway.

(3) A Manufactured Home Park must be provided with street lighting.

(4) In a Manufactured Home Park all buildings must have a minimum building setback of 3.0 metres from an internal road, street or a parcel that is not designated Residential - Manufactured Home District.

(5) All areas of a Manufactured Home Park must be landscaped when not developed or occupied by buildings or other facilities, concrete or asphalt pads for Manufactured Homes, driveways, internal roads, parking areas or walkways.

(6) A minimum of 10.0 per cent of the total area of a Manufactured Home Park must be provided for the recreational use of the residents.

Garbage

41P2009

523 (1) Where the development is a Manufactured Home Park, garbage and waste material must be stored either:

(a) inside a building; or

(b) in a garbage container enclosure approved by the Development Authority.
(2) A garbage container enclosure:
   (a) must not be located in an actual front setback area;
   (b) must not be located in an actual side setback area on the public street side of a corner parcel; and
   (c) unless specified in subsection (3) must not be located in any setback area.

(3) A garbage container enclosure may be located in a setback area provided that:
   (a) the wall of the enclosure is constructed of maintenance free materials; and
   (b) there is no overhang of eaves onto an adjacent parcel or lane.

Recycling Facilities
524 Recycling facilities must be provided for a Manufactured Home Park.
Division 11: Residential – Grade-Oriented Infill (R-CG) (R-CGex) District

Purpose

(1) The Residential – Grade-Oriented Infill (R-CG) District:
   a. accommodates existing residential development;
   b. accommodates grade-oriented development in the form of Rowhouse Buildings, Duplex Dwellings, Semi-detached Dwellings and Cottage Housing Clusters;
   c. accommodates Secondary Suites and Backyard Suites with new and existing residential development;
   d. provides flexible parcel dimensions and building setbacks that facilitate integration of a diversity of grade-oriented housing over time; and
   e. accommodates site and building design that is adaptable to the functional requirements of evolving household needs.

(2) The Residential – Grade-Oriented Infill (R-CGex) District has the same purpose as the Residential – Grade-Oriented Infill (R-CG) District except that it does not accommodate Secondary Suites or Backyard Suites.

Permitted Uses

(1) The following uses are permitted uses in the Residential – Grade-Oriented Infill District:
   a. Accessory Residential Building;
   b. Contextual Semi-detached Dwelling;
   c. Home Based Child Care – Class 1;
   d. Home Occupation – Class 1;
   e. Park;
   f. Protective and Emergency Service;
   g. Secondary Suite;
   h. Sign – Class A; and
   i. Utilities.

(2) A Rowhouse Building is a permitted use in the Residential – Grade-Oriented Infill District where a Rowhouse Building complies with all the rules in the district for that use and where a Rowhouse Building complies with the rules of section 347.3.
Discretionary Uses

527 (1) A Rowhouse Building is a discretionary use in the Residential – Grade-Oriented Infill District where a Rowhouse Building does not comply with all the rules in the district for that use or where a Rowhouse Building does not comply with the rules of section 347.3.

(2) The following uses are discretionary uses in the Residential – Grade-Oriented Infill District:

(a) Addiction Treatment;
(b) Assisted Living;
(c) Backyard Suite;
(d) Bed and Breakfast;
(e) Community Entrance Feature;
(f) Cottage Housing Cluster;
(g) Custodial Care;
(h) Duplex Dwelling;
(i) Home Based Child Care – Class 2;
(j) Home Occupation – Class 2;
(k) Place of Worship – Small;
(l) Power Generation Facility – Small;
(m) Residential Care;
(n) Semi-detached Dwelling;
(o) Sign – Class B;
(p) Sign – Class C;
(q) Sign – Class E;
(r) Single Detached Dwelling;
(s) Temporary Residential Sales Centre; and
(t) Utility Building.

Permitted and Discretionary Uses for Parcels Designated R-CGex

62P2018 527.1 (1) Parcels designated R-CGex have the same permitted uses referenced in Section 526 with the exclusion of:

(a) Secondary Suite.

62P2018 (2) Parcels designated R-CGex have the same discretionary uses referenced in Section 527 with the exclusion of:

(a) Backyard Suite.
Rules

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

(a) the General Rules for Low Density Residential Land Use Districts referenced in Part 5, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Density

529 The maximum density for parcels designated R-CG District is 75 units per hectare.

Number of Main Residential Buildings on a Parcel

530 deleted

Parcel Width

531 The minimum parcel width is 7.5 metres for a parcel containing a Duplex Dwelling.

Facade Width

532 The minimum width of a street facing façade of a unit is 4.2 metres.

Parcel Area

533 The minimum area of a parcel for a Cottage Housing Cluster is 760.0 square metres.

Parcel Coverage

534 (1) deleted

(2) Unless otherwise referenced in subsection (3), the maximum cumulative building coverage over all the parcels subject to a single development permit containing a Contextual Semi-Detached Dwelling, Cottage Housing Cluster, Rowhouse Building, Semi-Detached Dwelling or Single Detached Dwelling is:

(a) 45.0 per cent of the area of the parcels subject to the single development permit for a development with a density of less than 40 units per hectare;

(b) 50.0 per cent of the area of the parcels subject to the single development permit for a development with a density of 40 units per hectare or greater and less than 50 units per hectare;

(c) 55.0 per cent of the area of the parcels subject to the single development permit for a development with a density of
50 units per hectare or greater and less than 60 units per hectare; or

(d) 60.0 per cent of the area of the parcels subject to a single development permit for a development with a density of 60 units per hectare or greater.

(3) The maximum parcel coverage referenced in subsections (1) and (2), must be reduced by:

(a) 21.0 square metres where one motor vehicle parking stall is required on a parcel that is not located in a private garage; and

(b) 19.0 square metres for each required motor vehicle parking stall that is not located in a private garage where more than one motor vehicle parking stall is required on a parcel.

(4) For all other uses, the maximum parcel coverage is 45.0 percent.

Building Depth

(1) Unless otherwise referenced in subsections (2) and (3) the maximum building depth is 65.0 per cent of the parcel depth for a Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling and a Single Detached Dwelling.

(2) For a Rowhouse Building located on a corner parcel there is no maximum building depth where the building setback from the side property line shared with another parcel is a minimum of 3.0 metres for any portion of the Rowhouse Building located between the rear property line and:

(a) 50.0 per cent parcel depth; or

(b) the building depth of the main residential building on the adjoining parcel;

whichever is closer to the rear property line.

(3) Where two or more main residential buildings are located on a corner parcel, there is no maximum building depth for a Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling or Single Detached Dwelling where:

(a) one main residential building is wholly located between the front property line and 60.0 per cent parcel depth; and

(b) the building setback is a minimum of 3.0 metres from the side property line shared with another parcel for any portion of a main residential building located between the rear property line and:

(i) 50.0 per cent parcel depth; or

(ii) the building depth of the main residential building on the adjoining parcel;

whichever is closer to the rear property line.
Building Setback Areas

536 The minimum depth of all setback areas must be equal to the minimum building setback required in sections 537, 538, 539, and 540.

Building Setback from Front Property Line

537 (1) Unless otherwise referenced in subsections (2) or (3), the minimum building setback from a front property line is the greater of:
   (a) the contextual front setback less 1.5 metres to a maximum of 4.5 metres; or
   (b) 3.0 metres.

(2) On a corner parcel, the minimum building setback from a front property line may be reduced to:
   (a) the contextual front setback at the side property line shared with another parcel to a maximum of 6.0 metres; and
   (b) decreases in equal proportion with the increase in the distance from the shared side property line, to a minimum of 3.0 metres.

(3) For an addition or exterior alteration to a Duplex Dwelling, Semi-detached Dwelling, or Single Detached Dwelling which was legally existing or approved prior to the effective date of this Bylaw, the minimum building setback from a front property line is the lesser of:
   (a) the contextual front setback less 1.5 metres to a minimum of 3.0 metres; or
   (b) the existing building setback less 1.5 metres to a minimum of 3.0 metres.

deleted

Block Face Requirements

538 (1) A minimum building setback of 1.2 metres is required from a side property line at least every 60.0 metres along the entire length of a block face.

(2) Where subsection (1) applies, the side setback area must be clear of all air conditioning units, window wells and portions of a building measured from grade to a height of 2.4 metres.

Building Setback from Side Property Line

539 (1) Subject to subsections (3) through (11), the minimum building setback from any side property line is 1.2 metres.

(2) Subject to subsections (3) through (9), for a laneless parcel, the minimum building setback from any side property line is:
   (a) 1.2 metres; or
(b) 3.0 metres on one side of the parcel when no provision is made for a private garage on the front or side of a building.

(3) For a Backyard Suite, Contextual Semi-detached Dwelling, Rowhouse Building or Semi-detached Dwelling, there is no requirement for a building setback from a property line upon which a party wall is located.

(4) The minimum building setback from a side property line may be reduced to zero metres where:

(a) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a 1.2 metre private maintenance easement;

(b) the building setback is not greater than 0.1 metres from the side property line for any portion of a building that is recessed 0.6 metres or greater from the front façade or the rear façade of the building and is setback less than 1.2 metres from the side property line;

(c) the wall at the shared side property line is constructed of maintenance-free materials and there is no overhang of eaves onto an adjacent parcel; and

(d) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

(5) For a Rowhouse Building, Contextual Semi-detached Dwelling, Semi-detached Dwelling or Single Detached Dwelling the minimum building setback from a side property line may be reduced to zero metres where:

(a) the main residential building on the adjacent parcel has a setback of 0.1 metres or less at the shared side property line for any portion of the building that is recessed 0.6 metres or greater from the front façade or the rear façade of the building and is setback less than 1.2 metres from the side property line;

(b) the building setback is not greater than 0.1 metres from the side property line for any portion of a building that is recessed 0.6 metres or greater from the front façade or the rear façade of the building and is setback less than 1.2 metres from the side property line;

(c) the wall at the shared side property line is constructed of maintenance-free materials and there is no overhang of eaves onto an adjacent parcel; and
(d) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

(6) For a Backyard Suite the minimum building setback from a side property line may be reduced to zero metres where:

(a) the accessory residential building or Backyard Suite on the adjacent parcel has a setback of 0.1 metres or less at the shared side property line for any portion of the building that is recessed 0.6 metres or greater from the front façade or the rear façade of the building and is setback less than 0.6 metres from the side property line;

(b) the building setback is not greater than 0.1 metres from the side property line for any portion of a building that is recessed 0.6 metres or greater from the front façade or the rear façade of the building and is setback less than 1.2 metres from the side property line;

(c) the wall at the shared side property line is constructed of maintenance-free materials and there is no overhang of eaves onto an adjacent parcel; and

(d) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

(7) For a corner parcel, the minimum building setback from a side property line shared with a street is 0.6 metres.

(8) deleted

(9) The building setback from a side property line of 3.0 metres required in subsection 2(b) may be reduced to zero metres where the owner of the parcel proposed for development and the owner of the adjacent parcel registers, against both titles, a private access easement:

(a) where the width of the easement, in combination with the reduced building setback, must be at least 3.0 metres; and

(b) that provides unrestricted vehicle access to the rear of the parcel.

(10) Unless otherwise referenced in subsection (11), on a laned parcel the minimum building setback from a side property line for a private garage attached to a main residential building is 0.6 metres.

(11) On a laned parcel, the minimum building setback for a private garage attached to a main residential building that does not share a side or rear property line with a street may be reduced to zero metres where the wall of the portion of the building that contains the private garage is constructed of maintenance-free materials and there is no overhang of eaves onto an adjacent parcel.
Building Setback from Rear Property Line

540 (1) Unless otherwise referenced in subsections (2), (3) or (4) the minimum building setback from a rear property line is 7.5 metres.

(2) For a Rowhouse Building on a corner parcel, the minimum building setback from a rear property line is 1.5 metres where the building setback from the side property line shared with another parcel is a minimum of 3.0 metres for any portion of the Rowhouse Building located between the rear property line and:

(a) 50.0 per cent parcel depth;

(b) or the building depth of the main residential building on the adjoining parcel;

whichever is closer to the rear property line.

(3) Where two or more main residential buildings are located on a corner parcel, the minimum building setback from a rear property line is 1.5 metres for a Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling or Single Detached Dwelling where:

(a) one main residential building is wholly located between the front property line and 60.0 per cent parcel depth; and

(b) the building setback is a minimum of 3.0 metres from the side property line shared with another parcel for any portion of a main residential building located between the rear property line and:

(i) 50.0 per cent parcel depth; or

(ii) the building depth of the main residential building on the adjoining parcel, whichever is closer to the rear property line.

(4) For a cottage building the minimum building setback from a property line shared with a lane is 1.5 metres.

Fences

540.1 The height of a fence above grade at any point along a fence line must not exceed 1.2 metres for any portion of a fence extending between the foremost front façade of the immediately adjacent main residential building and the front property line.

Building Height

541 (1) Unless otherwise referenced in subsections (2) and (3), for a Contextual Semi-detached Dwelling, Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling or Single Detached Dwelling the maximum building height is 11.0 metres measured from grade.

(2) Where a building setback is required from a property line shared with another parcel designated with a low density residential district or the M-CG District, the maximum building height:
(a) is the greater of:

(i) the highest geodetic elevation of a **main residential building** on the adjoining **parcel**; or

(ii) 7.0 metres from **grade**;

measured at the shared **property line**; and

(b) increases at a 45 degree angle to a maximum of 11.0 metres measured from **grade**.

(3) The maximum area of a horizontal cross section through a **building** at 9.5 metres above average **grade** must not be greater than 75.0 per cent of the maximum area of a horizontal cross section through the **building** between average **grade** and 8.6 metres.

(4) The maximum **building height** for a **cottage building** is 8.6 metres.

(5) For all other **uses**, the maximum **building height** is 10.0 metres.

**Outdoor Private Amenity Space**

542 For a **Contextual Semi-detached Dwelling**, **Duplex Dwelling**, **Rowhouse Building**, **Semi-detached Dwelling** and a **Single Detached Dwelling**, each **unit** must have direct access to **private amenity space** that:

(a) is provided outdoors;

(b) has a minimum total area of 20.0 square metres; and

(c) may be divided over a maximum of two **amenity spaces** where:

(i) one **amenity space** has no dimension less than 3.0 metres; and

(ii) the second **amenity space** has a minimum contiguous area of 7.5 square metres with no dimension less than 1.5 metres.

(d) **deleted**

543 **deleted**
Balconies

Where a balcony is located on the roof of the first or second storey of a Contextual Single Detached Dwelling, Contextual Semi-detached Dwelling, Duplex Dwelling, Rowhouse Building, Single Detached Dwelling or Semi-detached Dwelling and does not overhang any façade of the storey below, the balcony may have a maximum floor area that equals 30.0 per cent of the horizontal cross section of the storey below.

(2) A balcony attached to a Contextual Single Detached Dwelling, Contextual Semi-detached Dwelling, or Rowhouse Building that is a permitted use:

(a) may be located on a side façade of a building:

   (i) where it forms part of the front façade and is not recessed back more than 4.5 metres from the front façade; or

   (ii) where it is on the street side of a corner parcel;

(b) may be located on a rear façade of a building where:

   (i) it does not form part of the side façade unless the side façade is on the street side of a corner parcel;

   (ii) a privacy wall is provided where the balcony is facing a side property line shared with a contextually adjacent building; and

   (iii) the privacy wall is a minimum of 2.0 metres in height and a maximum of 3.0 metres in height; and

(c) must not have a balcony on the rear façade with a height greater than 6.0 metres, when measured vertically at any point from grade to the platform of the balcony.
Motor Vehicle Parking Stalls

546 (1) The minimum number of motor vehicle parking stalls for a Contextual Semi-detached Dwelling is 1.0 stall per Dwelling Unit.

(2) The minimum number of motor vehicle parking stalls for a Secondary Suite is reduced to 0.0 where:

(a) the floor area of a Secondary Suite is 45.0 square metres or less;

(b) the parcel is located within 600.0 metres of an existing or approved capital funded LRT platform or within 150.0 metres of frequent bus service; and

(c) space is provided in a building for the occupant of the Secondary Suite for storage of mobility alternatives such as bicycles or strollers that:

(i) is accessed directly from the exterior; and

(ii) has an area of 2.5 square metres or more for every Secondary Suite that is not provided with a motor vehicle parking stall.

(3) Parcel coverage excludes the building coverage area required by subsection (2)(c).
Division 12: Residential – Low Density Mixed Housing (R-G) (R-Gm) District

Purpose

547 (1) The Residential – Low Density Mixed Housing District:

(a) is intended to apply to low density neighbourhoods in master planned communities in suburban greenfield locations in the Developing Area;

(b) accommodates a wide range of low density residential development in the form of Cottage Housing Clusters, Duplex Dwellings, Rowhouse Buildings, Semi-detached Dwellings and Single Detached Dwellings to allow for the mixing of different housing forms and to encourage housing diversity and intensification of a neighbourhood over time;

(c) includes carriage house lots to facilitate alternative housing forms on laned parcels; and

(d) accommodates Secondary Suites and Backyard Suites.

(2) Parcels designated R-Gm:

(a) accommodate low density attached dwelling developments in the form of Rowhouse Buildings, Semi-detached Dwellings, Duplex Dwellings and Cottage Housing Clusters in locations within master planned communities where attached residential forms are promoted;

(b) are not intended to accommodate Single Detached Dwellings except where subdivision results in remnant single lots, where carriage house lots are added or where Single Detached Dwellings are planned comprehensively with a majority of attached dwelling forms.

Permitted Uses

547.1 The following uses are permitted uses in the Residential – Low Density Mixed Housing District:

(a) Accessory Residential Building;

(b) Backyard Suite;

(c) Duplex Dwelling;

(d) Home Based Child Care – Class 1;

(e) Home Occupation – Class 1;

(f) Park;

(g) Protective and Emergency Service;
(h) Rowhouse Building;
(i) Secondary Suite;
(j) Semi-detached Dwelling;
(k) Sign – Class A;
(l) Single Detached Dwelling; and
(m) Utilities.

Discretionary Uses

547.2 The following uses are discretionary uses in the Residential – Low Density Mixed Housing District:

(a) Addiction Treatment;
(b) Assisted Living;
(c) Bed and Breakfast;
(d) Community Entrance Feature;
(e) Cottage Housing Cluster;
(f) Custodial Care;
(g) Home Based Child Care – Class 2;
(h) Home Occupation – Class 2;
(i) Place of Worship – Small;
(j) Power Generation Facility – Small;
(k) Residential Care;
(l) Sign – Class B;
(m) Sign – Class C;
(n) Sign – Class E;
(o) Temporary Residential Sales Centre; and
(p) Utility Building.

Permitted and Discretionary Uses for Parcels Designated R-Gm

547.3 (1) Parcels designated R-Gm have the same permitted uses referenced in section 547.1 with the exception of:

(a) Single Detached Dwelling.

(2) Parcels designated R-Gm have the same discretionary uses referenced in section 547.2 with the additional discretionary use of:

(a) Single Detached Dwelling.
Rules

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

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

Number of Main Residential Buildings on a Parcel

547.5 (1) Unless otherwise referenced in subsection (2) the maximum number of main residential buildings on a parcel is one.

(2) Subsection (1) does not apply to a Cottage Housing Cluster.

Parcel Width

547.6 (1) Unless otherwise referenced in subsections (2) and (3) the minimum parcel width is 6.0 metres per Dwelling Unit.

(2) The minimum parcel width is 5.0 metres per Dwelling Unit for a laned parcel containing a Duplex Dwelling or a Rowhouse Building.

(3) There is no minimum parcel width for a Cottage Housing Cluster or a carriage house lot.

Parcel Area

547.7 (1) Except as otherwise referenced in subsections (2) and (3), the minimum area of a parcel is 150.0 square metres per Dwelling Unit.

(2) The area of a carriage house lot is:

(a) a minimum 120.0 square meters per Dwelling Unit; and
(b) a maximum of 250.0 square metres per Dwelling Unit.

(3) The minimum area of a parcel for a Cottage Housing Cluster is 90.0 square metres per Dwelling Unit.

Parcel Coverage

547.8 (1) Unless otherwise referenced in subsections (2) and (3), the maximum parcel coverage is 60.0 per cent of the area of the parcel.

(2) Unless otherwise referenced in subsection (3), the maximum parcel coverage for a laned parcel is 70.0 per cent of the area of the parcel.

(3) The maximum parcel coverage referenced in subsections (1) and (2), must be reduced by 21.0 square metres for each required motor vehicle parking stall that is not located in a private garage.
Building Setback Areas

547.9 The minimum depth of all setback areas must be equal to the minimum building setbacks required in sections 547.10, 547.11 and 547.12.

Building Setback from Front Property Line

547.10 The minimum building setback from a front property line is 1.0 metres.

Building Setback from Side Property Line

547.11 (1) Unless otherwise referenced in subsections (4), (5), (5.1) and (6), for a laned parcel, the minimum building setback from any side property line is 1.2 metres.

(2) Unless otherwise referenced in subsections (3), (4), (5), (5.1) and (6), for a laneless parcel, the minimum building setback from any side property line is:

(a) 1.2 metres; or

(b) 3.0 metres on one side of the parcel, when no provision has been made for a private garage on the front or side of a building.

(3) The building setback required in subsection 2(b) may be reduced where the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, an exclusive private access easement:

(a) where the width of the easement, in combination with the reduced building setback, must be at least 3.0 metres; and

(b) provides unrestricted vehicle access to the rear of the parcel.

(4) For a corner parcel, the minimum building setback from a side property line shared with a street is 1.0 metre.

(5) For a parcel containing a Single Detached Dwelling one building setback from a side property line may be reduced to zero metres where:

(a) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a minimum 1.5 metre private maintenance easement that provides for:

(i) a 0.30 metre eave encroachment easement with the requirement that the eaves must not be closer than 0.90 metres to the eaves on a building on an adjacent parcel; and

(ii) a 0.60 metre footing encroachment easement; and

(b) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.
(5.1) For a parcel containing a Single Detached Dwelling one building setback from a side property line may be reduced to 0.6 metres where:

(a) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, private maintenance easements with a minimum combined width of 1.5 metres;
(b) eaves are setback a minimum of 0.45 metres from any property line; and
(c) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

(6) For a Backyard Suite, Rowhouse Building or Semi-detached Dwelling there is no requirement for a building setback from the property line on which a party wall is located that separates two or more Dwelling Units or Backyard Suites.

Building Setback from Rear Property Line

547.12 (1) Unless otherwise referenced in subsections (2), (3) or (4) the minimum building setback from a rear property line is 7.5 metres.

(2) On a laneless parcel the minimum building setback from a rear property line is 5.0 metres where all the required motor vehicle parking stalls are provided in a private garage.

(3) The minimum building setback from a rear property line shared with a carriage house lot is 1.2 meters where all the required motor vehicle parking stalls are provided in a private garage.

(4) On a laned parcel the minimum building setback from a rear property line shared with a lane is 0.6 metres where all the required motor vehicle parking stalls:

(a) are provided in a private garage; and
(b) have direct, individual access to the lane.

(5) For a development subject to subsection (4) the provisions referenced in section 338 regarding projections into the rear setback area do not apply.

(6) For a development subject to subsection (4) eaves may project 0.3 metres into the rear setback area.

Building Height

547.13 (1) Unless otherwise referenced in subsection (2), the maximum building height is 12.0 metres.

(2) The maximum height of a Backyard Suite on a laned parcel is 10.0 metres.
Outdoor Private Amenity Space

547.14 (1) Unless otherwise referenced in subsection (2) or (3), for a Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling or a Single Detached Dwelling, each unit must have direct access to private amenity space that:

(a) is provided outdoors;
(b) is not used for vehicle access or as a motor vehicle parking stall;
(c) is not located in the building setback area between the front property line and a line parallel to the front property line measured at the closest building setback from the front property line;
(d) has a minimum total area of 22.0 square metres; and
(e) has no dimension of less than 3.0 metres.

(2) Unless otherwise referenced in subsection (3), for a Duplex Dwelling, Rowhouse Building or a Semi-detached Dwelling located on parcel designated R-Gm, each unit must have direct access to private amenity space that:

(a) is provided outdoors;
(b) is not used for vehicle access or as a motor vehicle parking stall;
(c) is not located in the building setback area between the front property line and a line parallel to the front property line measured at the closest building setback from the front property line;
(d) has a minimum total area of 15.0 square metres; and
(e) has no dimension of less than 2.0 metres.

(3) For a Semi-detached Dwelling or a Single Detached Dwelling located on carriage house lot, each unit must have direct access to private amenity space that:

(a) is provided outdoors;
(b) is not used for vehicle access or as a motor vehicle parking stall;
(c) has a minimum total area of 15.0 square metres; and
(d) has no dimension of less than 2.0 metres.
Balconies

547.15 The rules of subsections 340(1) and 340(2) regarding balcony size do not apply to a balcony located entirely on the roof of the first or second storey of the main residential building or a private garage attached to the main residential building.

Driveways

547.16 In addition to the rules regarding driveways in section 341 the combined width of all driveways accessing a street must not be wider than the parcel width less 3.0 metres.
PART 6: MULTI-RESIDENTIAL DISTRICTS

Division 1: General Rules for Multi-Residential Land Use Districts

Projections Into Setback Areas

549 (1) Unless otherwise referenced in subsections (2), (3) (4), (5), (6), and (7), a building or air conditioning units must not be located in any setback area.

(2) Portions of a building located above the surface of the ground may project into a setback area only in accordance with the rules contained in this section.

(3) Portions of a building below the surface of the ground may extend without any limits into a setback area.

(4) Wheelchair ramps may project without any limits into a setback area.

(5) Eaves may project a maximum of 0.6 metres, and window wells may project a maximum of 0.8 metres, into any setback area.

(6) Landings not exceeding 2.5 square metres, ramps other than wheelchair ramps and unenclosed stairs may project into any setback area.

(7) Signs may be located in any setback area, and where so located, must be in accordance with Part 3, Division 5.

General Landscaped Area Rules

550 (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 hard surface landscaped areas;

(e) details of the irrigation system; and
(f) for landscaped areas with the Enhanced Landscaping Option, the following additional information must be provided:

(i) Latin and common names for all plant materials;

(ii) a plan that shows both the planting material size at time of planting and at time of maturity;

(iii) elevation plans for all landscaped areas showing plant material maturity; and

(iv) a report submitted by the applicant indicating how the landscape plan achieves the following:

(A) variation of planting materials, hard surface materials and decorative structures;

(B) provision of year-round visual interest;

(C) emphasis of entranceways and pedestrian pathways;

(D) location of planting materials and activity areas according to sunlight exposure and microclimate conditions;

(E) separation between public and private spaces; and

(F) provision of spaces for different purposes, including activity, seating, screening and buffering;

(g) for landscaped areas with the Low Water Landscaping Option details of the low water irrigation system, including extent of water delivery; and

(h) for landscaped areas with a building below, the following additional information must be provided:

(i) the location of underlying slabs and abutting walls;

(ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;

(iii) depths of the growing medium for each planting area;

(iv) the mature height and spread of all trees and shrubs; and

(v) the means of irrigating the planting areas.
(3) The landscaped areas shown on the landscape plan approved by the Development Authority must be maintained on the parcel for so long as the development exists.

(4) All landscaped areas, other than private amenity space, must be accessible to all residents of the development.

(5) All soft surfaced landscaped areas must be irrigated by an underground irrigation system, unless otherwise provided by a low water irrigation system.

(6) Unless otherwise referenced in subsections (7) and (8), all areas of a parcel, except for those portions specifically required for motor vehicle access, motor vehicle parking stalls, loading stalls, garbage facilities, or any purpose allowed by the Development Authority, must be a landscaped area.

(7) All setback areas adjacent to a street or another parcel, except for those portions specifically required for motor vehicle access, must be a landscaped area.

(8) All setback areas adjacent to a lane, except for those portions specifically required for motor vehicle access, motor vehicle parking stalls, loading stalls or garbage facilities must be a landscaped area.

(9) Amenity space must be included in the calculation of a landscaped area where such amenity space:

(a) is provided outdoors at grade; and

(b) is a hard surfaced landscaped area or soft surfaced landscaped area.

Specific Rules for Landscaped Areas

551 (1) Any part of the parcel used for motor vehicle access, motor vehicle parking stalls, loading stalls and garbage or recycling facilities must not be included in the calculation of a landscaped area.

(2) Unless otherwise referenced in section 553, a minimum of 40.0 per cent of the area of a parcel must be a landscaped area.

(3) The maximum hard surfaced landscaped area is:

(a) 50.0 per cent of the required landscaped area for a parcel containing a street-oriented multi-residential building; and

(b) 40.0 per cent of the required landscaped area, in all other cases.
PART 6 - DIVISION 1: GENERAL RULES

(4) For a Multi-Residential Development – Minor, 30.0 per cent of the maximum allowable hard surfaced landscaped area may be concrete.

(5) For landscaped areas above grade, a minimum of 30.0 per cent of the area must be covered with soft surfaced landscaping.

(6) Where a landscaped area above grade is fragmented into isolated spaces, a minimum of 30.0 per cent of each space must be covered with soft surfaced landscaping.

Planting Requirements

552 (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.

(2) A minimum of 1.0 trees and 2.0 shrubs must be planted for every 45.0 square metres of landscaped area provided.

(2.1) Landscaped areas may include Urban Agriculture.

(3) A minimum of 25.0 per cent of all trees provided must be coniferous.

(4) Unless otherwise referenced in section 555, deciduous trees must have a minimum calliper of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum calliper of 75 millimetres at the time of planting.

(5) Unless otherwise referenced in section 555, coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must be a minimum of 3.0 metres in height at the time of planting.

(6) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

(7) For landscaped areas with a building below, planting areas must have the following minimum soil depths:

   (a) 1.2 metres for trees;

   (b) 0.6 metres for shrubs; and

   (c) 0.3 metres for all other planting areas.

(8) The soil depths referenced in (7) must cover an area equal to the mature spread of the planting material.

(9) Planting of new trees in an adjacent boulevard to the parcel approved by the Development Authority may be counted towards the planting requirements in this section.
Landscaped Area Reductions – Multi-Residential Development

553 The minimum *landscaped area* of 40.0 per cent for Multi-Residential Development may be reduced by the three options as referenced in sections 554, 555 and 556 individually or in combination, to a total available reduction of 10.0 per cent of the area of a *parcel*.

Street-Oriented Multi-Residential Landscaping Option

554 (1) For the Street-Oriented Multi-Residential Landscaping Option, the required 40.0 per cent *landscaped area* may be reduced for a *street oriented multi-residential building* by 2.0 square metres for every 1.0 metres of *frontage* along the *property line* shared with a *street*, not including motor vehicle access driveways, to a maximum of 4.0 per cent of the area of the *parcel*.

(2) Subsection (1) does not apply to a *street-oriented multi-residential building* abutting a *private condominium roadway*.

Enhanced Landscaping Option

555 For the Enhanced Landscaping Option, the required 40.0 per cent *landscaped area* may be reduced by 3.0 per cent of the area of the *parcel* where:

(a) 1.0 trees and 2.0 shrubs are planted for every 25.0 square metres of *landscaped area* provided;

(b) deciduous trees have a minimum *calliper* of 65 millimetres and at least of 50.0 per cent of the provided deciduous trees must have a minimum *calliper* of 85 millimetres at the time of planting; and

(c) coniferous trees have a minimum height of 3.0 metres and at least 50.0 per cent of the provided coniferous trees must have a minimum height of 4.0 metres at the time of planting.

Low Water Landscaping Option

556 For the Low Water Landscaping Option, the required 40.0 per cent *landscaped area* may be reduced by 3.0 per cent of the area of the *parcel* where:

(a) a *low water irrigation system* is provided;

(b) the delivery of the irrigated water is confined to trees and shrubs;

(c) trees and shrubs with similar water requirements are grouped together;
(d) a maximum of 30.0 per cent of the required landscaped area is planted with sod and the remainder is covered with plantings, mulch or hard surfaces;

(e) a minimum of 30.0 per cent of required trees are selected from the list in Table 3: Low Water Trees; and

(f) a minimum of 30.0 per cent of required shrubs are selected from the list in Table 4: Low Water Shrubs.
Table 3: Low Water Trees

<table>
<thead>
<tr>
<th>Low Water Deciduous Trees</th>
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<th></th>
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</thead>
<tbody>
<tr>
<td>Botanical Name</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acer ginnala</td>
<td></td>
<td>Amur Maple</td>
</tr>
<tr>
<td>Prunus padus commutata</td>
<td></td>
<td>Mayday</td>
</tr>
<tr>
<td>Prunus pennsylvanica</td>
<td></td>
<td>Pin Cherry</td>
</tr>
<tr>
<td>Prunus virginiana var. melanocarpa</td>
<td></td>
<td>Chokecherry</td>
</tr>
<tr>
<td>Pyrus ussuriensis</td>
<td></td>
<td>Ussurian pear</td>
</tr>
<tr>
<td>Quercus macrocarpa</td>
<td></td>
<td>Bur oak</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Low Water Coniferous Trees</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Botanical Name</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Picea Pungens</td>
<td></td>
<td>Blue Spruce</td>
</tr>
<tr>
<td>Pinus aristata</td>
<td></td>
<td>Bristlecone Pine</td>
</tr>
<tr>
<td>Pinus banksiana</td>
<td></td>
<td>Jack pine</td>
</tr>
<tr>
<td>Pinus contorta var. latifolia</td>
<td></td>
<td>Lodgepole pine</td>
</tr>
<tr>
<td>Pinus flexilis</td>
<td></td>
<td>Limber Pine</td>
</tr>
<tr>
<td>Pinus ponderosa</td>
<td></td>
<td>Ponderosa pine upright</td>
</tr>
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</table>
Table 4: Low Water Shrubs

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amelanchier alnifolia</td>
<td>Saskatoon berry</td>
</tr>
<tr>
<td>Arctostaphylos uva-ursi</td>
<td>Bearberry</td>
</tr>
<tr>
<td>Crataegus spp.</td>
<td>Hawthorn</td>
</tr>
<tr>
<td>Elaeagnus commutate</td>
<td>Wolf willow</td>
</tr>
<tr>
<td>Juniperus spp.</td>
<td>Juniper (various)</td>
</tr>
<tr>
<td>Pinus mugo</td>
<td>Mugo pine</td>
</tr>
<tr>
<td>Potentilla fruticosa</td>
<td>Cinquefoil</td>
</tr>
<tr>
<td>Prinsepia sinensis</td>
<td>Cherry prinsepia</td>
</tr>
<tr>
<td>Prunus fruticosa</td>
<td>European dwarf cherry</td>
</tr>
<tr>
<td>Prunus tenella</td>
<td>Russian almond</td>
</tr>
<tr>
<td>Prunus tomentosa</td>
<td>Nanking cherry</td>
</tr>
<tr>
<td>Prunus triloba</td>
<td>Double flowering plum</td>
</tr>
<tr>
<td>Prunus x cistena</td>
<td>Cistina cherry</td>
</tr>
<tr>
<td>Rhus trilobata</td>
<td>Skunk Bush</td>
</tr>
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Table 4: Low Water Shrubs - continued

<table>
<thead>
<tr>
<th>Low Water Shrubs</th>
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<tbody>
<tr>
<td>Ribes alpinum</td>
</tr>
<tr>
<td>Ribes aureum</td>
</tr>
<tr>
<td>Ribes oxycanthoides</td>
</tr>
<tr>
<td>Sambucus racemosa (excluding var. pubens)</td>
</tr>
<tr>
<td>Shepherdia argentea</td>
</tr>
<tr>
<td>Sorbaria sorbifolia</td>
</tr>
<tr>
<td>Spiraea trilobata</td>
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<tr>
<td>Symphoricarpos occidentalis</td>
</tr>
<tr>
<td>Syringa spp.</td>
</tr>
<tr>
<td>Viburnum lantana</td>
</tr>
<tr>
<td>Viburnum lentago</td>
</tr>
</tbody>
</table>

Amenity Space

557  (1) The provisions of this section do not apply to parcels designated Multi-Residential – At Grade Housing District.

(2) A patio may be located in a setback area between a street-oriented multi-residential building and a property line shared with a street.

(3) Amenity space may be provided as common amenity space, private amenity space or a combination of both.

(4) The required minimum amenity space is 5.0 square metres per unit.

(5) 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.

(6) When the private amenity space exceeds 5.0 square metres per unit, only 5.0 square metres per unit must be included to satisfy the amenity space requirement.

(7) Where a patio is located within 4.0 metres of a lane or another parcel, it must be screened.
(8) **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.

(9) **Common amenity space**:
(a) may be provided as *common amenity space – indoors* and as *common amenity space – outdoors*;
(b) must be accessible from all the *units*;
(c) must have a contiguous area of not less than 50.0 square metres, with no dimension less than 6.0 metres;
(d) must not be located in a required *setback area*; and
(e) when provided as part of a Multi-Residential Development – Minor, must be located at *grade*.

(10) **Common amenity space – indoors** must not be provided as part of the required *amenity space* for a Multi-Residential Development – Minor.

(11) **Common amenity space – indoors** may only be provided to satisfy the *amenity space* requirement as part of a development with 100 or more *units*.

(12) A maximum of 10.0 per cent of the required *amenity space* may be provided as *common amenity space – indoors*.

(13) **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*.

**Motor Vehicle Parking Stall Requirements**

558 (1) Where a *building* contains three or more *units* with shared entrance facilities in a Multi-Residential Development and Multi-Residential Development – Minor, the minimum *motor vehicle parking stall* requirement:
(a) in Area 1 of the “Parking Areas Map”, as illustrated on Map 7:

(i) for each Dwelling Unit and Live Work Unit is 1.25 stalls for resident parking when the unit has a gross floor area greater than 60.0 square metres;

(ii) for each Dwelling Unit and Live Work Unit is 1.0 stalls for resident parking when the unit has a gross floor area equal to or less than 60.0 square metres;

(iii) for each Dwelling Unit is 0.15 visitor parking stalls per unit; and

(iv) for each Live Work Unit is 0.5 visitor parking stalls per unit;

(b) in Area 2 of the “Parking Areas Map”, as illustrated on Map 7:

(i) for each Dwelling Unit and Live Work Unit is 1.0 stalls for resident parking;

(ii) for each Dwelling Unit is 0.15 visitor parking stalls per unit; and

(iii) for each Live Work Unit is 0.5 visitor parking stalls per unit;

(c) in Area 3 of the “Parking Areas Map”, as illustrated on Map 7:

(i) for each Dwelling Unit and Live Work Unit is 0.9 stalls for resident parking;

(ii) for each Dwelling Unit is 0.1 visitor parking stalls per unit;

(iii) for each Live Work Unit is 0.5 visitor parking stalls per unit.

(2) Where a building contains three or more units with no shared entrance facilities in a Multi-Residential Development and Multi-Residential Development – Minor, the minimum motor vehicle parking stall requirement:

(a) in Area 1 of the “Parking Areas Map”, as illustrated on Map 7:

(i) for each Dwelling Unit and Live Work Unit is 1.25 stalls for resident parking;

(ii) for each Dwelling Unit is 0.15 visitor parking stalls per unit; and
(iii) for each Live Work Unit is 0.5 visitor parking stalls per unit;

(b) in Area 2 of the “Parking Areas Map”, as illustrated on Map 7:

(i) for each Dwelling Unit and Live Work Unit is 1.0 stalls for resident parking;
(ii) for each Dwelling Unit is 0.15 visitor parking stalls per unit; and
(iii) for each Live Work Unit is 0.5 visitor parking stalls per unit;

(c) in Area 3 of the “Parking Areas Map”, as illustrated on Map 7:

(i) for each Dwelling Unit and Live Work Unit is 1.0 stalls for resident parking;
(ii) for each Dwelling Unit is 0.15 visitor parking stalls per unit; and
(iii) for each Live Work Unit is 0.5 visitor parking stalls per unit.

(3) Where a building is a Single Detached Dwelling, a Semi-detached Dwelling or a Duplex Dwelling in a Multi-Residential Development or Multi-Residential Development – Minor, the minimum motor vehicle parking stall requirement:

(a) in Area 1 of the “Parking Areas Map”, as illustrated on Map 7:

(i) for each Dwelling Unit and Live Work Unit is 1.25 stalls for resident parking;
(ii) for each Dwelling Unit is 0.15 visitor parking stalls per unit; and
(iii) for each Live Work Unit is 0.5 visitor parking stalls per unit;

(b) in Area 2 of the “Parking Areas Map”, as illustrated on Map 7:

(i) for each Dwelling Unit and Live Work Unit is 1.0 stalls for resident parking;
(ii) for each Dwelling Unit is 0.15 visitor parking stalls per unit; and
(iii) for each Live Work Unit is 0.5 visitor parking stalls per unit; and
(c) in Area 3 of the “Parking Areas Map”, as illustrated on Map 7:

(i) for each **Dwelling Unit** and **Live Work Unit** is 1.0 stalls for resident parking;

(ii) for each **Dwelling Unit** is 0.15 **visitor parking stalls** per unit; and

(iii) for each **Live Work Unit** is 0.5 **visitor parking stalls** per unit.

**Bicycle Parking Stall Requirements in Multi-Residential Development**

559 Where a **building** contains three or more **units** with shared entrance facilities in a **Multi-Residential Development** or **Multi-Residential Development – Minor**, the minimum number of **bicycle parking stalls** is:

(a) no requirement where the number of **units** is less than 20;

(b) 0.5 **stalls – class 1** per unit, where the total number of **units** is equal to or exceeds 20; and

(c) 0.1 **stalls – class 2** per unit, with a minimum of 2.0 stalls.

**Reduction for Transit Supportive Multi-Residential Development**

560 (1) Where a **building** contains three or more **units** with shared entrance facilities in a **Multi-Residential Development** and **Multi-Residential Development – Minor**, the required number of **motor vehicle parking stalls** for resident parking is reduced by 10.0 per cent where:

(a) the **parcel** on which the **building** is located is within Area 1 or 2 of the “Parking Areas Map”, as illustrated on Map 7;

(b) any portion of the **parcel** is within 600.0 metres of an existing or approved Capital funded **LRT platform**; and

(c) there are pedestrian connections between the **parcel** and an **LRT station**.

(2) Where a **building** contains three or more **units** with shared entrance facilities in a **Multi-Residential Development** and **Multi-Residential Development – Minor**, the required number of **motor vehicle parking stalls** for resident parking is reduced by 10.0 per cent where:

(a) the reduction referenced in subsection (1) is not applied;

(b) the **parcel** on which the **building** is located is within Area 1 or 2 of the “Parking Areas Map”, as illustrated on Map 7; and

(c) the **parcel** is within 150.0 metres of an existing **street** where a **frequent bus service** operates.
Parking Maximums Close to LRT Stations

Where a building contains three or more units with shared entrance facilities in a Multi-Residential Development and Multi-Residential Development – Minor located on a parcel within 600.0 metres of an existing or approved Capital funded LRT Platform, the maximum number of motor vehicle parking stalls is:

(a) 1.5 stalls per Dwelling Unit for resident parking in Area 1 of the “Parking Areas Map”, as illustrated on Map 7; and

(b) 1.25 stalls per Dwelling Unit for resident parking in Area 2 of the “Parking Areas Map”, as illustrated on Map 7.
Map 7:
Parking Areas Map
563  (1) An Accessory Residential Building:

(a) may have an amenity space in the form of a deck or a patio;

(b) Unless specified in subsection (4) must not be located in a required setback area; and

(c) must not be located between any building and a public street.

(2) The maximum gross floor area of an Accessory Residential Building is:

(a) 75.0 square metres, when approved for storage, garbage containers and recycling facilities; and

(b) 100.0 square metres, when approved and used as a private garage.

(3) The maximum height for an Accessory Residential Building, when approved as a private garage is:

(a) in the Multi-Residential – Contextual Grade-Oriented District:

(i) 4.6 metres, when measured from grade at any point adjacent to the building; and

(ii) 3.0 metres to any eaveline, when measured from the finished floor of the building; and

(b) in all other multi-residential districts, 5.0 metres measured from grade.

(4) Where the main residential building is a Multi-Residential Development, an Accessory Residential Building used to accommodate garbage and waste material, a private garage or both, the Accessory Residential Building may be located in a setback area from another parcel provided that:

(a) the wall of the Accessory Residential Building is constructed of maintenance-free materials and there is no overhang of eaves onto an adjacent parcel; or

(b) the owner of the adjacent parcel grants a 1.5 metre private maintenance easement that must:

(i) be registered against the title of the parcel proposed for development and the title of the adjacent parcel; and

(ii) include a 0.60 metre footing encroachment easement.
Objects Prohibited or Restricted

564 (1) A *recreational vehicle* must not remain in an *actual front setback area* for longer than 24 hours.

(2) A trailer used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste must not remain in an *actual front setback area*, except while engaged in loading or unloading.

(3) A *dilapidated vehicle* must not remain outside of a *building*.

(4) A *large vehicle* must not remain on a *parcel*, except while engaged in loading or unloading.

(5) A satellite dish antenna greater than 1.0 metre in diameter must not:
   (a) be located in an *actual front setback area* or in an *actual side setback area* of a corner parcel;
   (b) be located higher than 3.0 metres from *grade*; and
   (c) be illuminated.

(6) Subsection (5) does not apply to a satellite dish greater than 1.0 metre in diameter, when the applicant demonstrates:
   (a) compliance with subsection (5) would prevent signal reception; and
   (b) the satellite dish will be located and screened to the satisfaction of the *Development Authority*.

(7) deleted

Driveway Length and Parking Areas

565 (1) A driveway must not have direct access to a *major street* unless:
   (a) there is no practical alternative method of vehicular access to the *parcel*; and
   (b) a turning space is provided on the *parcel* to allow all vehicles exiting to face the *major street*.

(2) A driveway connecting to a *street* must:
   (a) be a minimum of 6.0 metres in length, when measured along the intended direction of travel for vehicles from the back of the public sidewalk or curb; and
   (b) be a minimum of 3.0 metres in width.

(3) A driveway connecting to a *lane* must:
   (a) be a minimum of 0.60 metres in length, when measured along the intended direction of travel for vehicles; and
(b) be located between the *property line* shared with a *lane* and the vehicular entrance of the *private garage*.

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

**Garbage**

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

(a) inside a *building*; or

(b) in a garbage container enclosure approved by the *Development Authority*.

(2) A garbage container enclosure:

(a) must not be located between a *building* and a public *street*; and

(b) unless specified in subsection (3) must not be located in a *setback area*.

(3) Where the *main residential building* is a *Multi-Residential Development* a garbage container enclosure may be located in a *setback area* from another *parcel* provided that:

(a) the wall of the enclosure is constructed of maintenance free materials; and

(b) there is no overhang of eaves onto an *adjacent parcel* or *lane*.

**Recycling Facilities**

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

**Mechanical Screening**

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

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

Retaining Walls

A retaining wall must be less than 1.2 metres in height when measured from the lowest grade at any point adjacent to the retaining wall to the highest grade retained by the retaining wall.

A minimum horizontal separation of 1.0 metres must be maintained between retaining walls on a parcel:

(a) in the case of Multi-Residential Development – Minor; and

(b) for all other developments, within 3.0 metres of a property line.

Fences

The height of a fence above grade, at any point along a fence line, must not exceed:

(a) 1.2 metres for that portion of the fence extending beyond the foremost portion of all buildings on the parcel;

(b) 2.0 metres for that portion of the fence that does not extend beyond the foremost portion of all buildings on the parcel; and

(c) 2.5 metres to the highest point of a gateway, provided that the gateway does not exceed 2.5 metres in length.

Solar Collectors

A solar collector may only be located on the wall or roof of a building.

A solar collector mounted on a roof with a pitch of less than 4:12:

(a) may project a maximum of 2.0 metres from the surface of the roof; and

(b) must be located at least 1.0 metres from the edge of the roof.

A solar collector mounted on a roof with a pitch of 4:12 or greater:

(a) may project a maximum of 1.3 metres from the surface of the roof; and

(b) must not extend beyond the outermost edge of the roof.
PART 6 - DIVISION 1: GENERAL RULES

(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.

Skateboard and Sports Ramps

571.2 (1) All skateboard and sports ramp structures must be located within the maximum envelope dimensions of 1.5 metres high by 5.0 metres wide by 6.0 metres long.

(2) More than one structure may be contained within the maximum envelope dimensions referenced in subsection (1).

(3) The maximum envelope dimensions referenced in subsection (1) do not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete.

(4) Notwithstanding subsection (1), railings for safety purposes may extend beyond the maximum envelope dimensions referenced in subsection (1) provided they are not designed or used as a surface upon which to operate a skateboard, bicycle, scooter, roller skates or other similar device.

(5) There must only be one skateboard and sports ramp envelope per parcel.

(6) All skateboard and sports ramps structures must be located between the rear façade of the main residential building and the rear property line.

(7) The height of a skateboard and sports ramp at any point is measured from grade.

(8) All skateboard and sports ramp structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a side property line.

(9) All skateboard and sports ramp structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a rear property line.

(10) A skateboard and sports ramp must not be attached to a deck, another structure, fence, or building such as, but not limited to, a main residential building, Backyard Suite or Accessory Residential Building.

(11) Notwithstanding sections 550, 551, and 557, skateboard and sports ramps may be included in the calculation of landscaped area, hard surfaced landscaped area, soft surfaced landscaped area or common amenity space.
Gated Access

572 A gate must not be located across a *private condominium roadway*.

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

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

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

(b) Backyard Suite;

(c) Duplex Dwelling;

(d) Secondary Suite;

(e) Semi-detached Dwelling; or

(f) Single Detached Dwelling.

Parcel Access

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

Commercial Multi-Residential Uses

575 Where “*commercial multi-residential uses*” are referred to in this Part, they include only those *commercial multi-residential uses* that are specifically listed in the M-H1, M-H2, M-H3, M-X1 and M-X2 Districts.
Division 2: Multi-Residential – Contextual Grade-Oriented (M-CG) (M-CGd#) District

Purpose
576 The Multi-Residential – Contextual Grade-Oriented District:

(a) is intended to apply to the Developed Area;
(b) has Multi-Residential Development that will typically have higher numbers of Dwelling Units and traffic generation than low density residential dwellings;
(c) has Multi-Residential Development designed to provide some or all Units with direct access to grade;
(d) provides for Multi-Residential Development in a variety of forms;
(e) has Multi-Residential Development of low height and low density;
(f) allows for varied building height and front setback areas in a manner that reflects the immediate context;
(g) is intended to be in close proximity or adjacent to low density residential development;
(h) provides outdoor space for social interaction; and
(i) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

Permitted Uses
577 (1) The following uses are permitted uses in the Multi-Residential – Contextual Grade-Oriented District:

(a) Accessory Residential Building;
(a.1) Home Based Child Care – Class 1;
(b) Home Occupation – Class 1;
(c) deleted
(d) Park;
(e) Protective and Emergency Service;
(e.1) Secondary Suite;
(f) Sign – Class A; and
PART 6 - DIVISION 2: M-CG

380


4P2012

(g) deleted

(h) Utilities.

(2) The following uses are permitted uses on a parcel in the Multi-Residential – Contextual Grade-Oriented District that has a building used or previously used as a School Authority – School:

(a) School Authority – School; and

(b) School Authority Purpose – Minor.

Discretionary Uses

578 (1) The following uses are discretionary uses in the Multi-Residential – Contextual Grade-Oriented District:

(a) Addiction Treatment;

(b) Assisted Living;

(b.1) Backyard Suite;

(c) Bed and Breakfast;

(d) Community Entrance Feature;

(e) Custodial Care;

(f) Duplex Dwelling;

(f.1) Home Based Child Care – Class 2;

(g) Home Occupation – Class 2;

(h) Live Work Unit;

(i) Multi-Residential Development;

(j) Place of Worship – Medium;

(k) Place of Worship – Small;

(l) Power Generation Facility – Small;

(m) Residential Care;

(n) deleted

(n.1) deleted

(n.2) deleted

(o) Semi-detached Dwelling;

(p) Sign – Class B;

(q) Sign – Class C;

(r) Sign – Class D;

(s) Sign – Class E;
(l) Single Detached Dwelling;
(u) Temporary Residential Sales Centre; 33P2019
(u.1) Urban Agriculture; and 33P2019
(v) Utility Building.

(2) The following uses are additional discretionary uses if they are located in buildings used or previously used as School Authority – School in the Multi-Residential – Contextual Grade-Oriented District:
(a) Child Care Service; 17P2009
(a.1) Library; 17P2009
(b) Museum;
(c) School – Private;
(d) School Authority Purpose – Major; and
(e) Service Organization.

(3) The following uses are additional discretionary uses on a parcel in the Multi-Residential – Contextual Grade-Oriented District that has a building used or previously used as School Authority – School:
(a) Community Recreation Facility;
(b) Food Kiosk;
(c) Indoor Recreation Facility;
(d) Outdoor Recreation Area;
(e) Park Maintenance Facility – Large; and
(f) Park Maintenance Facility – Small.

(4) The following uses are additional discretionary uses on a parcel that has an existing building used as a Place of Worship – Large or Place of Worship – Medium provided any new development proposed does not result in the increase of any assembly area:
(a) Place of Worship – Large; and
(b) Place of Worship – Medium.

Rules

579 In addition to the rules in this District, all uses in this District must comply with:
(a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
(b) the Rules Governing All Districts referenced in Part 3;
(c) the applicable Uses And Use Rules referenced in Part 4; and
(d) the applicable rules for the Special Purpose – Community Service District for those uses referenced in sections 577(2) and 578(2) and (3).
Density

580  (1) The maximum density for parcels designated M-CG District is 111 units per hectare.

(2) The maximum density for parcels designated M-CG District followed by the letter “d” and a number indicated on the Land Use District Maps:

(a) is the number expressed in units per hectare; and

(b) the number after the letter “d” must not exceed the maximum density referenced in subsection (1).

At Grade Orientation of Units

581  (1) Units in a Multi-Residential Development, not including attached private garages, must occupy a minimum of 50.0 per cent of the area of the floor closest to grade.

(2) A unit in a Multi-Residential Development that is located on the floor closest to grade must have:

(a) an individual, separate, direct access to grade; and

(b) an entrance that is visible from the street that the unit faces.

Setback Area

582  The depth of all setback areas must be equal to the minimum contextual multi-residential building setback and building setback required by section 583.

Building Setbacks

583  (1) Where the contextual multi-residential building setback is less than 3.0 metres and greater than zero metres, the minimum building setback from a property line shared with a street is equal to the contextual multi-residential building setback.

(2) Where the contextual multi-residential building setback is 3.0 metres or greater, the minimum building setback from a property line shared with a street is the greater of:

(a) the contextual multi-residential building setback less 1.5 metres; or

(b) 3.0 metres.

(3) Where the contextual multi-residential building setback is zero metres, the minimum building setback from a property line shared with a street is 3.0 metres.

(4) The minimum building setback from a property line shared with a lane is 1.2 metres.
(5) The minimum building setback from a property line shared with another parcel is 1.2 metres.

Landscaping

584 All of the required landscaped area must be provided at grade.

Building Height and Cross Section

585 (1) Unless otherwise referenced in subsections (2) and (3), the maximum building height is 12.0 metres.

(2) The maximum building height on a parcel that shares a property line with another parcel that has no buildings or that has a building with a height greater than 6.0 metres above grade at that shared property line, and where the other parcel is designated with a low density residential district or M-CG District:

(a) is 8.0 metres measured from grade at the shared property line; and

(b) increases proportionately to a maximum of 12.0 metres measured from grade at a distance of 4.0 metres from the shared property line.

(3) The maximum building height on a parcel that shares a property line with a parcel that has a building with a height that does not exceed 6.0 metres above grade at that shared property line, and where the other parcel is designated with a low density residential district or M-CG District:

(a) is 6.0 metres measured from grade at the shared property line; and

(b) increases proportionately to a maximum of 12.0 metres measured from grade at a distance of 6.0 metres from the shared property line.

(4) The maximum area of a horizontal cross section through a building at 10.5 metres above average grade must not be greater than 40.0 per cent of the maximum area of a horizontal cross section through the building between average grade and 9.0 metres.

(5) The following diagrams illustrate the rules of subsections (2), (3) and (4):
Illustration 3:
Building Height and Cross Section in the Multi-Residential Contextual
Grade Oriented (M-CG) District

Subsection 585(2)

parcel with building greater than 6 metres in height and designated low density residential or M-CG

maximum building height 12.0 metres above grade

maximum height above grade

Subsection 585(3)

parcel with building less than or equal to 6 metres in height and designated low density residential or M-CG

maximum building height 12.0 metres above grade

maximum height above grade

grade
Subsection 585(4)

The maximum area of a horizontal cross section through a building at 10.5 metres above average grade must not be greater than 40.0 per cent of the maximum area of a horizontal cross section through the building between average grade and 9.0 metres.
Division 3: Multi-Residential – Contextual Low Profile
(M-C1) (M-C1d#) District

Purpose

586 The Multi-Residential – Contextual Low Profile District:

(a) is intended to apply to the Developed Area;

(b) has Multi-Residential Development that will typically have higher numbers of Dwelling Units and traffic generation than low density residential dwellings and M-CG District;

(c) provides for Multi-Residential Development in a variety of forms;

(d) has Multi-Residential Development of low height and medium density;

(e) allows for varied building height and front setback areas in a manner that reflects the immediate context;

(f) is intended to be in close proximity or adjacent to low density residential development;

(g) provides space for social interaction; and

(h) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

Permitted Uses

587 (1) The following uses are permitted uses in the Multi-Residential – Contextual Low Profile District:

(a) Accessory Residential Building;

(a.1) Home Based Child Care – Class 1; 17P2009

(b) Home Occupation – Class 1;

(c) Park;

(d) Protective and Emergency Service;

(d.1) Secondary Suite; 33P2011

(e) Sign – Class A; and 4P2012

(f) deleted 4P2012

(g) Utilities.
(2) The following uses are permitted uses on a parcel in the Multi-Residential – Contextual Low Profile District that has a building used or previously used as a School Authority – School:

(a) School Authority – School; and

(b) School Authority Purpose – Minor.

Discretionary Uses

588 (1) The following uses are discretionary uses in the Multi-Residential – Contextual Low Profile District:

(a) Addiction Treatment;

(b) Assisted Living;

(b.1) Backyard Suite;

(c) Bed and Breakfast;

(d) Child Care Service;

(e) Community Entrance Feature;

(f) Custodial Care;

(g) Duplex Dwelling;

(g.1) Home Based Child Care – Class 2;

(h) Home Occupation – Class 2;

(i) Live Work Unit;

(j) Multi-Residential Development;

(k) Place of Worship – Medium;

(l) Place of Worship – Small;

(m) Power Generation Facility – Small;

(n) Residential Care;

(n.1) deleted

(n.2) deleted

(n.3) deleted

(o) Semi-detached Dwelling;

(p) Sign – Class B;

(q) Sign – Class C;

(r) Sign – Class D;

(s) Sign – Class E;

(t) Single Detached Dwelling;
(u) Temporary Residential Sales Centre;  
(u.1) Urban Agriculture; and  
(v) Utility Building.

(2) The following uses are additional discretionary uses if they are located in buildings used or previously used as School Authority – School in the Multi-Residential – Contextual Low Profile District:

(a) Library;
(b) Museum;
(c) School – Private;
(d) School Authority Purpose – Major; and
(e) Service Organization.

(3) The following uses are additional discretionary uses on a parcel in the Multi-Residential – Contextual Low Profile District that has a building used or previously used as School Authority – School:

(a) Community Recreation Facility;
(b) Food Kiosk;
(c) Indoor Recreation Facility;
(d) Outdoor Recreation Area;
(e) Park Maintenance Facility – Large; and
(f) Park Maintenance Facility – Small.

(4) The following uses are additional discretionary uses on a parcel that has an existing building used as a Place of Worship – Large or Place of Worship – Medium provided any new development proposed does not result in the increase of any assembly area:

(a) Place of Worship – Large; and
(b) Place of Worship – Medium.

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

(a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
(b) the Rules Governing All Districts referenced in Part 3;
(c) the applicable Uses And Use Rules referenced in Part 4; and
(d) the applicable rules for the Special Purpose – Community Service District for those uses referenced in sections 587(2) and 588(2) and (3).
Density
590 (1) The maximum density for parcels designated M-C1 District is 148 units per hectare.

(2) The maximum density for parcels designated M-C1 District followed by the letter “d” and a number indicated on the Land Use District Maps:

(a) is the number expressed in units per hectare; and

(b) the number after the letter “d” must not exceed the maximum density referenced in subsection (1).

Setback Area
591 The depth of all setback areas must be equal to the minimum contextual multi-residential building setback and the building setback required in section 592.

Building Setbacks
592 (1) Unless otherwise referenced in subsection (2), the minimum building setback from a property line shared with a street is the greater of:

(a) the contextual multi-residential building setback; or

(b) 3.0 metres.

(2) The minimum building setback from a property line shared with a street for a street-oriented multi-residential building is the contextual multi-residential building setback less 1.5 metres.

(3) The minimum building setback from a property line shared with a lane is 1.2 metres.

(4) Unless otherwise referenced in subsection (5), the minimum building setback from a property line shared with another parcel is 1.2 metres.

(5) The minimum building setback from a property line shared with another parcel for a street-oriented multi-residential building is zero metres, when the adjoining parcel is designated:

(a) C-N1, C-COR1, CC-X or CC-COR District; or

(b) M-CG, M-C1, M-C2, M-H1, M-H2, M-H3, M-X1, M-X2, CC-MH or CC-MHX District and contains four or more Dwelling Units.
Landscaping

At least 90.0 per cent of the required landscaped area must be provided at grade.

Building Height and Cross Section

(1) Unless otherwise referenced in subsections (2) and (3), the maximum building height is 14.0 metres.

(2) Where the parcel shares a property line with a parcel designated with a low density residential district or M-CG District, the maximum building height:

(a) is 9.0 metres measured from grade at the shared property line; and

(b) increases proportionately to a maximum of 14.0 metres measured from grade at a distance of 5.0 metres from the shared property line.

(3) Where the parcel shares a property line with a street, the maximum building height is:

(a) 10.0 metres measured from grade within 3.0 metres of that shared property line; and

(b) 14.0 metres measured from grade at a distance greater than 3.0 metres from that shared property line.

(4) The maximum area of a horizontal cross section through a building at 12.0 metres above average grade must not be greater than 40.0 per cent of the maximum area of a horizontal cross section through the building between average grade and 10.0 metres.

(5) The following diagrams illustrate the rules of subsections (2), (3) and (4):
Illustration 4:
Building Height and Cross Section in the Multi-Residential Contextual Low Profile (M-C1) District

Subsection 594(2)
- 5.0 metres above grade
- Parcel designated low density residential or M-CG
- Maximum building height 14.0 metres above grade
- Maximum height above grade 9.0 metres above grade at shared property line

Subsection 594(3)
- 3.0 metres above grade
- Maximum building height 14.0 metres above grade
- Maximum height above grade 10.0 metres above grade at shared property line
Subsection 594(4)

The maximum area of a horizontal cross section through a building at 12.0 metres above average grade must not be greater than 40.0 per cent of the maximum area of a horizontal cross section through the building between average grade and 10.0 metres above average grade.
Division 4: Multi-Residential – Contextual Medium Profile (M-C2) (M-C2f#d#) District

Purpose

The Multi-Residential – Contextual Medium Profile District:

(a) is intended to apply to the Developed Area;

(b) has Multi-Residential Development that will typically have higher numbers of Dwelling Units and traffic generation than low density residential dwellings and the M-CG and M-C1 Districts;

(c) provides for Multi-Residential Development in a variety of forms;

(d) has Multi-Residential Development of medium height and medium density;

(e) has Multi-Residential Development where intensity is measured by floor area ratio to provide flexibility in building form and Dwelling Unit size and number;

(f) allows for varied building height and front setback areas in a manner that reflects the immediate context;

(g) is in close proximity to, or adjacent to, low density residential development;

(h) is typically located at community nodes or transit and transportation corridors and nodes;

(i) provides outdoor space for social interaction; and

(j) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

Permitted Uses

The following uses are permitted uses in the Multi-Residential – Contextual Medium Profile District:

(a) Accessory Residential Building;

(a.1) Home Based Child Care – Class 1;

(b) Home Occupation – Class 1;

(c) Park;
(d) Protective and Emergency Service;
(d.1) Secondary Suite;
(e) Sign – Class A; and
(f) deleted
(g) Utilities.

(2) The following uses are permitted uses on a parcel that has a building used or previously used as a Community Recreation Facility or School Authority – School:
(a) Community Recreation Facility;
(b) School Authority – School; and
(c) School Authority Purpose – Minor.

Discretionary Uses

(1) The following uses are discretionary uses in the Multi-Residential – Contextual Medium Profile District:
(a) Addiction Treatment;
(b) Assisted Living;
(b.1) Backyard Suite;
(c) Bed and Breakfast;
(d) Child Care Service;
(e) Community Entrance Feature;
(f) Custodial Care;
(g) Duplex Dwelling;
(g.1) Home Based Child Care – Class 2;
(h) Home Occupation – Class 2;
(i) Live Work Unit;
(j) Multi-Residential Development;
(k) Place of Worship – Medium;
(l) Place of Worship – Small;
(m) Power Generation Facility – Small;
(n) Residential Care;
(n.1) deleted
(n.2) deleted
(n.3) deleted
(o) Semi-detached Dwelling;
(p) Sign – Class B;
(q) Sign – Class C;
(r) Sign – Class D;
(s) Sign – Class E;
(t) Single Detached Dwelling;
(u) Temporary Residential Sales Centre;
(u.1) Urban Agriculture; and
(v) Utility Building.

(2) The following uses are additional discretionary uses if they are located in buildings used or previously used as Community Recreation Facility or School Authority – School in the Multi-Residential – Contextual Medium Profile District:

(a) Library;
(b) Museum;
(c) School – Private;
(d) School Authority Purpose – Major; and
(e) Service Organization.

(3) The following uses are additional discretionary uses on a parcel in the Multi-Residential – Contextual Medium Profile District that has a building used or previously used as School Authority – School:

(a) Community Recreation Facility;
(b) Food Kiosk;
(c) Indoor Recreation Facility;
(d) Outdoor Recreation Area;
(e) Park Maintenance Facility – Large; and
(f) Park Maintenance Facility – Small.

(4) The following uses are additional discretionary uses on a parcel that has an existing building used as a Place of Worship – Large or Place of Worship – Medium provided any new development proposed does not result in the increase of any assembly area:

(a) Place of Worship – Large; and
(b) Place of Worship – Medium.
Rules

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

(a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
(b) the Rules Governing All Districts referenced in Part 3;
(c) the applicable Uses And Use Rules referenced in Part 4; and
(d) the applicable rules for the Special Purpose – Community Service District for those uses referenced in sections 596(2) and 597(2) and (3).

Floor Area Ratio

599  (1) The maximum floor area ratio is 2.5.

(2) The maximum floor area ratio for all buildings on parcels designated M-C2 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be less than 2.5.

Density

600  (1) There is no maximum density for parcels designated M-C2 District, unless established as referenced in subsection (2).

(2) The maximum density for parcels designated M-C2 District followed by the letter “d” and a number indicated on the Land Use District Maps is the number expressed in units per hectare.

Setback Area

601  The depth of all setback areas must be equal to the minimum contextual multi-residential building setback and building setback required in section 602.

Building Setbacks

602  (1) Unless otherwise referenced in subsection (2), the minimum building setback from a property line shared with a street is the greater of:

(a) the contextual multi-residential building setback; or
(b) 3.0 metres.

(2) The minimum building setback from a property line shared with a street for a street-oriented multi-residential building is a minimum of the contextual multi-residential building setback less 1.5 metres.

(3) The minimum building setback from a property line shared with a lane is 1.2 metres.
(4) Unless otherwise referenced in subsection (5), the minimum building setback from a property line shared with another parcel is 1.2 metres.

(5) The minimum building setback from a property line shared with another parcel for a street-oriented multi-residential building is zero metres when the adjoining parcel is designated:

(a) C-N1, C-COR1, CC-X or CC-COR District; or
(b) M-CG, M-C1, M-C2, M-H1, M-H2, M-H3, M-X1, M-X2, CC-MH or CC-MHX District and contains four or more Dwelling Units.

Landscaping
603 At least 90.0 per cent of the required landscaped area must be provided at grade.

Building Height and Cross Section
604 (1) Unless otherwise referenced in subsections (2) and (3), the maximum building height is 16.0 metres.

(2) Where a parcel shares a property line with a parcel designated with a low density residential district or M-CG District, the maximum building height:

(a) is 11.0 metres measured from grade at the shared property line; and
(b) increases proportionately to a maximum of 16.0 metres measured from grade at a distance of 5.0 metres from the shared property line.

(3) Where a parcel shares a property line with a street, the maximum building height is:

(a) 10.0 metres measured from grade within 3.0 metres of that shared property line; and
(b) 16.0 metres measured from grade at a distance greater than 3.0 metres from that shared property line.

(4) The maximum area of a horizontal cross section through a building at 14.0 metres above average grade must not be greater than 40.0 per cent of the maximum area of a horizontal cross section through the building between average grade and 12.0 metres.

(5) The following diagrams illustrate the rules of subsections (2), (3) and (4):
Illustration 5:
Building Height and Cross Section in the Multi-Residential Contextual Medium Profile (M-C2) District

Subsection 604(2)

parcel designated low density residential or M-CG

Subsection 604(3)
Subsection 604(4)

The maximum area of a horizontal cross section through a building at 14.0 metres above average grade must not be greater than 40.0 per cent of the maximum area of a horizontal cross section through the building between average grade and 12.0 metres.
Division 5: Multi-Residential – At Grade Housing  
(M-G) (M-Gd#) District

Purpose
605 The Multi-Residential – At Grade Housing District:

(a) is intended to apply to the Developing Area;

(b) has Multi-Residential Development that will typically have higher numbers of Dwelling Units and traffic generation than low density residential dwellings;

(c) has Multi-Residential Development designed to provide all units with pedestrian direct access to grade;

(d) has Multi-Residential Development of low height and low density;

(e) is intended to be in close proximity or adjacent to low density residential development;

(f) requires that Multi-Residential Development achieves a minimum density;

(g) provides for permitted use Multi-Residential Development on small parcels;

(h) provides outdoor space for social interaction; and

(i) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

Permitted Uses
606 The following uses are permitted uses in the Multi-Residential – At Grade Housing District:

(a) Accessory Residential Building;

(a.1) Home Based Child Care – Class 1;  
17P2009

(b) Home Occupation – Class 1;

(c) Multi-Residential Development – Minor;

(d) Park;

(e) Protective and Emergency Service;

(f) Sign – Class A; and  
4P2012
(g) deleted

(h) Utilities.

Discretionary Uses

607 The following uses are discretionary uses in the Multi-Residential – At Grade Housing District:

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

Rules

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

(a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
(b) the Rules Governing All Districts referenced in Part 3; and
Density

609 (1) The minimum density for parcels designated M-G District is 35 units per hectare.

(2) The maximum density for parcels designated M-G District is 80 units per hectare.

(3) The maximum density for parcels designated M-G District followed by the letter "d" and a number indicated on the Land Use District Maps:
   
   (a) is the number expressed in units per hectare; and
   
   (b) the number after the letter "d" must not be less than the minimum density referenced in subsection (1) or exceed the maximum density referenced in subsection (2).

Building Form

610 (1) Buildings that contain a unit must contain at least three or more units.

(2) Each unit must have a separate and direct pedestrian access to grade.

(3) deleted

Setback Area

611 The depth of all setback areas must be equal to the minimum building setback required in section 612.

Building Setbacks

612 (1) Unless otherwise referenced in subsection (2), the minimum building setback from a property line shared with a street is 3.0 metres.

(2) The minimum building setback from a property line shared with a street for a street-oriented multi-residential building is zero metres.

(3) The minimum building setback from a property line shared with a lane is 1.2 metres.

(4) Unless otherwise referenced in subsection (5), the minimum building setback from a property line shared with another parcel is 1.2 metres.
(5) The minimum building setback from a property line shared with another parcel for a street-oriented multi-residential building is zero metres, when the adjoining parcel is designated as:

(a) C-N1 or C-COR1 District; or
(b) M-G, M-1, M-2, M-H1, M-H2, M-H3, M-X1, or M-X2 District.

Landscaping

613 All of the minimum required landscaped area must be provided at grade.

Building Height

614 The maximum building height is 13.0 metres.

Amenity Space

615 (1) Unless otherwise referenced in subsection (4), a balcony, deck, or patio must not be located in any setback area.

(2) Each unit in a Multi-Residential Development and a Multi-Residential Development – Minor must have an amenity space:

(a) provided for the private use of the occupants of the unit;
(b) that has a minimum area of 7.5 square metres with no dimension less than 2.0 metres; and
(c) in the form of a balcony, deck, or patio.

(3) Where a patio is located within 4.0 metres of a lane or another parcel, it must be screened.

(4) A patio may be located between a street-oriented multi-residential building and a property line shared with a street.
Division 6: Multi-Residential – Low Profile
(M-1) (M-1d#) District

Purpose
616 The Multi-Residential – Low Profile District:

(a) is intended to apply to the Developing Area;
(b) has Multi-Residential Development that will have higher numbers of Dwelling Units and more traffic generation than both low density residential dwellings and the M-G District;
(c) provides for Multi-Residential Development in a variety of forms;
(d) has Multi-Residential Development of low height and medium density;
(e) is intended to be in close proximity or adjacent to low density residential development;
(f) requires that Multi-Residential Development achieves a minimum density;
(g) provides for permitted use Multi-Residential Development on small parcels;
(h) provides private and common outdoor space for social interaction; and
(i) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

Permitted Uses
617 The following uses are permitted uses in the Multi-Residential – Low Profile District:

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

17P2009
4P2012
(g) deleted

(h) Utilities.

Discretionary Uses

The following uses are discretionary uses in the Multi-Residential – Low Profile District:

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

Rules

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

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

Density

620 (1) The minimum density for parcels designated M-1 District is 50 units per hectare.

(2) The maximum density for parcels designated M-1 District is 148 units per hectare.

(3) The maximum density for parcels designated M-1 District followed by the letter "d" and a number indicated on the Land Use District Maps:
   (a) is the number expressed in units per hectare; and
   (b) the number after the letter “d” must not be less than the minimum density referenced in subsection (1) or exceed the maximum density referenced in subsection (2).

Setback Area

621 The depth of all setback areas must be equal to the minimum building setback required in section 622.

Building Setbacks

622 (1) Unless otherwise referenced in subsection (2), the minimum building setback from a property line shared with a street is 3.0 metres.

(2) The minimum building setback from a property line shared with a street for a street-oriented multi-residential building is zero metres.

(3) The minimum building setback from a property line shared with a lane is 1.2 metres.

(4) Unless otherwise referenced in subsection (5), the minimum building setback from a property line shared with another parcel is 1.2 metres.

(5) The minimum building setback from a property line shared with another parcel for a street-oriented multi-residential building is zero metres when the adjoining parcel is designated:
   (a) C-N1 or C-COR1 District; or
   (b) M-G, M-1, M-2, M-H1, M-H2, M-H3, M-X1, or M-X2 District.
Landscaping

623 At least 90.0 per cent of the required landscaped area must be provided at grade.

Building Height

624 (1) Unless otherwise referenced in subsection (2) and (3), the maximum building height is 14.0 metres.

(2) Where a parcel shares a property line with a parcel designated with a low density residential district or M-G District, the maximum building height:

(a) is 9.0 metres measured from grade at the shared property line; and

(b) increases proportionately to a maximum of 14.0 metres measured from grade at a distance of 5.0 metres from the shared property line.

(3) Where a parcel shares a property line with a street, the maximum building height is:

(a) 10.0 metres measured from grade within 3.0 metres of that shared property line; and

(b) 14.0 metres measured from grade at a distance greater than 3.0 metres from that shared property line.

(4) The following diagrams illustrate the rules of subsections (2) and (3):
Illustration 6:
Building Height in the Multi-Residential Low Profile (M-1) District

**Subsection 624(2)**

- Parcel designated low density residential or M-G
- 5.0 metres property line
- 9.0 metres above grade at shared property line
- Maximum building height 14.0 metres above grade
- Maximum height above grade 9.0 metres above grade

**Subsection 624(3)**

- 3.0 metres property line
- 10.0 metres above grade at shared property line
- Street
- Maximum building height 14.0 metres above grade
- Maximum height above grade 10.0 metres above grade
Division 7: Multi-Residential – Medium Profile (M-2) (M-2f#d#) District 7P2011

Purpose
625 The Multi-Residential – Medium Profile District:

(a) is intended to apply to the Developing Area;
(b) has Multi-Residential Development that will have higher numbers of Dwelling Units and traffic generation than low density residential districts and the M-G and M-1 Districts;
(c) provides for Multi-Residential Development in a variety of forms;
(d) has Multi-Residential Development of medium height and medium density;
(e) has Multi-Residential Development where intensity is measured by floor area ratio to provide flexibility in building form and Dwelling Unit size and number;
(f) is intended to be in close proximity or adjacent to, low density residential development;
(g) is intended to be typically located at community nodes or transit and transportation corridors and nodes;
(h) requires that Multi-Residential Development achieves a minimum density;
(i) provides for permitted use Multi-Residential Development on small parcels;
(j) provides outdoor space for social interaction; and
(k) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

Permitted Uses
626 The following uses are permitted uses in the Multi-Residential – Medium Profile District:

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

(f) Sign – Class A; and

(g) deleted

(h) Utilities.

### Discretionary Uses

The following uses are **discretionary uses** in the Multi-Residential – Medium Profile District:

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

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

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

Floor Area Ratio

629 (1) The maximum floor area ratio is 3.0.

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

Density

630 (1) The minimum density for parcels designated M-2 District is 60 units per hectare.

(2) There is no maximum density for parcels designated M-2 District, unless established as referenced in subsection (3).

(3) The maximum density for parcels designated M-2 District followed by the letter “d” and a number indicated on the Land Use District Maps:

(a) is the number expressed in units per hectare; and
(b) the number after the letter “d” must not be less than the minimum density referenced in subsection (1).

Setback Area

631 The depth of all setback areas must be equal to the minimum building setback required in section 632.

Building Setbacks

632 (1) Unless otherwise referenced in subsection (2), the minimum building setback from a property line shared with a street is 3.0 metres.

(2) The minimum building setback from a property line shared with a street for a street-oriented multi-residential building is zero metres.

(3) The minimum building setback from a property line shared with a lane is 1.2 metres.

(4) Unless otherwise referenced in subsection (5), the minimum building setback from a property line shared with another parcel is 1.2 metres.
The minimum building setback from a property line shared with another parcel for a street-oriented multi-residential building is zero metres when the adjoining parcel is designated:

(a) C-N1 or C-COR1 District; or
(b) M-G, M-1, M-2, M-H1, M-H2, M-H3, M-X1, or M-X2 District.

Landscaping
633 At least 90.0 per cent of the required landscaped area must be provided at grade.

Building Height
634 (1) Unless otherwise referenced in subsections (2) and (3), the maximum building height is 16.0 metres.

(2) Where a parcel shares a property line with a parcel designated with a low density residential district or M-G District, the maximum building height:

(a) is 11.0 metres measured from grade at the shared property line; and

(b) increases proportionately to a maximum of 16.0 metres measured from grade at a distance of 5.0 metres from the shared property line.

(3) Where a parcel shares a property line with a street, the maximum building height is:

(a) 10.0 metres measured from grade within 3.0 metres of that shared property line; and

(b) 16.0 metres measured from grade at a distance greater than 3.0 metres from that shared property line.

(4) The following diagrams illustrate the rules of subsection (2) and (3):
Illustration 7:
Building Height in the Multi-Residential Medium Profile (M-2) District

Subsection 634(2)

maximum building height 16.0 metres above grade

maximum height above grade

11.0 metres above grade at shared property line

parcel designated low density residential or M-G

grade

Subsection 634(3)

maximum building height 16.0 metres above grade

maximum height above grade

10.0 metres above grade at shared property line

property line

street

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

Purpose

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

(a) is intended to provide for Multi-Residential Development in the Developed Area and the Developing Area;

(b) has Multi-Residential Development that will provide development with higher numbers of Dwelling Units and traffic generation;

(c) provides for Multi-Residential Development in a variety of forms;

(d) has tall Multi-Residential Development with high density;

(e) has Multi-Residential Development where intensity is measured by floor area ratio to provide flexibility in building form and Dwelling Unit size and number;

(f) is intended to be typically located at community nodes and transit and transportation corridors and nodes;

(g) requires that Multi-Residential Development achieves a minimum density;

(h) includes a limited range of support commercial multi-residential uses, restricted in size and location within the building;

(i) provides outdoor space for social interaction; and

(j) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

Permitted Uses

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

(a) Accessory Residential Building;

(a.1) Home Based Child Care – Class 1;

(b) Home Occupation – Class 1;

(c) Park;

(d) Protective and Emergency Service;
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(d.1) Secondary Suite;
(e) Sign – Class A; and
(f) deleted
(g) Utilities.

Discretionary Uses

The following uses are discretionary uses in the Multi-Residential – High Density Low Rise District:

(a) Addiction Treatment;

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

(2) The following uses are additional discretionary uses in the Multi Residential – High Density Low Rise District if they are located on a parcel in the developed area that is used or was previously used as Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:

(a) Backyard Suite;
(a.1) Duplex Dwelling;
(b) deleted
(c) deleted
(d) deleted
(e) Semi-detached Dwelling; and
(f) Single Detached Dwelling.

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

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

Floor Area Ratio
639 (1) The maximum floor area ratio is 4.0.
(2) The maximum floor area ratio for all buildings on parcels designated M-H1 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be less than 4.0.

Density
640 (1) The minimum density for parcels designated M-H1 District is 150 units per hectare.
(2) There is no maximum density for parcels designated M-H1 District, unless established as referenced in subsection (3).
(3) The maximum density for parcels designated M-H1 District followed by the letter “d” and a number indicated on the Land Use District Maps:

(a) is the number expressed in units per hectare; and

(b) the number after the letter “d” must not be less than the minimum density referenced in subsection (1).

Setback Area

641 The depth of all setback areas must be equal to the minimum building setback required in section 642.

Building Setbacks

642 (1) Unless otherwise referenced in subsection (2), the minimum building setback from a property line shared with a street is 6.0 metres.

(2) The minimum building setback from a property line shared with a street for a street-oriented multi-residential building is zero metres.

(3) The minimum building setback from a property line shared with a lane is zero metres.

(4) Unless otherwise referenced in subsection (5), the minimum building setback from a property line shared with another parcel is 3.0 metres.

(5) The minimum building setback from a property line shared with another parcel is zero metres when the adjoining parcel is designated as a:

(a) commercial district;

(b) industrial district;

(c) special purpose district; or

(d) M-C2, M-2, M-H1, M-H2, M-H3, M-X2, CC-MH or CC-MHX District.

Landscaping

643 At least 50.0 per cent of the required landscaped area must be provided at grade.

Building Height

644 (1) Unless otherwise referenced in subsections (2), (3), (4) and (5), the maximum building height is 26.0 metres.

(2) The maximum building height for parcels designated M-H1 is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres, which must be less than 26.0 metres.
(3) Where a parcel shares a property line with a street or a parcel designated as a M-C2, M-2, M-H1, M-H2, M-H3, or M-X2 District, the maximum building height referenced in subsection (1) or (2) is reduced to 10.0 metres measured from grade within 4.0 metres of that shared property line.

(4) Where a parcel shares a property line with a lane or a parcel designated as a low density residential district, M-CG, M-C1, M-G, M-1, or M-X1 District, the maximum building height referenced in subsection (1) or (2) is reduced to 10.0 metres measured from grade within 6.0 metres of that shared property line.

(5) Where a parcel shares a property line with a parcel designated as a commercial, industrial or special purpose district, the maximum building height referenced in subsection (1) or (2) is reduced to 10.0 metres measured from grade within 1.2 metres of that shared property line.

Rules for Commercial Multi-Residential Uses

645 (1) Commercial multi-residential uses must:

(a) be located on the floor closest to grade of a main residential building; 7P2011

(b) be contained completely within the building with the exception of Outdoor Café uses; 16P2018

(c) not be located above any Dwelling Unit;

(d) not share an internal hallway with Dwelling Units; and

(e) have a separate exterior entrance from that of the Dwelling Units.

(2) deleted 7P2011

(3) The maximum use area for each commercial multi-residential use is 300.0 square metres.

(4) Parking areas for commercial multi-residential uses must:

(a) be separated from residential parking areas;

(b) provide pedestrian access to the commercial multi-residential uses; and

(c) be located a minimum distance of 5.0 metres from a parcel designated as a low density residential district, in the case of a surface parking area.
Division 9: Multi-Residential – High Density Medium Rise (M-H2)  
(M-H2f#h#d#) District

Purpose

The Multi-Residential – High Density Medium Rise District:

(a) is intended to provide for Multi-Residential Development on selected parcels in the Developed Area and the Developing Area;

(b) has Multi-Residential Development that will provide intense development, with higher numbers of Dwelling Units and traffic generation;

(c) provides for Multi-Residential Development in a variety of forms;

(d) has taller Multi-Residential Development with higher density;

(e) has Multi-Residential Development where intensity is measured by floor area ratio to provide flexibility in building form and Dwelling Unit size and number;

(f) is located on strategic parcels, including landmark locations, transit and transportation corridors and nodes and employment concentrations;

(g) requires that Multi-Residential Development achieves a minimum density;

(h) includes a limited range of support commercial multi-residential uses, restricted in size and location within the building;

(i) provides outdoor space for social interaction; and

(j) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

Permitted Uses

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

(a) Accessory Residential Building;

(a.1) Home Based Child Care – Class 1;

(b) Home Occupation – Class 1;

(c) Park;
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(d) Protective and Emergency Service;

(d.1) Secondary Suite;

(e) Sign – Class A; and

(f) deleted

(g) Utilities.

Discretionary Uses

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

(a) Addiction Treatment;

(a.1) Artist’s Studio;

(b) Assisted Living;

(c) Child Care Service;

(d) Community Entrance Feature;

(e) Convenience Food Store;

(f) Counselling Service;

(g) Custodial Care;

(h) Drinking Establishment – Small;

(i) Home Occupation – Class 2;

(j) Information and Service Provider;

(k) Live Work Unit;

(l) Multi-Residential Development;

(m) Office;

(n) Outdoor Café;

(o) Place of Worship – Medium;

(p) Place of Worship – Small;

(q) Power Generation Facility – Small;

(r) Print Centre;

(s) Residential Care;

(t) Restaurant: Food Service Only – Small;

(u) Restaurant: Licensed – Small;

(u.1) Restaurant: Neighbourhood;

(v) Retail and Consumer Service;

(w) Service Organization;
(x) Sign – Class B;
(y) Sign – Class C;
(z) Sign – Class D;
(aa) Sign – Class E;
(bb) Specialty Food Store;
(cc) Take Out Food Service;
(dd) Temporary Residential Sales Centre; 33P2019
(dd.1) Urban Agriculture; and 33P2019
(ee) Utility Building.

(2) The following uses are additional discretionary uses in the Multi Residential – High Density Medium Rise District if they are located on a parcel in the developed area that is used or was previously used as Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:

(a) Backyard Suite; 24P2014
(a.1) Duplex Dwelling; 33P2011
(b) deleted 24P2014
(c) deleted 24P2014
(d) deleted 24P2014
(e) Semi-detached Dwelling; and
(f) Single Detached Dwelling.

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

(a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;
(b) the Rules Governing All Districts referenced in Part 3; and
(c) the applicable Uses And Use Rules referenced in Part 4. 7P2011

Maximum Floor Area Ratio
650 (1) The maximum floor area ratio is 5.0.

(2) The maximum floor area ratio for all buildings on parcels designated M-H2 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be less than 5.0.

Density
651 (1) The minimum density for parcels designated M-H2 District is 150 units per hectare.
There is no maximum density for parcels designated M-H2 District, unless established as referenced in subsection (3).

The maximum density for parcels designated M-H2 District followed by the letter “d” and a number indicated on the Land Use District Maps:

(a) is the number expressed in units per hectare; and

(b) the number after the letter “d” must not be less than the minimum density referenced in subsection (1).

**Setback Area**

The depth of all setback areas must be equal to the minimum building setback required in section 653.

**Building Setbacks**

Unless otherwise referenced in subsection (2), the minimum building setback from a property line shared with a street is 6.0 metres.

The minimum building setback from a property line shared with a street for a street-oriented multi-residential building is zero metres.

The minimum building setback from a property line shared with a lane is zero metres.

Unless otherwise referenced in subsection (5), the minimum building setback from a property line shared with another parcel is 6.0 metres when that parcel is designated as a:

(a) low density residential district; or

(b) M-CG, M-C1, M-G, M-1 or M-X1 District.

Where a parcel shares a property line with another parcel, the minimum building setback is zero metres when the adjoining parcel is designated as a:

(a) commercial district;

(b) industrial district;

(c) special purpose district; or

(d) M-C2, M-2, M-H1, M-H2, M-H3, M-X2, CC-MH or CC-MHX District.

**Landscaping**

At least 25.0 per cent of the required landscaped area must be provided at grade.
Building Height

655 (1) Unless otherwise referenced in subsections (2), (3), (4) and (5), the maximum building height is 50.0 metres.

(2) The maximum building height for parcels designated M-H2 is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres, which must be less than 50.0 metres.

(3) Where a parcel shares a property line with a street or a parcel designated as a M-C2, M-2, M-H1, M-H2, M-H3, or M-X2 District, the maximum building height referenced in subsection (1) or (2) is reduced to 10.0 metres measured from grade within 4.0 metres of that shared property line.

(4) Where a parcel shares a property line with a lane, the maximum building height referenced in subsection (1) or (2) is reduced to 10.0 metres measured from grade within 6.0 metres of that shared property line.

(5) Where a parcel shares a property line with a parcel designated as a commercial, industrial or special purpose district, the maximum building height referenced in subsection (1) or (2) is reduced to 10.0 metres measured from grade within 1.2 metres of that shared property line.

Rules for Commercial Multi-Residential Uses

656 (1) Unless otherwise referenced in subsection (2), commercial multi-residential uses must:

(a) be contained completely within the building with the exception of Outdoor Café uses;

(b) be located on the floor closest to grade of a main residential building; and

(c) not share a hallway with Dwelling Units.

(2) A Counselling Service, Information and Service Provider, Office or Service Organization may be located on the second storey of the main residential building provided they:

(a) are contained completely within the building; and

(b) do not share a hallway with Dwelling Units.

(3) The maximum use area for each commercial multi-residential use is 300.0 square metres.

(4) Parking areas for commercial multi-residential uses must:

(a) be separated from residential parking areas; and

(b) be located a minimum distance of 5.0 metres from a parcel designated as a low density residential district in the case of a surface parking area.
Division 10: Multi-Residential – High Density High Rise (M-H3) (M-H3f#h#d#) District

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

(a) is intended to provide for Multi-Residential Development on selected strategic parcels in the Developed Area and the Developing Area;

(b) has Multi-Residential Development that will provide for the highest intensity development of all the multi-residential districts, with higher numbers of Dwelling Units and traffic generation;

(c) provides for Multi-Residential Development in a variety of forms;

(d) has the tallest Multi-Residential Development with the highest density;

(e) has Multi-Residential Development where intensity is measured by floor area ratio to provide flexibility in building form and Dwelling Unit size and number;

(f) is located on strategic parcels, including landmark locations, transit and transportation corridors and nodes and employment concentrations;

(g) requires that Multi-Residential Development achieves a minimum density;

(h) provides the opportunity for a range of support commercial multi-residential uses, restricted in size with few restrictions on location within the building;

(i) provides outdoor space for social interaction; and

(j) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

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

(a) Accessory Residential Building;

(a.1) Home Based Child Care – Class 1;

(b) Home Occupation – Class 1;

(c) Park;

(d) Protective and Emergency Service;
(d.1) Secondary Suite;

(e) Sign – Class A; and

(f) deleted

(g) Utilities.

**Discretionary Uses**

The following uses are discretionary uses in the Multi-Residential – High Density High Rise District:

(a) Addiction Treatment;

(a.1) Artist’s Studio;

(b) Assisted Living;

(c) Child Care Service;

(d) Community Entrance Feature;

(e) Convenience Food Store;

(f) Counselling Service;

(g) Custodial Care;

(h) Drinking Establishment – Small;

(i) Home Occupation – Class 2;

(j) Information and Service Provider;

(k) Live Work Unit;

(l) Multi-Residential Development;

(m) Office;

(n) Outdoor Café;

(o) Place of Worship – Medium;

(p) Place of Worship – Small;

(q) Power Generation Facility – Small;

(r) Print Centre;

(s) Residential Care;

(t) Restaurant: Food Service Only – Small;

(u) Restaurant: Licensed – Small;

(u.1) Restaurant: Neighbourhood;

(v) Retail and Consumer Service;

(w) Service Organization;

(x) Sign – Class B;
(y) Sign – Class C;
(z) Sign – Class D;
(aa) Sign – Class E;
(bb) Specialty Food Store;
(cc) Take Out Food Service;
(dd) Temporary Residential Sales Centre;
(dd.1) Urban Agriculture; and
(ee) Utility Building.

(2) The following uses are additional discretionary uses in the Multi Residential – High Density High Rise District if they are located on a parcel in the developed area that is used or was previously used as Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:

(a) Backyard Suite;
(a.1) Duplex Dwelling;
(b) deleted
(c) deleted
(d) deleted
(e) Semi-detached Dwelling; and
(f) Single Detached Dwelling.

Rules

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

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

Floor Area Ratio

661 (1) The maximum floor area ratio is 11.0.

(2) The maximum floor area ratio for all buildings on parcels designated M-H3 District is the number following the letter “f” when indicated on the Land Use District Maps, which must be greater than 5.0 and less than 11.0.

Density

662 (1) The minimum density for parcels designated M-H3 District is 300 units per hectare.
(2) There is no maximum density for parcels designated M-H3 District, unless established as referenced in subsection (3).

(3) The maximum density for parcels designated M-H3 District followed by the letter “d” and a number indicated on the Land Use District Maps:

(a) is the number expressed in units per hectare; and

(b) the number after the letter “d” must not be less than the minimum density referenced in subsection (1).

Setback Area

663 The depth of all setback areas must be equal to the minimum building setback required in section 664.

Building Setbacks

664 (1) Unless otherwise referenced in subsection (2), the minimum building setback from a property line shared with a street is 6.0 metres.

(2) The minimum building setback from a property line shared with a street for a street-oriented multi-residential building is zero metres.

(3) The minimum building setback from a property line shared with a lane is zero metres.

(4) Unless otherwise referenced in subsection (5), the minimum building setback from a property line shared with another parcel is 6.0 metres.

(5) Where a parcel shares a property line with another parcel, the minimum building setback is zero metres when the adjoining parcel is designated as a:

(a) commercial district;

(b) industrial district;

(c) special purpose district; or

(d) M-C2, M-2, M-H1, M-H2, M-H3, M-X2, CC-MH or CC-MHX District.

Landscaping

665 At least 25.0 per cent of the required landscaped area must be provided at grade.

Building Height

666 (1) Unless otherwise referenced in subsection (2), the maximum building height for parcels designated M-H3 is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.
(2) The maximum building height is 10.0 metres from grade:

(a) within 4.0 metres of a property line shared with a street or with a parcel designated as a M-C2, M-2, M-H1, M-H2, M-H3, or M-X2 District;

(b) within 6.0 metres of a property line shared with a lane; and

(c) within 1.2 metres of a property line shared with a parcel designated as a commercial, industrial or special purpose district.

Rules for Commercial Multi-Residential Uses

667 (1) Unless otherwise referenced in subsection (2), commercial multi-residential uses must:

(a) be contained completely within the building with the exception of Outdoor Café uses;

(b) be located on the floor closest to grade of a main residential building; and

(c) not share a hallway with Dwelling Units.

(2) A Counselling Service, Information and Service Provider, Office or Service Organization may be located on the second storey of the main residential building provided they:

(a) are contained completely within the building; and

(b) do not share a hallway with Dwelling Units.

(3) The maximum use area for each commercial multi-residential use is 300.0 square metres.

(4) Parking areas for commercial multi-residential uses must:

(a) be separated from residential parking areas; and

(b) be located a minimum distance of 5.0 metres from a parcel designated as a low density residential district in the case of a surface parking area.
Division 11: Multi-Residential – Low Profile Support Commercial (M-X1) (M-X1d#) District

Purpose

The Multi-Residential – Low Profile Support Commercial District:

(a) is intended to provide for Multi-Residential Development with support commercial uses in the Developed Area and the Developing Area;

(b) has Multi-Residential Developments that will typically provide higher numbers of Dwelling Units and traffic generation than low density residential dwellings, and the M-G and M-CG Districts;

(c) provides for Multi-Residential Development in a variety of forms;

(d) includes a limited range of support commercial multi-residential uses, restricted in size and location within the building;

(e) has Multi-Residential Development of low height and medium density;

(f) is in close proximity to low density residential development;

(g) requires that Multi-Residential Development achieves a minimum density;

(h) provides outdoor space for social interaction; and

(i) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.

Permitted Uses

The following uses are permitted uses in the Multi-Residential – Low Profile Support Commercial District:

(a) Accessory Residential Building;

(a.1) Home Based Child Care – Class 1;

(b) Home Occupation – Class 1;

(c) Park;

(d) Protective and Emergency Service;

(d.1) Secondary Suite;

(e) Sign – Class A; and
(f) deleted

(g) Utilities.

Discretionary Uses

The following uses are discretionary uses in the Multi-Residential – Low Profile Support Commercial District:

(a) Addiction Treatment;

(a.1) Artist’s Studio;

(b) Assisted Living;

(c) Child Care Service;

(d) Community Entrance Feature;

(e) Convenience Food Store;

(f) Counselling Service;

(g) Custodial Care;

(h) Home Occupation – Class 2;

(i) Information and Service Provider;

(j) Live Work Unit;

(k) Multi-Residential Development;

(l) Office;

(m) Outdoor Café;

(n) Place of Worship – Medium;

(o) Place of Worship – Small;

(p) Power Generation Facility – Small;

(q) Print Centre;

(r) Residential Care;

(s) Restaurant: Food Service Only – Small;

(s.1) Restaurant: Neighbourhood;

(t) Retail and Consumer Service;

(u) Service Organization;

(v) Sign – Class B;

(w) Sign – Class C;

(x) Sign – Class D;

(y) Sign – Class E;

(z) Specialty Food Store;
(aa) Take Out Food Service;
(bb) Temporary Residential Sales Centre; 33P2019
(bb.1) Urban Agriculture; and 33P2019
(cc) Utility Building.

(2) The following uses are additional discretionary uses in the Multi Residential – Low Profile Support Commercial District if they are located on a parcel in the developed area that is used or was previously used as Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:

(a) Backyard Suite; 24P2014
(a.1) Duplex Dwelling; 33P2011
(b) deleted 24P2014
(c) deleted 24P2014
(d) deleted 24P2014
(e) Semi-detached Dwelling; and
(f) Single Detached Dwelling.

Rules

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

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

Density

672 (1) The minimum density for parcels designated M-X1 District is 50 units per hectare. 13P2008

(2) The maximum density for parcels designated M-X1 District is 148 units per hectare.

(3) The maximum density for parcels designated M-X1 District followed by the letter “d” and a number indicated on the Land Use District Maps:

(a) is the number expressed in units per hectare; and
(b) the number after the letter “d” must not be less than the minimum density referenced in subsection (1) or exceed the maximum density referenced in subsection (2).
Setback Area

673 The depth of all setback areas must be equal to the minimum building setback required in section 674.

Building Setbacks

674 (1) Unless otherwise referenced in subsection (2), the minimum building setback from a property line shared with a street is 3.0 metres.

(2) The minimum building setback from a property line shared with a street for a street-oriented multi-residential building is zero metres.

(3) The minimum building setback from a property line shared with a lane is 1.2 metres.

(4) Unless otherwise referenced in subsection (5), the minimum building setback from a property line shared with another parcel is 1.2 metres.

(5) The minimum building setback from a property line shared with another parcel for a street-oriented multi-residential building is zero metres when the adjoining parcel is designated as a C-N1, C-COR1, CC-X or CC-COR District or a multi-residential district.

Landscaping

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

Building Height

676 (1) Unless otherwise referenced in subsections (2) and (3), the maximum building height is 14.0 metres.

(2) Where a parcel shares a property line with a parcel designated as a low density residential district or M-G District, the maximum building height:

(a) is 9.0 metres measured from grade at the shared property line; and

(b) increases proportionately to a maximum of 14.0 metres measured from grade at a distance of 5.0 metres from the shared property line.

(3) Where a parcel shares a property line with a street the maximum building height is:

(a) 10.0 metres measured from grade within 3.0 metres of that shared property line; and

(b) 14.0 metres measured from grade at a distance greater than 3.0 metres from that shared property line.

(4) The following diagrams illustrate the rules of subsections (2) and (3):
Illustration 8:
Building Height in the Multi-Residential – Low Profile Support Commercial (M-X1) District

Subsection 676(2)
- Parcel designated low density residential or M-G
- Maximum height above grade: 14.0 metres
- Maximum building height above grade: 14.0 metres
- Property line: 5.0 metres
- Grade: 9.0 metres above grade at shared property line

Subsection 676(3)
- Maximum building height above grade: 14.0 metres
- Property line: 3.0 metres
- Grade: 10.0 metres above grade at shared property line
- Street
Rules for Commercial Multi-Residential Uses

(1) All Multi-Residential Development must have a minimum of 300.0 square metres to accommodate commercial multi-residential uses.

(2) Commercial multi-residential uses must:
   (a) be located on the floor closest to grade of a main residential building;
   (b) be contained completely within the building with the exception of Outdoor Café uses;
   (c) not be located above any Dwelling Unit;
   (d) not share an internal hallway with Dwelling Units; and
   (e) have a separate exterior entrance from that of the Dwelling Units.

(3) deleted

(4) The maximum use area for each commercial multi-residential use is 300.0 square metres.

(5) Parking areas for commercial multi-residential uses must:
   (a) be separated from residential parking areas;
   (b) provide pedestrian access to the commercial multi-residential uses; and
   (c) be located a minimum distance of 5.0 metres from a parcel designated as a low density residential district in the case of a surface parking area.
Division 12: Multi-Residential – Medium Profile Support Commercial (M-X2) (M-X2f#d#) District

Purpose

(a) is intended to provide for Multi-Residential Development with support commercial uses on parcels in the Developed Area and the Developing Area;

(b) has Multi-Residential Development that will have higher numbers of Dwelling Units and traffic generation than low density residential dwellings and low profile multi-residential districts;

(c) provides for Multi-Residential Development in a variety of forms;

(d) includes a limited range of support commercial multi-residential uses, restricted in size and location within the building;

(e) has Multi-Residential Development of medium height and medium density;

(f) has Multi-Residential Development where intensity is measured by floor area ratio to provide flexibility in building form and Dwelling Unit size and number;

(g) is typically located at community nodes or transit and transportation corridors and nodes;

(h) is in close proximity or adjacent to, low density residential development;

(i) requires that Multi-Residential Development achieves a minimum density;

(j) provides outdoor space for social interaction; and

(k) provides landscaping to complement the design of the development and to help screen and buffer elements of the development that may have impacts on residents or nearby parcels.
Permitted Uses

The following uses are permitted uses in the Multi-Residential – Medium Profile Support Commercial District:

(a) Accessory Residential Building;

(a.1) Home Based Child Care – Class 1;

(b) Home Occupation – Class 1;

(c) Park;

(d) Protective and Emergency Service;

(d.1) Secondary Suite;

(e) Sign – Class A; and

(f) deleted

(g) Utilities.

Discretionary Uses

The following uses are discretionary uses in the Multi-Residential – Medium Profile Support Commercial District:

(a) Addiction Treatment;

(a.1) Artist’s Studio;

(b) Assisted Living;

(c) Child Care Service;

(d) Community Entrance Feature;

(e) Convenience Food Store;

(f) Counselling Service;

(g) Custodial Care;

(h) Home Occupation – Class 2;

(i) Information and Service Provider;

(j) Live Work Unit;

(k) Multi – Residential Development;

(l) Office;

(m) Outdoor Café;

(n) Place of Worship – Medium;

(o) Place of Worship – Small;

(p) Power Generation Facility – Small;

(q) Print Centre;
(r) Residential Care;

(s) Restaurant: Food Service Only – Small;

(s.1) Restaurant: Neighbourhood;

(t) Retail and Consumer Service;

(u) Service Organization;

(v) Sign – Class B;

(w) Sign – Class C;

(x) Sign – Class D;

(y) Sign – Class E;

(z) Specialty Food Store;

(aa) Take Out Food Service;

(bb) Temporary Residential Sales Centre;

(bb.1) Urban Agriculture; and

(cc) Utility Building.

(2) The following uses are additional discretionary uses in the Multi Residential – Medium Profile Support Commercial District if they are located on a parcel in the developed area that is used or was previously used as Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:

(a) Backyard Suite;

(a.1) Duplex Dwelling;

(b) deleted

(c) deleted

(d) deleted

(e) Semi-detached Dwelling; and

(f) Single Detached Dwelling.

Rules

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

(a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

(c) the applicable Uses And Use Rules referenced in Part 4.
Floor Area Ratio
682  (1) The maximum floor area ratio is 3.0.

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

Density
683  (1) The minimum density for parcels designated M-X2 District is 60 units per hectare.

(2) There is no maximum density for parcels designated M-X2 District, unless established as referenced in subsection (3).

(3) The maximum density for parcels designated M-X2 District followed by the letter “d” and a number indicated on the Land Use District Maps:

(a) is the number expressed in units per hectare; and

(b) the number after the letter “d” must not be less than the minimum density referenced in subsection (1).

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

Building Setbacks
685  (1) Unless otherwise referenced in subsection (2), the minimum building setback from a property line shared with a street is 3.0 metres.

(2) The minimum building setback from a property line shared with a street for a street-oriented multi-residential building is zero metres.

(3) The minimum building setback from a property line shared with a lane is 1.2 metres.

(4) Unless otherwise referenced in subsection (5), the minimum building setback from a property line shared with another parcel is 1.2 metres.

(5) The minimum building setback from a property line shared with another parcel for a street-oriented multi-residential building is zero metres when the adjoining parcel is designated as a C-N1, C-COR1, CC-X or CC-COR District or any multi-residential district.

Landscaping
686  At least 80.0 per cent of the required landscaped area must be provided at grade.
Building Height

(1) Unless otherwise referenced in subsections (2) and (3), the maximum building height is 16.0 metres.

(2) Where a parcel shares a property line with a parcel designated as a low density residential district or M-G District, the maximum building height:

   (a) is 11.0 metres measured from grade at the shared property line; and

   (b) increases proportionately to a maximum of 16.0 metres measured from grade at a distance of 5.0 metres from the shared property line.

(3) Where a parcel shares a property line with a street, the maximum building height is:

   (a) 10.0 metres measured from grade within 3.0 metres of that shared property line; and

   (b) 16.0 metres measured from grade at a distance greater than 3.0 metres from that shared property line.
(4) The following diagrams illustrate the rules of subsections (2) and (3):

Illustration 9:
Building Height in Multi-Residential – Medium Profile Support Commercial (M-X2) District
Subsection 687(2)

Subsection 687(3)
Rules for Commercial Multi-Residential Uses

688 (1) All Multi-Residential Development must have a minimum of 300.0 square metres to accommodate commercial multi-residential uses.

(2) Commercial multi-residential uses must:

(a) be located on the floor closest to grade of a main residential building;

(b) be contained completely within the building with the exception of Outdoor Café uses;

(c) not be located above any Dwelling Unit;

(d) not share an internal hallway with Dwelling Units; and

(e) have a separate exterior entrance from that of the Dwelling Units.

(3) deleted

(4) The maximum use area for each commercial multi-residential use is 300.0 square metres.

(5) Parking areas for commercial multi-residential uses must:

(a) be separated from residential parking areas;

(b) provide pedestrian access to the commercial multi-residential uses; and

(c) be located a minimum distance of 5.0 metres from a parcel designated as a low density residential district in the case of a surface parking area.
PART 7: COMMERCIAL DISTRICTS

Division 1: General Rules for Commercial Land Use Districts

Projections Into Setback Areas

689 (1) Unless otherwise referenced in subsections (2), (3) and (4), buildings must not be located in any setback area.

(2) Eaves of a building may project into any setback area to a maximum of 0.6 metres.

(3) Portions of a building below the surface of the ground may extend into any setback area, only when those portions are used as a parking structure.

(4) Signs may be located in any setback area, and where so located, must be in accordance with Part 3, Division 5.

General Landscaped Area Rules

690 (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.
(5) For the purpose of determining the minimum number of trees and shrubs in a setback area, portions of setback areas that are paved for sidewalks and vehicle access, utility rights-of-way or any other purpose allowed by the Development Authority, must be included in the calculation of the required area, even though they are not capable of sustaining trees and shrubs.

(6) If the minimum setback area is not capable of sustaining trees and shrubs, additional area on the parcel adjoining the setback area must be provided for the trees and shrubs.

Planting Requirements

691 (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.

(2) A minimum of 25.0 per cent of all trees required must be coniferous.

(3) Deciduous trees must have a minimum calliper of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum calliper of 75 millimetres at the time of planting.

(4) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must 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.

(6) Soft surfaced landscaped areas may include Urban Agriculture.

Low Water Irrigation System

692 (1) When a low water irrigation system is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.

(2) When a low water irrigation system is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

Additional Landscaping Requirements

693 (1) Unless otherwise referenced in a District, all setback areas on a parcel, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the Development Authority, must be a soft surfaced landscaped area.

(2) All areas of a parcel must be a soft surfaced landscaped area unless specifically allowed by the Development Authority.
(3) Every building on a parcel must have at least one sidewalk connecting the public entrance to a public sidewalk, or in the case where there is no public sidewalk, to the nearest street.

(4) Where a building contains more than one use, every use that has an exterior public entrance must either:
   (a) have a sidewalk connecting the public entrance to the sidewalk required by subsection (3); or
   (b) have a sidewalk connecting that public entrance to a public sidewalk.

(5) Every building on a parcel must have at least one sidewalk connecting the parking area to the public entrances of the building.

(6) Where a sidewalk provided in satisfaction of this section, is next to a portion of a building, the sidewalk must extend along the entire length of that side of the building.

(7) Every sidewalk provided must:
   (a) be a hard surfaced landscaped area;
   (b) be a minimum width of 2.0 metres;
   (c) have different surfacing than the surfacing of the parking areas on the parcel; and
   (d) be raised above the surface of the parking area, when located in a parking area.

Landscaping for Large Parking Area

694 (1) Landscaping is required in a parking area when the total surface area containing the required drive aisles, motor vehicle parking stalls and vehicular access for a development is equal to or greater than 5000.0 square metres.

(2) Landscaped areas in the parking area:
   (a) must be provided at a ratio of 0.150 square metres for every 1.0 square metres of the total surface area referenced in subsection (1); and
   (b) must be provided as a combination of hard surfaced landscaped area and soft surfaced landscaped area in the form of islands and strips.

(3) Islands provided in the parking area must:
   (a) be provided at the beginning and end of every row of motor vehicle parking stalls;
   (b) be provided after every 20 motor vehicle parking stalls in a row with no more than 20 stalls between islands;
(c) be a minimum area of 12.0 square metres with at least one side of the island being a minimum length of 2.0 metres;
(d) provide a minimum of 1.0 trees and 2.0 shrubs; and
(e) be surrounded by a concrete curb.

(4) Strips provided in the parking area must:
(a) be provided every four (4) rows of motor vehicle parking stalls with no more than four (4) rows between strips;
(b) be perpendicular to the motor vehicle parking stalls for the full length of the strip;
(c) be a minimum depth of 2.0 metres;
(d) provide a minimum of 1.0 trees every 15.0 metres of the length of the strip; and
(e) be surrounded by a concrete curb.

(5) If the application of these rules results in an island or a strip being contiguous with a setback area, that island or strip is not required at that location on the parcel.

(6) Sidewalks connecting the public entrance to a public sidewalk and sidewalks connecting the parking area to the public entrance may be included in determining whether the development satisfies the requirement of this section.
Minimum Required Motor Vehicle Parking Stalls

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

Table 4.1

<table>
<thead>
<tr>
<th>District</th>
<th>Minimum Required Motor Vehicle Parking Stalls</th>
</tr>
</thead>
</table>
| C-N1 where the *parcel* is 0.1 hectares or less | For each **Dwelling Unit** is: 0.5 stalls per *unit* for resident parking; and Zero *visitor parking stalls*  
For each **Live Work Unit** is: 0.5 stalls per *unit* for resident parking; and 0.5 *visitor parking stalls* per *unit*  
For all other *uses*, is the minimum requirement referenced in Part 4. |
| C-N1 where the *parcel* is greater than 0.1 hectares C-N2 C-C1 C-C2 C-COR1 where 0.4 hectares or more C-COR2 | For each **Dwelling Unit** is: 0.75 stalls per *unit* for resident parking; and 0.1 *visitor parking stalls* per *unit*  
For each **Live Work Unit** is: 1.0 stalls per *unit* for resident parking; and 0.5 *visitor parking stalls* per *unit*  
For all other *uses*, is the minimum requirement referenced in Part 4 |
| C-COR1 where the *parcel* is 0.4 hectares or less | For each **Dwelling Unit** is: 0.75 stalls per *unit* for resident parking; and 0.1 *visitor parking stalls*  
For each **Live Work Unit** is: 0.5 stalls per *unit* for resident parking; and 0.5 *visitor parking stalls* per *unit*  
For all other *uses*, is the minimum requirement referenced in Part 4. |
| C-R2 | For each **Dwelling Unit** is: 1.0 stalls per *unit* for resident parking; and 0.1 *visitor parking stalls* per *unit*  
For each **Live Work Unit** is: 1.0 stalls per *unit* for resident parking; and 0.5 *visitor parking stalls* per *unit*  
For all other *uses*, is the minimum requirement referenced in Part 4. |
Visibility Setback
695 Buildings, finished grade of a parcel and vegetation within a corner visibility triangle must not be located between 0.75 metres and 4.60 metres above the lowest elevation of the street.

Mechanical Screening
696 Mechanical systems or equipment that are located outside of a building must be screened.
Garbage

697 (1) Garbage containers and waste material must be stored either:
(a) inside a building; or
(b) in a garbage container enclosure approved by the Development Authority.

(2) Garbage container enclosures must not be located in any setback areas.

Recycling Facilities

698 Recycling facilities must be provided for every development containing Dwelling Units.

Screening

699 When a parcel shares a property line with:
(a) a parcel designated as a residential district or special purpose district, a fence with a maximum height of 2.0 metres must be provided for screening along the property line; and
(b) a lane, a fence with a maximum height of 2.0 metres must be provided for screening along the property line, except where an opening is required for pedestrian or motor vehicle access.

Solar Collectors

699.1 (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:
(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.

Wind Energy Conservation System

699.2 (1) A Wind Energy Conversion System – Type 1 or a Wind Energy Conversion System – Type 2 must:
(a) be located a minimum distance equal to the total Wind Energy Conversion System height from a property line, measured from the base;

(b) be painted a single, neutral, non-reflective, non-glossy colour;

(c) have a self-supporting tubular tower or monopole, not including lattice or pylon towers, if not mounted to a building;

(d) be equipped with manual and automatic over speed controls;

(e) be repaired or removed from the parcel upon disrepair, abandonment, or termination of the Wind Energy Conversion System - Type 1 or Wind Energy Conversion System - Type 2 use for a period of 6 months or greater;

(f) not be located in the actual front setback area, actual side setback area or the rear setback area when the corresponding property line is adjacent to a residential district;

(g) not contain any signs or other non-system related objects, which are visible from a residential or special purpose district, other than Directional Signs;

(h) not contain any accent lighting, or be indirectly illuminated or artificially lit, except as required for navigational safety or Directional Signs;

(i) not contain guy wires or other similar structural support device, except when a Wind Energy Conversion System - Type 1 is fastened to a building;

(j) not be within 100.0 metres of any permanent or temporary wetland or water body;

(k) not have a tower-climbing apparatus or blade tips closer than 4.6 metres from grade unless enclosed by a minimum 1.8 metre high fence; and

(l) not have a total power generation capacity greater than 100 kilowatts.

(2) A Wind Energy Conversion System – Type 1:

(a) must not be located within 60.0 metres from a residential district; and

(b) may require a biophysical impact assessment as part of a development permit application, that may include, but is not limited to, a literature review by a qualified biologist, field surveys, habitat assessments, and consideration for the publication “Wildlife Guidelines for Alberta Wind Energy Projects” by Alberta Environment and Sustainable Resource Development.
(3) **A Wind Energy Conversion System – Type 2:**

(a) must not be located within 550.0 metres from a *residential district*;

(b) requires a biophysical impact assessment as part of a *development permit* application, that may include, but is not limited to, a literature review by a qualified biologist, field surveys, habitat assessments, and consideration for the publication “Wildlife Guidelines for Alberta Wind Energy Projects” by Alberta Environment and Sustainable Resource Development; and

(c) may have a maximum total *Wind Energy Conversion System height* of 15.0 metres above the maximum *building height* of the district.

(4) A *development permit* may only be issued for a limited period of time not exceeding:

(a) five (5) years for a *Wind Energy Conversion System – Type 1* and a *Wind Energy Conversion System – Type 2*; and

(b) where a *development permit* for a *Wind Energy Conversion System – Type 1* or a *Wind Energy Conversion System – Type 2* has been approved, subsequent *development permit* approvals for the legally existing *Wind Energy Conversion System - Type 1* or *Wind Energy Conversion System - Type 2* may be granted for a period greater than stated in subsection (a).

Parcel Access

700 All *developments* must comply with the access requirements of the *Controlled Streets Bylaw.*
Division 2: Commercial – Neighbourhood 1
(C-N1) District

Purpose

701 (1) The Commercial – Neighbourhood 1 District is intended to be characterized by:

(a) small scale commercial developments;
(b) buildings that are close to each other, the street and the public sidewalk;
(c) storefront commercial buildings oriented towards the street;
(d) lanes for motor vehicle access to parking areas and buildings;
(e) buildings that are in keeping with the scale of nearby residential areas;
(f) development that has limited use sizes and types; and
(g) opportunities for residential uses to occur on the upper floors of buildings that contain commercial uses.

(2) Areas of land greater than 1.2 hectares should not be designated Commercial – Neighbourhood 1 District.

Permitted Uses

702 (1) The following uses are permitted uses in the Commercial – Neighbourhood 1 District:

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

(2) The following uses are permitted uses in the Commercial – Neighbourhood 1 District if they are located within existing approved buildings:

(a) Accessory Food Service;
(b) Convenience Food Store;
(c) Counselling Service;
(d) Financial Institution;
(e) Fitness Centre;
(f) Health Services Laboratory – With Clients;
(g) Home Based Child Care – Class 1;
(h) Home Occupation – Class 1;
(h.1) Information and Service Provider;
(i) Instructional Facility;
(j) Library;
(k) Medical Clinic;
(l) Office;
(m) Pet Care Service;
(n) Print Centre;
(o) Protective and Emergency Service;
(p) Restaurant: Food Service Only – Small;
(q) Retail and Consumer Service;
(r) Specialty Food Store; and
(s) Take Out Food Service.

**Discretionary Uses**

703 (1) Uses listed in subsection 702(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Commercial – Neighbourhood 1 District.

(2) Uses listed in subsection 702(2) are discretionary uses if they are proposed in an existing building that does not have at least one commercial use that has been approved after the parcel was designated as a commercial land use district.

(3) The following uses are discretionary uses in the Commercial – Neighbourhood 1 District:

(a) Addiction Treatment;
(b) Artist’s Studio;
(b.1) Assisted Living;
(b.2) Brewery, Winery and Distillery;
(b.3) Cannabis Counselling;
(b.4) Cannabis Store;
(c) Child Care Service;
(d) Computer Games Facility;
(e) Custodial Care;
(f) Drinking Establishment – Small;
(g) Dwelling Unit;
(g.1) Food Production; 49P2017
(h) Home Occupation – Class 2;
(i) Liquor Store;
(j) Live Work Unit;
(j.1) deleted 28P2016, 25P2018
(j.2) Market; 42P2019
(k) Outdoor Café;
(l) Place of Worship – Small;
(l.1) Power Generation Facility – Small;
(m) Residential Care; 68P2008
(n) Restaurant: Licensed – Small;
(n.1) Restaurant: Neighbourhood;
(o) Service Organization;
(p) Sign – Class C;
(q) Sign – Class E;
(r) deleted 4P2013
(s) Social Organization;
(t) Special Function – Class 2;
(t.1) deleted 4P2012
(t.2) Urban Agriculture; and
(u) Utility Building.

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;
(b) the Rules Governing All Districts referenced in Part 3; and
(c) the applicable Uses And Use Rules referenced in Part 4.
Parcel Area
705 The maximum area of a **parcel** is 1.2 hectares.

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

Building Height
707 The maximum **building height** is 10.0 metres.

Building Location and Orientation
708 (1) The **public entrance** to a **building** must face the **property line** shared with a commercial **street**.

(2) The maximum **building setback** from a **property line** shared with a commercial **street** is 3.0 metres.

(3) **Motor vehicle parking stalls** and **loading stalls** must not be located between a **building** and a commercial **street**.

Building Façade
709 (1) The length of the **building** façade that faces the commercial **street** must be a minimum of 80.0 per cent of the length of the **property line** it faces.

(2) In calculating the length of the **building** façade, the depth of any required **rear** or **side setback area** referenced in sections 714 and 715 will not be included as part of the length of the **property line**.

Vehicle Access
710 (1) Unless otherwise referenced in subsections (2) and (3), where the **parcel** shares a **rear property line** with a **lane**, all vehicle access to the **parcel** must be from the **lane**.

(2) Where a **corner parcel** shares a **property line** with a **lane**, those **parcels** may have vehicle access from either the **lane** or the **street**.

(3) Where a parcel shares a **rear** or **side property line** with a **lane**, but access from the **lane** is not physically feasible due to elevation differences or other similar physical impediment between the **parcel** and the **lane**, all vehicle access must be from a **street**.
Use Area

711 (1) Unless otherwise referenced in subsections (2) and (3), the maximum use area is 300.0 square metres.

(2) The maximum use area of a Convenience Food Store, or a Convenience Food Store combined with any other use, is 465.0 square metres.

(3) The following uses do not have a use area restriction:
   (a) Addiction Treatment;
   (a.1) Assisted Living;  
   (b) Custodial Care; and
   (c) Residential Care.

Location of Uses within Buildings

712 (1) Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care must not be located on the ground floor of a building.

(2) “Commercial Uses” and Live Work Units:
   (a) may be located on the same floor as Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care; and
   (b) must not share an internal hallway with Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units or Residential Care.

(3) Where this section refers to “Commercial Uses,” it refers to the listed uses in sections 702 and 703, other than Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit and Residential Care.

Front Setback Area

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

Rear Setback Area

714 (1) Where the parcel shares a rear property line with a parcel designated as:
   (a) a commercial district, there is no requirement for a rear setback area;
   (b) an industrial district, the rear setback area must have a minimum depth of 1.2 metres;
   (c) a residential district, the rear setback area must have a minimum depth of 3.0 metres; and
(d) a special purpose district, the rear setback area must have a minimum depth of 3.0 metres.

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

(a) an LRT corridor or street, the rear setback area must have a maximum depth of 3.0 metres;

(b) a lane that separates the parcel from a parcel designated as a residential district, the rear setback area must have a minimum depth of 3.0 metres; and

(c) a lane, in all other cases, there is no requirement for a rear setback area.

Side Setback Area

715 (1) Where the parcel shares a side property line with a parcel designated as:

(a) a commercial district, there is no requirement for a side setback area;

(b) a residential district, the side setback area must have a minimum depth of 3.0 metres;

(c) an industrial district, the side setback area must have a minimum depth of 1.2 metres; and

(d) a special purpose district, the side setback area must have a minimum depth of 3.0 metres.

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

(a) an LRT corridor or street, the side setback area must have a maximum depth of 3.0 metres;

(b) a lane that separates the parcel from a parcel designated as a residential district, the side setback area must have a minimum depth of 3.0 metres; and

(c) a lane, in all other cases, there is no requirement for a side setback area.

Landscaping In Setback Areas

716 (1) Where a setback area shares a property line with a street, the setback area must be a hard surfaced landscaped area.

(2) Where a setback area shares a property line with a lane and approved access to the parcel is from the lane, there is no requirement for a soft or hard surfaced landscaped area for that setback area.
(3) Where a setback area shares a property line with a parcel designated as a residential district or a lane that separates the parcel from a parcel designated as a residential district, the setback area must:

(a) be a soft surfaced landscaped area;
(b) provide a minimum of 1.0 trees:
   (i) for every 30.0 square metres; or
   (ii) for every 45.0 square metres where irrigation is provided by a low water irrigation system; and
(c) provide trees planted in a linear arrangement along the length of the setback area.

(4) Where a setback area shares a property line with an LRT corridor or parcel designated with a commercial, industrial or special purpose district, the setback area:

(a) must be a soft surfaced landscaped area;
(b) may have a sidewalk along the length of the building; and
(c) must provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres where irrigation is provided by a low water irrigation system.

Minimum Required Motor Vehicle Parking Stalls

717 deleted 48P2020
Exclusive Use of Motor Vehicle Parking Stalls

718  deleted

Required Bicycle Parking Stalls

719  (1)  The minimum number of bicycle parking stalls – class 1 for each Dwelling Unit and Live Work Unit is:
   (a)  no requirement where the number of units is less than 20; and
   (b)  0.5 stalls per unit where the total number of units equals or exceeds 20.

(2)  The minimum number of bicycle parking stalls – class 2 for each Dwelling Unit and Live Work Unit is:
   (a)  2.0 stalls for developments of 20 units or less; and
   (b)  0.1 stalls per unit for developments of more than 20 units.

(3)  The minimum required number of bicycle parking stalls for all other uses is the minimum requirement referenced in Part 4.

Exclusive Use of Bicycle Parking Stalls

720  Bicycle parking stalls – class 1 provided for Dwelling Units and Live Work Units are for the exclusive use of residents.
Division 3: Commercial – Neighbourhood 2
(C-N2) District

Purpose

721 (1) The Commercial – Neighbourhood 2 District is intended to be characterized by:

(a) small scale commercial developments;
(b) motor vehicle access to commercial uses;
(c) pedestrian connection from the public sidewalk to buildings;
(d) development that has limited use sizes and types;
(e) limited automotive uses;
(f) setbacks and landscaping that buffer residential districts from commercial developments;
(g) buildings that are in keeping with the scale of nearby residential areas; and
(h) opportunities for residential uses to occur on the upper floors of buildings that contain commercial uses.

(2) Areas of land greater than 1.2 hectares should not be designated Commercial – Neighbourhood 2 District.

Permitted Uses

722 (1) The following uses are permitted uses in the Commercial – Neighbourhood 2 District:

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

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

(a) Accessory Food Service;
(b) Catering Service – Minor;
(c) Convenience Food Store;
(d) Counselling Service;
(e) Financial Institution;
(f) Fitness Centre;
(g) Health Services Laboratory – With Clients;
(h) Home Based Child Care – Class 1;
(i) Home Occupation – Class 1;
(j) Information and Service Provider;
(k) Instructional Facility;
(l) Library;
(m) Medical Clinic;
(n) Office;
(o) Pet Care Service;
(p) Print Centre;
(q) Protective and Emergency Service;
(r) Restaurant: Food Service Only – Small;
(s) Retail and Consumer Service;
(t) Specialty Food Store;
(u) Take Out Food Service; and
(v) Veterinary Clinic.

Discretionary Uses

723 (1) Uses listed in subsection 722(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Commercial – Neighbourhood 2 District.

(2) Uses listed in subsection 722(2) are discretionary uses if they are proposed in an existing building that does not have at least one commercial use that has been approved after the parcel was designated as a commercial land use district.
(3) The following uses are discretionary uses in the Commercial – Neighbourhood 2 District:

(a) Addiction Treatment;
(b) Artist’s Studio;
(b.1) Assisted Living;  
(c) Auto Service – Minor;
(c.1) Brewery, Winery and Distillery;  
(d) Car Wash – Single Vehicle;
(d.1) Cannabis Counselling;  
(d.2) Cannabis Store;  
(e) Child Care Service;
(f) Computer Games Facility;
(g) Custodial Care;
(h) Drinking Establishment – Small;
(i) Drive Through;
(j) Dwelling Unit;
(j.1) Food Production;  
(k) Gas Bar;
(l) Home Occupation – Class 2;
(m) Liquor Store;
(n) Live Work Unit;
(n.1) deleted  
(n.2) Market;  
(o) Outdoor Café;
(o.1) Payday Loan;  
(p) Place of Worship – Small;
(q) Power Generation Facility – Small;
(r) Residential Care;
(s) Restaurant: Licensed – Small;
(s.1) Restaurant: Neighbourhood;  
(t) Seasonal Sales Area;
(u) Service Organization;
(v) Sign – Class C;
(w) Sign – Class E;

_deleted_

(y) Social Organization;

(z) Special Function – Class 2;
(z.1) deleted
(z.2) Urban Agriculture;

(aa) Utility Building; and

(bb) Vehicle Rental – Minor.

(4) The following uses are additional discretionary uses on a parcel that has an existing building used as a Place of Worship – Large or Place of Worship – Medium provided any new development proposed does not result in the increase of any assembly area:

(a) Place of Worship – Large; and
(b) Place of Worship – Medium.

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

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

Parcel Area
725 The maximum area of a parcel is 1.2 hectares.

Floor Area Ratio
726 The maximum floor area ratio for buildings is 1.0.

Building Height
727 The maximum building height is 10.0 metres.

Use Area
728 (1) Unless otherwise referenced in subsections (2) and (3), the maximum use area in the Commercial – Neighbourhood 2 District is 300.0 square metres.
(2) The maximum use area of a Convenience Food Store, or a Convenience Food Store combined with any other use, is 465.0 square metres.

(3) The following uses do not have a use area restriction:

(a) Addiction Treatment;

(a.1) Assisted Living;

(b) Custodial Care; and

(c) Residential Care.

Location of Uses within Buildings

729 (1) Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care must not be located on the ground floor of a building.

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

(a) may be located on the same floor as Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care; and

(b) must not share an internal hallway with Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units or Residential Care.

(3) Where this section refers to “Commercial Uses,” it refers to the listed uses in sections 722 and 723, other than Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit, and Residential Care.

Front Setback Area

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

Rear Setback Area

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

(a) a commercial district, there is no requirement for a rear setback area;

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

(c) a residential district, the rear setback area must have a minimum depth of 5.0 metres; and

(d) a special purpose district, the rear setback area must have a minimum depth of 3.0 metres.
(2) Where the parcel shares a rear property line with a lane, LRT corridor, or street, the rear setback area must have a minimum depth of 3.0 metres.

Side Setback Area

(1) Where the parcel shares a side property line with a parcel designated as:

(a) a commercial district, there is no requirement for a side setback area;

(b) an industrial district, the side setback area must have a minimum depth of 1.2 metres;

(c) a residential district, the side setback area must have a minimum depth of 5.0 metres; and

(d) a special purpose district, the side setback area must have a minimum depth of 3.0 metres.

(2) Where the parcel shares a side property line with a lane, LRT corridor, or street, the side setback area must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

(1) Where a setback area shares a property line with an LRT Corridor or street, the setback area must:

(a) be a soft surfaced landscaped area; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

(2) Where a setback area shares a property line with a parcel that is designated as a residential district, the setback area must:

(a) be a soft surfaced landscaped area;

(b) provide a minimum of 1.0 trees:

(i) for every 30.0 square metres; or

(ii) for every 45.0 square metres, where irrigation is provided by low water irrigation system; and

(c) provide trees planted in a linear arrangement along the length of the setback area.
(3) Where a setback area shares a property line with a lane or a parcel designated as a commercial, industrial or special purpose district, the setback area:

(a) must be a soft surfaced landscaped area;
(b) may have a sidewalk along the length of the building; and
(c) must provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

Minimum Required Motor Vehicle Parking Stalls

734 deleted 48P2020
Exclusive Use of Motor Vehicle Parking Stalls

735  (1)  *Visitor parking stalls* required for the visitors of **Dwelling Units** or **Live Work Units** must be identified through permanent signage as being for the exclusive use of visitors.

(2)  **Motor vehicle parking stalls** required for the residents of **Dwelling Units** and **Live Work Units** may be identified through permanent signage as being for the exclusive use of the residents.

(3)  *deleted*

Required Bicycle Parking Stalls

736  (1)  The minimum number of *bicycle parking stalls – class 1* for each **Dwelling Unit** and **Live Work Unit** is:

(a)  no requirement where the number of *units* is less than 20; and

(b)  0.5 stalls per *unit* where the total number of *units* equals or exceeds 20.

(2)  The minimum number of *bicycle parking stalls – class 2* for each **Dwelling Unit** and **Live Work Unit** is:

(a)  2.0 stalls for *developments* of 20 *units* or less; or

(b)  0.1 stalls per *unit* for *developments* of more than 20 *units*.

(3)  The minimum required number of *bicycle parking stalls* for all other *uses* is the minimum requirement referenced in Part 4.

Exclusive Use of Bicycle Parking Stalls

737  *Bicycle parking stalls - class 1* provided for **Dwelling Units** and **Live Work Units** are for the exclusive use of residents.
Division 4: Commercial – Community 1
(C-C1) District

Purpose

The Commercial – Community 1 District is intended to be characterized by:

(a) small to mid-scale commercial developments;
(b) developments located within a community or along a commercial street;
(c) one or more commercial uses within a building;
(d) motor vehicle access to sites;
(e) pedestrian connections from the public sidewalk to and between the buildings;
(f) building location, setback areas and landscaping that limit the effect of commercial uses on nearby residential districts; and
(g) opportunities for residential and office uses to be in the same building as commercial uses.

(2) Areas of land greater than 3.2 hectares should not be designated Commercial – Community 1 District.

Permitted Uses

The following uses are permitted uses in the Commercial – Community 1 District:

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

The following uses are permitted uses in the Commercial – Community 1 District if they are located within existing approved buildings:

(a) Accessory Food Service;
(b) Catering Service – Minor;
(c) Convenience Food Store;
(d) Counselling Service;
(e) Financial Institution;
(f) Fitness Centre;
(g) Health Services Laboratory – With Clients;
(h) Home Based Child Care – Class 1;
(i) Home Occupation – Class 1;
(j) Information and Service Provider;
(k) Instructional Facility;
(l) Library;
(m) Medical Clinic;
(n) Museum;
(o) Office;
(p) Pet Care Service;
(q) Print Centre;
(r) Protective and Emergency Service;
(s) Radio and Television Studio;
(t) Restaurant: Food Service Only – Small;
(u) Restaurant: Food Service Only – Medium;
(u.1) Restaurant: Neighbourhood;
(v) Retail and Consumer Service;
(w) Specialty Food Store;
(x) Supermarket;
(y) Take Out Food Service;
(z) Vehicle Rental – Minor; and
(aa) Veterinary Clinic.
Discretionary Uses

740  (1) Uses listed in subsection 739(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Commercial – Community 1 District.

(2) Uses listed in subsection 739(2) are discretionary uses if they are proposed in an existing building that does not have at least one commercial use that has been approved after the parcel was designated as a commercial land use district.

(3) The following uses are discretionary uses in the Commercial – Community 1 District:

(a) Addiction Treatment;
(b) Amusement Arcade;
(c) Artist’s Studio;
(c.1) Assisted Living; 24P2011
(d) Auto Service – Minor;
(d.1) deleted 37P2014, 16P2018
(d.2) Beverage Container Quick Drop Facility; 37P2014
(e) Billiard Parlor;
(e.1) Brewery, Winery and Distillery; 22P2016
(e.2) Cannabis Counselling;
(e.3) Cannabis Store; 25P2018
(f) Car Wash – Single Vehicle;
(g) Child Care Service;
(h) Computer Games Facility;
(i) Custodial Care;
(j) Drinking Establishment – Small;
(k) Drinking Establishment – Medium;
(l) Drive Through;
(m) Dwelling Unit;
(m.1) Food Production; 49P2017
(n) Gas Bar;
(o) Home Occupation – Class 2;
(p) Indoor Recreation Facility;
(q) Liquor Store;
(r) Live Work Unit;
5P2013, 42P2019
(r.1) Market;
28P2016, 25P2018
(r.2) deleted
(s) Outdoor Café;
(t) Parking Lot – Grade;
43P2015
(t.1) Payday Loan;
(u) Place of Worship – Small;
(v) Power Generation Facility – Small;
16P2018
(v.1) Recyclable Material Drop-Off Depot;
(w) Residential Care;
(x) Restaurant: Licensed – Medium;
(y) Restaurant: Licensed – Small;
(z) Seasonal Sales Area;
(aa) Service Organization;
(bb) Sign – Class C;
(cc) Sign – Class E;
4P2013
(dd) deleted
(ee) Social Organization;
4P2012
(ff) Special Function – Class 2;
10P2009, 4P2012
(ff.1) deleted
33P2019
(ff.2) Urban Agriculture;
(gg) Utility Building; and
(hh) Vehicle Sales – Minor.

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;
(b) the Rules Governing All Districts referenced in Part 3; and
(c) the applicable Uses And Use Rules referenced in Part 4.
Parcel Area
742 The maximum area of a parcel is 3.2 hectares.

Floor Area Ratio
743 The maximum floor area ratio for buildings is 1.0.

Building Height
744 The maximum building height is 10.0 metres.

Building Orientation
745 (1) When a parcel shares one or more side property lines and fronts on the same commercial street as a parcel designated C-N1 or C-COR1 Districts, the maximum building setback from the property line shared with a commercial street must not exceed 3.0 metres.

(2) Motor vehicle parking stalls and loading stalls must not be located between the building and the commercial street.

Use Area
746 (1) Unless otherwise provided in subsections (2), (3), and (4), the maximum use area in the Commercial – Community 1 District is 1400.0 square metres.

(2) The maximum use area for a Supermarket, or a Supermarket combined with any other use, is 5200.0 square metres.

(3) The maximum use area for a Catering Service – Minor, or a Catering Service – Minor combined with any other use, is 300.0 square metres.

(4) The following uses do not have a use area restriction:

(a) Addiction Treatment;

(a.1) Assisted Living;

(b) Custodial Care; and

(c) Residential Care.

Rules for Location of Uses within Buildings
747 (1) Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care must not be located on the ground floor of a building.

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

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

(3) Where this section refers to “Commercial Uses”, it refers to the listed uses in sections 739 and 740, other than Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit and Residential Care.

Front Setback Area

748 (1) Unless otherwise referenced in subsection (2), the front setback area must have a minimum depth of 3.0 metres.

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

Rear Setback Area

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

(a) a commercial district, there is no requirement for a rear setback area;

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

(c) a residential district, the rear setback area must have a minimum depth of 5.0 metres; and

(d) a special purpose district, the rear setback area must have a minimum depth of 3.0 metres.

(2) Where the parcel shares a rear property line with a lane, LRT corridor, or street, the rear setback area must have a minimum depth of 3.0 metres.

Side Setback Area

750 (1) Where the parcel shares a side property line with a parcel designated as:

(a) a commercial district, there is no requirement for a side setback area, unless otherwise referenced in subsection (2);

(b) an industrial district, the side setback area must have a minimum depth of 1.2 metres;

(c) a residential district, the side setback area must have a minimum depth of 5.0 metres; and
(d) a *special purpose district*, the *side setback area* must have a minimum depth of 3.0 metres.

(2) Where the *parcel* shares a *side property line* with, and fronts on the same commercial *street* as, a *parcel* designated Commercial – Neighbourhood 1 or Commercial – Corridor 1 District, the side *setback area* from that *property line* must not exceed a depth of 3.0 metres.

(3) Where the *parcel* shares a *side property line* with a *lane, LRT corridor*, or *street*, the *side setback area* must have a minimum depth of 3.0 metres.

**Landscaping In Setback Areas**

751 (1) Where a *setback area* shares a *property line* with, and fronts on the same *street* as, a *parcel* designated Commercial – Neighbourhood 1 and Commercial – Corridor 1 District, the *setback area* must be *hard surfaced landscaped area*.

(2) Where a *setback area* shares a *property line* with an *LRT corridor*, or *street*, the *setback area* must:

(a) be a *soft surfaced landscaped area*; and

(b) have a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a *low water irrigation system*.

(3) Where a *setback area* shares a *property line* with a *parcel* designated as a *residential district*, the *setback area* must:

(a) be a *soft surfaced landscaped area*;

(b) provide a minimum of 1.0 trees:

(iii) for every 30.0 square metres; or

(iv) for every 45.0 square metres, where irrigation is provided by a *low water irrigation system*; and

(c) provide trees planted in a linear arrangement along the length of the *setback area*.

(4) Where a *setback area* shares a *property line* with a *lane* or a *parcel* designated as a *commercial, industrial* or *special purpose district*, the *setback area*:

(a) must be a *soft surfaced landscaped area*;
(b) may have a sidewalk along the length of the building; and
(c) must provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres, where irrigation is
        provided by a low water irrigation system.

Minimum Required Motor Vehicle Parking Stalls

752 deleted
Reductions of Minimum Motor Vehicle Parking Requirement

753  deleted

Exclusive Use of Motor Vehicle Parking Stalls

754  deleted

Required Bicycle Parking Stalls

755  (1)  The minimum number of bicycle parking stalls – class 1 for:
   
   (a)  each Dwelling Unit or Live Work Unit is:
   
   (i)  no requirement where the number of units is less than 20; and
   
   (ii) 0.5 stalls per unit when the total number of units equals or exceeds 20;
   
   (b)  an “Enclosed Mall” is 2.0 per cent of the number of motor vehicle parking stalls; and
   
   (c)  all other uses is the minimum requirement reference in Part 4.

(2)  The minimum number of bicycle parking stalls – class 2 for:

   (a)  each Dwelling Unit or Live Work Unit is:
   
   (i)  2.0 stalls for developments of 20 units or less; or
   
   (ii) 0.1 stalls per unit for developments of more than 20 units; and
   
   (b)  all other uses is 5.0 per cent of the number of motor vehicle parking stalls.

(3)  In this section, “Enclosed Mall” means a building containing two or more retail stores that are accessible by an enclosed common corridor.
Exclusive Use of Bicycle Parking Stalls

756 Bicycle parking stalls - class 1 provided for Dwelling Units and Live Work Units is for the exclusive use of residents.
Divison 5: Commercial – Community 2 District

Purpose

(1) The Commercial – Community 2 District is intended to be characterized by:

(a) large commercial developments;
(b) developments that are on the boundary of several communities;
(c) developments that are comprehensively designed with several buildings;
(d) development that has a wide range of use sizes and types;
(e) buildings that are slightly higher than nearby low density residential areas;
(f) opportunities for commercial uses to be combined with office and residential uses in the same development;
(g) building locations, setback areas and landscaping that buffer residential districts from commercial developments;
(h) motor vehicle access to sites;
(i) pedestrian connections from public sidewalks, to and between buildings;
(j) varying building density established through maximum floor area ratios for individual parcels; and
(k) varying building height established through maximum building height for individual parcels.

(2) Areas of land greater than 12 hectares and less than 3.2 hectares should not be designated Commercial – Community 2 District.

Permitted Uses

(1) The following uses are permitted uses in the Commercial – Community 2 District:

(a) Park;
(b) Sign – Class A;
(c) Sign – Class B;
(d) Sign – Class D; and

(e) Utilities.

The following uses are permitted uses in the Commercial – Community 2 District if they are located within existing approved buildings:

(a) Accessory Food Service;

(b) Amusement Arcade;

(b.1) deleted

(c) Catering Service – Minor;

(d) Computer Games Facility;

(e) Convenience Food Store;

(f) Counselling Service;

(g) Financial Institution;

(h) Fitness Centre;

(i) Health Services Laboratory – With Clients;

(j) Home Based Child Care – Class 1;

(k) Home Occupation – Class 1;

(l) Information and Service Provider;

(m) Instructional Facility;

(n) Library;

(o) Medical Clinic;

(p) Museum;

(q) Office;

(r) Pawn Shop;

(s) Pet Care Service;

(t) Power Generation Facility – Small;

(u) Print Centre;

(v) Protective and Emergency Service;

(v.1) Recyclable Material Drop-Off Depot;
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(w) Restaurant: Food Service Only – Medium;
(x) Restaurant: Food Service Only – Small;
(x.1) Restaurant: Neighbourhood;
(y) Retail and Consumer Service;
(z) Service Organization;
(aa) Specialty Food Store;
(bb) Supermarket;
(cc) Take Out Food Service;
(dd) Vehicle Rental – Minor;
(ee) Vehicle Sales – Minor; and
(ff) Veterinary Clinic.

Discretionary Uses

759 (1) Uses listed in subsection 758(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Commercial – Community 2 District.

(2) Uses listed in subsection 758(2) are discretionary uses if they are proposed in an existing building that does not have at least one commercial use that has been approved after the parcel was designated as a commercial land use district.

(3) The following uses are discretionary uses in the Commercial – Community 2 District:

(a) Artist’s Studio;
(b) Auto Service – Major;
(c) Auto Service – Minor;
(c.1) Beverage Container Quick Drop Facility;
(d) Billiard Parlour;
(d.1) Brewery, Winery and Distillery;
(d.2) Cannabis Counselling;
(d.3) Cannabis Store;
(e) Car Wash – Multi Vehicle;
(f) Car Wash – Single Vehicle;
(g) Child Care Service;
(h) Cinema;
(h.1) Conference and Event Facility;
(i) Dinner Theatre;
(j) Drinking Establishment – Small;
(k) Drinking Establishment – Medium;
(l) Drive Through;
(m) Dwelling Unit;

49P2017

(m.1) Food Production;
(n) Funeral Home;
(o) Gas Bar;
(p) Home Occupation – Class 2;
(q) Hotel;
(r) Indoor Recreation Facility;
(s) Liquor Store;
(t) Live Work Unit;

5P2013, 42P2019

(t.1) Market;
(t.2) deleted

28P2016, 25P2018

(u) Outdoor Café;
(v) Parking Lot – Grade;
(w) Parking Lot – Structure;

43P2015

(w.1) Payday Loan;
(x) Performing Arts Centre;
(y) Place of Worship – Small;
(z) Post-secondary Learning Institution;
(aa) Power Generation Facility – Medium;
(bb) Radio and Television Studio;
(cc) Restaurant: Food Service Only – Large;
(dd) Restaurant: Licensed – Large;
(ee) Restaurant: Licensed – Medium;
(ff) Restaurant: Licensed – Small;
(gg) Seasonal Sales Area;
(hh) Sign – Class C;
(ii) Sign – Class E;
(jj) Social Organization;
(kk) Special Function – Class 2;

(kk.1) deleted

(kk.2) Urban Agriculture;

(ll) Utility Building; and

(mm) Vehicle Rental – Major.

Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Parcel Area

761 The maximum area of a parcel is 12.0 hectares.

Floor Area Ratio

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

Building Height

763 The maximum building height for parcels designated Commercial – Community 2 District is the number following the letter “h” indicated on the Land Use District Maps, expressed in metres.
Use Area
764 (1) Unless otherwise provided in subsections (2), (3), and (4), the maximum use area in the Commercial – Community 2 District is 6000.0 square metres.

(2) The maximum use area for a Supermarket or a Supermarket combined with any other use, is 7500.0 square metres.

(3) The maximum use area for a Catering Service – Minor or a Catering Service – Minor combined with any other use, is 300.0 square metres.

(4) Hotels do not have a use area restriction.

Location of Uses within Buildings
765 (1) Dwelling Units and Live Work Units must not be located on the ground floor of a building.

(2) “Commercial Uses” and Live Work Units:
(a) may be located on the same floor as Dwellings Units; and
(b) must not share an internal hallway with Dwellings Units.

(3) Where this section refers to “Commercial Uses”, it refers to the listed uses in sections 758 and 759, other than Dwelling Unit and Live Work Unit.

Front Setback Area
766 The front setback area must have a minimum depth of 6.0 metres.

Rear Setback Area
767 (1) Where the parcel shares a rear property line with a parcel designated as:
(a) a commercial district, there is no requirement for a rear setback area;
(b) an industrial district, the rear setback area must have a minimum depth of 3.0 metres;
(c) a residential district, the rear setback area must have a minimum depth of 6.0 metres; and
(d) a special purpose district, the rear setback area must have a minimum depth of 6.0 metres.

(2) Where the parcel shares a rear property line with a lane, LRT corridor or street, the rear setback area must have a minimum depth of 6.0 metres.
Side Setback Area

768 (1) Where the parcel shares a side property line with a parcel designated as:

(a) a commercial district, there is no requirement for a side setback area;
(b) an industrial district, the side setback area must have a minimum depth of 3.0 metres;
(c) a residential district, the side setback area must have a minimum depth of 6.0 metres; and
(d) a special purpose district, the side setback area must have a minimum depth of 6.0 metres.

(2) Where the parcel shares a side property line with a lane, LRT corridor or street, the side setback area must have a minimum depth of 6.0 metres.

Landscaping In Setback Areas

769 (1) Where a setback area shares a property line with an LRT corridor or street, the setback area must:

(a) be a soft surfaced landscaped area; and
(b) provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

(2) Where a setback area shares a property line with a parcel designated as a residential district, the setback area must:

(a) be a soft surfaced landscaped area;
(b) provide a minimum of 1.0 trees:
   (i) for every 30.0 square metres; or
   (ii) for every 45.0 square metres, where irrigation is provided by low water irrigation system; and
(c) provide trees planted in a linear arrangement along the length of the setback area.

(3) Where a setback area shares a property line with a lane or parcel designated as a commercial, industrial or special purpose district, the setback area:

(a) must be a soft surfaced landscaped area;
(b) may have a sidewalk along the length of the building; and
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(c) must provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

Minimum Required Motor Vehicle Parking Stalls

48P2020 770  deleted

Reductions of Minimum Motor Vehicle Parking Requirement

48P2020 771  deleted
Excess Motor Vehicle Parking Stalls

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

Exclusive Use of Motor Vehicle Parking Stalls

773 deleted

Required Bicycle Parking Stalls

774 (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; and
   (ii) 0.5 stalls per unit where the total number of units equals or exceeds 20; and
(b) an “Enclosed Mall” is 2.0 per cent of the motor vehicle parking stalls.
(c) for all other uses is the minimum requirement referenced in Part 4.

(2) The minimum number of bicycle parking stalls – class 2 for:

(a) each Dwelling Unit or Live Work Unit is:
   (i) 2.0 stalls for developments of 20 units or less; and
   (ii) 0.1 stalls per unit for developments of more than 20 units; and
(b) all other uses is 5.0 per cent of the motor vehicle parking stalls.

(3) In this section, “Enclosed Mall” means a building containing two or more retail stores that are accessible by an enclosed common corridor.
Exclusive Use of Bicycle Parking Stalls

775 Bicycle parking stalls – class 1 provided for Dwelling Units and Live Work Units are for the exclusive use of residents.
Division 6: Commercial – Corridor 1 (C-COR1) District

Purpose

The Commercial – Corridor 1 District is intended to be characterized by:

(a) storefronts along a continuous block face;
(b) commercial developments on both sides of a street;
(c) buildings that are close to each other, the street and the public sidewalk;
(d) lanes for motor vehicle access to parking and buildings;
(e) building location, setback areas, and landscaping that limit the effect of commercial uses on adjoining residential districts;
(f) opportunities for commercial uses on the ground floor of buildings and residential and office uses on upper floors;
(g) varying building density established through maximum floor area ratios for individual parcels; and
(h) varying building height established through maximum building height for individual parcels.

Permitted Uses

The following uses are permitted uses in the Commercial – Corridor 1 District:

(a) Park;
(b) Sign – Class A;
(c) Sign – Class B;
(d) Sign – Class D; and
(e) Utilities.
The following uses are permitted uses in the Commercial – Corridor 1 District if they are located within existing approved buildings:

(a) Accessory Food Service;
(b) Catering Service – Minor;
(c) Convenience Food Store;
(d) Counselling Service;
(e) Financial Institution;
(f) Fitness Centre;
(g) Health Services Laboratory – With Clients;
(h) Home Based Child Care – Class 1;
(i) Home Occupation – Class 1;
(j) Information and Service Provider;
(k) Library;
(l) Medical Clinic;
(m) Museum;
(n) Office;
(o) Pet Care Service;
(p) Power Generation Facility – Small;
(q) Print Centre;
(r) Protective and Emergency Service;
(s) Radio and Television Studio;
(t) Restaurant: Food Service Only – Small;
(t.1) Restaurant: Neighbourhood;
(u) Retail and Consumer Service;
(v) Service Organization;
(w) Specialty Food Store;
(x) Take Out Food Service; and
(y) Veterinary Clinic.
Discretionary Uses

778 (1) Uses listed in subsection 777(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Commercial – Corridor 1 District.

(2) Uses listed in subsection 777(2) are discretionary uses if they are proposed in an existing building that does not have at least one commercial use that has been approved after the parcel was designated as a commercial land use district.

(3) The following uses are discretionary uses in the Commercial – Corridor 1 District:

(a) Accessory Liquor Service;
(b) Addiction Treatment;
(c) Artist’s Studio;
(c.1) Assisted Living;
(d) Billiard Parlour;
(d.1) Brewery, Winery and Distillery;
(d.2) Cannabis Counselling;
(d.3) Cannabis Store;
(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;
(k.1) Food Production;
(l) Home Occupation – Class 2;
(m) Hotel;
(n) Indoor Recreation Facility;
(o) Instructional Facility;
(o.1) Kennel;
Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;
(b) the Rules Governing All Districts referenced in Part 3; and
(c) the applicable Uses And Use Rules referenced in Part 4.
Floor Area Ratio
780 The maximum floor area ratio for parcels designated Commercial – Corridor 1 District is the number following the letter “f” indicated on the Land Use District Maps.

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

Building Orientation
782 (1) The main public entrance to a building must face the property line shared with a commercial street.

(2) The maximum building setback from a property line shared with a commercial street is 3.0 metres.

(3) Motor vehicle parking stalls and loading stalls must not be located between a building and a commercial street.

Building Façade
783 (1) The length of the building façade that faces the commercial street must be a minimum of 80.0 per cent of the length of the property line it faces.

(2) In calculating the length of the building façade, the depth of any required rear or side setback areas referenced in sections 788 and 789 will not be included as part of the length of the property line.

Vehicle Access
784 (1) Unless otherwise referenced in subsections (2) and (3), where the parcel shares a rear or side property line with a lane, all vehicle access to the parcel must be from the lane.

(2) Where a corner parcel shares a property line with a lane, those parcels may have vehicle access from either the lane or the street.

(3) Where a parcel shares a rear or side property line with a lane, but access from the lane is not physically feasible due to elevation differences between the parcel and the lane, all vehicle access must be from a street.
Use Area

785  (1) Unless otherwise referenced in subsection (3), the maximum use area for uses on the ground floor of buildings in the Commercial – Corridor 1 District is 465.0 square metres.

(2) Unless otherwise referenced in subsection (3), there is no maximum use area requirement for uses located on upper floors in the Commercial – Corridor 1 District.

(3) The maximum use area of a:

(a) Catering Service – Minor, or a Catering Service – Minor combined with any other use, is 300.0 square metres;

(b) Cinema, or a Cinema combined with any other use, is 550.0 square metres; and

(c) Supermarket, or a Supermarket combined with any other use, is 1400.0 square metres.

(4) The following uses do not have a use area restriction:

(a) Addiction Treatment;

(a.1) Assisted Living;

(b) Custodial Care;

(c) Hotel; and

(d) Residential Care.

Location of Uses within Buildings

786  (1) The following uses must not be located on the ground floor of buildings:

(a) Assisted Living;

(a.1) Catering Service - Minor;

(b) Child Care Service;

(c) Counselling Service;

(d) Dwelling Unit;

(e) Health Services Laboratory- with Clients;

(f) Instructional Facility;

(g) Live Work Unit;

(h) Medical Clinic;

(i) Office;
(j) Place of Worship – Small;
(k) Post-secondary Learning Institution;
(l) Residential Care;
(m) Social Organization; and
(n) Veterinary Clinic.

(2) A minimum of 20.0 per cent of the gross floor area of buildings in the Commercial – Corridor 1 District must contain “Commercial Uses”.

(3) “Commercial Uses” and Live Work Units:
   (a) may be located on the same floor as Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care; and
   (b) must not share an internal hallway with Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units or Residential Care.

(4) Where this section refers to “Commercial Uses”, it refers to the listed uses in sections 777 and 778, other than Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit and Residential Care.

Front Setback Area

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

Rear Setback Area

788 (1) Where the parcel shares a rear property line with a parcel designated as:
   (a) a commercial district, there is no requirement for a rear setback area;
   (b) an industrial district, the rear setback area must have a minimum depth of 1.2 metres;
   (c) a residential district, the rear setback area must have a minimum depth of 3.0 metres; and
   (d) a special purpose district, the rear setback area must have a minimum depth of 3.0 metres.

(2) Where the parcel shares a rear property line with:
   (a) an LRT corridor or street, the rear setback area must have a maximum depth of 3.0 metres;
(b) a lane that separates the parcel from a parcel designated as a residential district, the rear setback area must have a minimum depth of 3.0 metres; and

(c) a lane, in all other cases, there is no requirement for a rear setback area.

Side Setback Area

Where the parcel shares a side property line with a parcel designated as:

(a) a commercial district, there is no requirement for a side setback area;

(b) an industrial district, the side setback area must have a minimum depth of 1.2 metres;

(c) a residential district, the side setback area must have a minimum depth of 3.0 metres; and

(d) a special purpose district, the side setback area must have a minimum depth of 3.0 metres.

Where the parcel shares a side property line with:

(a) an LRT corridor or street, the side setback area must have a maximum depth of 3.0 metres;

(b) a lane that separates the parcel from a parcel designated as a residential district, the side setback area must have a minimum depth of 3.0 metres; and

(c) a lane, in all other cases, there is no requirement for a side setback area.

Landscaping In Setback Areas

Where a setback area shares a property line with a street, the setback area must be a hard surfaced landscaped area.

Where a setback area shares a property line with a lane and approved access to the parcel is from the lane, there is no requirement for soft surfaced landscaped area or hard surfaced landscaped area for that setback area.

Where a setback area shares a property line with an LRT corridor or a parcel designated as a residential district, the setback area must:

(a) be a soft surfaced landscaped area;
(b) provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 30.0 square metres; or
   (ii) for every 45.0 square metres, where irrigation is
        provided by a low water irrigation system; and

(c) provide trees planted in a linear arrangement along the length
    of the setback area.

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

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

Minimum Required Motor Vehicle Parking Stalls

791 deleted

48P2020
Excess Motor Vehicle Parking Stalls

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

793  deleted

Required Bicycle Parking Stalls

794  (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; and
       (ii)  0.5 stalls per unit when the total number of units equals or exceeds 20; and
   (b)  all other uses is the minimum requirement referenced in Part 4.

   (2)  The minimum number of bicycle parking stalls – class 2 for:
   (a)  each Dwelling Unit and Live Work Unit is:
       (i)  2.0 stalls for developments of 20 units or less; and
       (ii)  0.1 stalls per unit for developments of more than 20 units; and
   (b)  all other uses is 5.0 per cent of the motor vehicle parking stalls.

Exclusive Use of Bicycle Parking Stalls

795  Bicycle parking stalls – class 1 provided for Dwelling Units and Live Work Units are for the exclusive use of residents.

Map 7.1: Commercial Parking Reduction Map
Division 7: Commercial – Corridor 2 District

Purpose

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

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

Permitted Uses

The following uses are permitted uses in the Commercial – Corridor 2 District:

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

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

(a) Accessory Food Service;
(b) Accessory Liquor Service;
(c) Catering Service – Minor;
(d) Convenience Food Store;
(e) Counselling Service;
(f) Financial Institution;
(g) Fitness Centre;
(h) Health Services Laboratory – With Clients;
(i) Home Based Child Care – Class 1;
(j) Home Occupation – Class 1;
(k) Information and Service Provider;
(l) Library;
(m) Medical Clinic;
(n) Museum;
(o) Office;
(p) Pet Care Service;
(q) Power Generation Facility – Small;
(r) Print Centre;
(s) Protective and Emergency Service;
(t) Radio and Television Studio;
(u) Restaurant: Food Service Only – Medium;
(v) Restaurant: Food Service Only – Small;
(w) Restaurant: Licensed – Small;
(w.1) Restaurant: Neighbourhood;
(x) Retail and Consumer Service;
(y) Service Organization;
(z) Specialty Food Store;
(aa) Take Out Food Service; and
(bb) Veterinary Clinic.
Discretionary Uses

(1) Uses listed in subsection 797(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Commercial – Corridor 2 District.

(2) Uses listed in subsection 797(2) are discretionary uses if they are proposed in an existing building that does not have at least one commercial use that has been approved after the parcel was designated as a commercial land use district.

(3) The following uses are discretionary uses in the Commercial – Corridor 2 District:

(a) Addiction Treatment;
(b) Amusement Arcade;
(c) Artist’s Studio;
(c.1) Assisted Living;
(d) Auto Service – Major;
(e) Auto Service – Minor;
(f) Billiard Parlour;
(f.1) Brewery, Winery and Distillery;
(f.2) Cannabis Counselling;
(f.3) Cannabis Store;
(g) Car Wash – Multi-Vehicle;
(h) Car Wash – Single Vehicle;
(i) Child Care Service;
(j) Cinema;
(k) Computer Games Facility;
(k.1) Conference and Event Facility;
(l) Custodial Care;
(m) Dinner Theatre;
(n) Drinking Establishment – Medium;
(o) Drinking Establishment – Small;
(p) Drive Through;
(q) Dwelling Unit;
(q.1) Food Production;
(r) Funeral Home;
(s) Gas Bar;
(t) Health Services Laboratory – without Clients;
(u) Home Occupation – Class 2;
(v) Hotel;
(w) Indoor Recreation Facility;
(x) Instructional Facility;
(x.1) Kennel;
(y) Liquor Store;
(z) Live Work Unit;
(z.1) Market;
(z.2) deleted
(aa) Outdoor Café;
(bb) Parking Lot – Grade;
(cc) Parking Lot – Structure;
(dd) Pawn Shop;
(dd.1) Payday Loan;
(ee) Performing Arts Centre;
(ff) Place of Worship – Small;
(gg) Post-secondary Learning Institution;
(hh) Power Generation Facility – Medium;
(ii) Residential Care;
(jj) Restaurant: Licensed – Medium;
(kk) Seasonal Sales Area;
(ll) Sign – Class C;
(mm) Sign – Class E;
(nn) Sign – Class F;
The following uses are additional discretionary uses on a parcel that has an existing building used as a Place of Worship – Large or Place of Worship – Medium provided any new development proposed does not result in the increase of any assembly area:

(a) Place of Worship – Large; and
(b) Place of Worship – Medium.

Rules

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

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

Parcel Area

The maximum area of a parcel is 3.2 hectares.

Floor Area Ratio

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

Building Height

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

803 (1) Unless otherwise referenced in subsection (3), the maximum use area for uses on the ground floor of buildings is 930.0 square metres.

(2) Unless otherwise referenced in subsection (3), there is no maximum use area for uses located on upper floors.

(3) The maximum use area of a:

(a) Catering Service – Minor, or a Catering Service – Minor combined with any other use, is 300.0 square metres;

(b) Cinema, or a Cinema combined with any other use, is 550.0 square metres; and

(c) Supermarket, or a Supermarket combined with any other use, is 2500.0 square metres.

(4) The following uses do not have a use area restriction:

(a) Addiction Treatment;

(a.1) Assisted Living;

(b) Custodial Care;

(c) Hotel; and

(d) Residential Care.

Location of Uses within Buildings

804 (1) A minimum of 20.0 per cent of the gross floor area of buildings in the Commercial – Corridor 2 District must contain “Commercial Uses”.

(2) Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care must not be located in the same building as an automotive use.

(3) Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care must not be located on the ground floor of a building.

(4) “Commercial Uses” and Live Work Units:

(a) may be located on the same floor as Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units and Residential Care; and

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

Front Setback Area
805 The front setback area must have a minimum depth of 3.0 metres.

Rear Setback Area
806 (1) Where the parcel shares a rear property line with a parcel designated as:
   (a) a commercial district, there is no requirement for a rear setback area;
   (b) an industrial district, the rear setback area must have a minimum depth of 1.2 metres;
   (c) a residential district, the rear setback area must have a minimum depth of 5.0 metres; and
   (d) a special purpose district, the rear setback area must have a minimum depth of 5.0 metres.

(2) Where the parcel shares a rear property line with a lane, LRT corridor or street, the rear setback area must have a minimum depth of 3.0 metres.

Side Setback Area
807 (1) Where the parcel shares a side property line with a parcel designated as:
   (a) a commercial district, there is no requirement for a side setback area;
   (b) an industrial district, the side setback area must have a minimum depth of 1.2 metres;
   (c) a residential district, the side setback area must have a minimum depth of 5.0 metres; and
   (d) a special purpose district, the side setback area must have a minimum depth of 5.0 metres.

(2) Where the parcel shares a side property line with a lane, LRT corridor or street, the side setback area must have a minimum depth of 3.0 metres.
Landscaping In Setback Areas

808 (1) Where a setback area shares a property line with an LRT corridor or street, the setback area must:

(a) be a soft surfaced landscaped area; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

(2) Where a setback area shares a property line with a parcel designated as a residential district or with a lane that separates the parcel from a parcel designated as a residential district, the setback area must:

(a) be a soft surfaced landscaped area;

(b) provide a minimum of 1.0 trees:

(i) for every 30.0 square metres; or

(ii) for every 45.0 square metres, where irrigation is provided by a low water irrigation system; and

(c) provide trees planted in a linear arrangement along the length of the setback area.

(3) Where a setback area shares a property line with a lane and the approved access to the parcel is from the lane, there is no requirement for soft surfaced landscaped area or hard surfaced landscaped area for that setback area.

(4) Where a setback area shares a property line with a lane and there is no approved access to the parcel from the lane, or a parcel designated as a commercial, industrial or special purpose district, the setback area:

(a) must be a soft surfaced landscaped area;

(b) may have a sidewalk along the length of the building; and

(c) must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.
Minimum Required Motor Vehicle Parking Stalls

809    deleted

48P2020
Reductions of Minimum Motor Vehicle Parking Requirement

810  deleted

Required Bicycle Parking Stalls

811  (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; and

   (ii) 0.5 stalls per unit when the total number of units equals or exceeds 20; and

(b) all other uses is the minimum requirement referenced in Part 4.

(2)  The minimum number of bicycle parking stalls – class 2 for:

(a)  each Dwelling Unit and Live Work Unit is:

   (i)  2.0 stalls for developments of 20 units or less; and

   (ii) 0.1 stalls per unit for developments of more than 20 units; and

(b) all other uses is 5.0 per cent of the number of motor vehicle parking stalls.
Exclusive Use of Bicycle Parking Stalls

812 Bicycle parking stalls – class 1 provided for Dwelling Units and Live Work Units are for the exclusive use of residents.
Division 8: Commercial – Corridor 3 District (C-COR3)

Purpose

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

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

Permitted Uses

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

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

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

(a) Accessory Food Service;
(b) Accessory Liquor Service;
(b.1) Artist’s Studio;
(c) Auction Market – Other Goods;

(c.1) deleted

(c.2) Beverage Container Quick Drop Facility;

(d) Catering Service – Minor;

(e) Convenience Food Store;

(f) Counselling Service;

(g) Financial Institution;

(h) Fitness Centre;

(i) Health Services Laboratory – With Clients;

(j) Health Services Laboratory – Without Clients;

(k) Information and Service Provider;

(l) Instructional Facility;

(m) Library;

(n) Medical Clinic;

(o) Museum;

(p) Office;

(q) Pet Care Service;

(r) Power Generation Facility – Small;

(s) Print Centre;

(t) Protective and Emergency Service;

(u) Radio and Television Studio;

(u.1) Recyclable Material Drop-Off Depot;

(v) Restaurant: Food Service Only – Medium;

(w) Restaurant: Food Service Only – Small;

(x) Restaurant: Licensed – Medium;

(y) Restaurant: Licensed – Small;

(y.1) Restaurant: Neighbourhood;

(z) Retail and Consumer Service;

(aa) Service Organization;

(bb) Specialty Food Store;
(cc) Supermarket;
(dd) Take Out Food Service;
(ee) Vehicle Rental – Minor;
(ff) Vehicle Sales – Minor; and
(gg) Veterinary Clinic.

**Discretionary Uses**

**815 (1)** Uses listed in subsection 814(2) are **discretionary uses** if they are located in proposed **buildings** or proposed additions to existing **buildings** in the Commercial – Corridor 3 District.

**815 (2)** Uses listed in subsection 814(2) are **discretionary uses** if they are proposed in an existing **building** that does not have at least one commercial **use** that has been approved after the **parcel** was designated as a commercial land use district.

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

(a) Amusement Arcade;
(b) Auto Body and Paint Shop;
(c) Auto Service – Major;
(d) Auto Service – Minor;
(e) deleted
(f) Billiard Parlour;
(f.1) Brewery, Winery and Distillery;
(f.2) Cannabis Counselling;
(f.3) Cannabis Store;
(g) Car Wash – Multi-Vehicle;
(h) Car Wash – Single Vehicle;
(i) Child Care Service;
(j) Cinema;
(k) Computer Games Facility;
(k.1) Conference and Event Facility;
(l) Dinner Theatre;
(m) Drinking Establishment – Large;
(n) Drinking Establishment – Medium;
(o) Drinking Establishment – Small;
(p) Drive Through;

49P2017
(p.1) Food Production;
(q) Funeral Home;
(r) Gaming Establishment – Bingo;
(s) Gas Bar;
(t) Hotel;
(u) Indoor Recreation Facility;

46P2019
(u.1) Kennel;

67P2008, 46P2019
(u.2) Large Vehicle Sales;
(v) Liquor Store;
(w) Market;

28P2016, 25P2018
(w.1) deleted
(x) Night Club;
(y) Outdoor Café;
(z) Parking Lot – Grade;
(aa) Parking Lot – Structure;
(bb) Pawn Shop;

43P2015
(bb.1) Payday Loan;
(cc) Performing Arts Centre;
(dd) Place of Worship – Small;

9P2012
(ee) Post-secondary Learning Institution;

9P2012
(ff) Power Generation Facility – Medium;
(gg) Printing, Publishing and Distributing;
(hh) Recreational Vehicle Sales;
(ii) Restaurant: Food Service Only – Large;
(jj) Restaurant: Licensed – Large;
(kk) Seasonal Sales Area;
(ll) Sign – Class C;
(mm) Sign – Class E;
(nn)  Sign – Class F;
(nn.1) Sign – Class G;
(oo)  Social Organization;
(pp)  Special Function – Class 2;
(pp.1) deleted
(pp.2) Urban Agriculture;
(qq)  Utility Building;
(rr)  Vehicle Rental – Major;
(ss)  Vehicle Sales – Major;
(tt)  Wind Energy Conversion System – Type 1; and
(uu)  Wind Energy Conversion System – Type 2.

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

Parcel Area
817   The maximum area of a parcel is 3.2 hectares.

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

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

820  (1) Unless otherwise referenced in subsections (2) and (3), there is no use area restriction in the Commercial – Corridor 3 District.

(2) The maximum use area of a Retail and Consumer Service, or a Retail and Consumer Service, combined with any other use, is 3600.0 square metres.

(3) The maximum use area of a Supermarket, or a Supermarket, combined with any other use, is 3600.0 square metres.

Front Setback Area

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

Rear Setback Area

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

(a) a commercial district, the rear setback area must have a minimum depth of 3.0 metres;

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

(c) a residential district, the rear setback area must have a minimum depth of 6.0 metres; and

(d) a special purpose district, the rear setback area must have a minimum depth of 6.0 metres.

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

(a) an LRT corridor or street, the rear setback area must have a minimum depth of 6.0 metres;

(b) a lane that separates the parcel from a parcel designated as a residential district, the rear setback area must have a minimum depth of 6.0 metres; and

(c) a lane, in all other cases, the rear setback area must have a minimum depth of 3.0 metres.

Side Setback Area

823  (1) Where the parcel shares a side property line with a parcel designated as:

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

Landscaping In Setback Areas

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

(2) Where a setback area shares a property line with a parcel designated as a residential district or with a lane that separates the parcel from a parcel designated as a residential district, the setback area must:
(a) be a soft surfaced landscaped area;
(b) provide a minimum of 1.0 trees:
   (i) for every 30.0 square metres; or
   (ii) for every 45.0 square metres, where irrigation is provided by a low water irrigation system; and
(c) provide trees planted in a linear arrangement along the length of the setback area.
(3) Where a setback area shares a property line with a lane and approved access to the parcel is from the lane, there is no requirement for soft surfaced landscaped area or hard surfaced landscaped area for that setback area.

(4) Where a setback area shares a property line with a lane but there is no approved access to the parcel from the lane or with a parcel designated as a commercial, industrial or special purpose district, the setback area:

(a) must be a soft surfaced landscaped area;
(b) may have a sidewalk along the length of the building; and
(c) must provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

Minimum Required Motor Vehicle Parking Stalls

825 deleted

Reductions of Minimum Motor Vehicle Parking Requirement

826 deleted
Required Bicycle Parking Stalls

827 (1) The minimum number of bicycle parking stalls – class 1 for an “Enclosed Mall” is 2.0 per cent of the number of motor vehicle parking stalls.

(2) The minimum number of bicycle parking stalls – class 2 for an “Enclosed Mall” is 3.0 per cent of the number of motor vehicle parking stalls.

(3) The minimum required number of bicycle parking stalls for all other uses is the minimum requirement referenced in Part 4.

(4) In this section, “Enclosed Mall” means a building containing two or more retail stores that are accessible by an enclosed common corridor.
Division 9: Commercial – Office District

Purpose

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

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

Permitted Uses

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

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

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

(a) Counselling Service;
(b) Information and Service Provider;
(c) Instructional Facility;
(d) Medical Clinic;
(e) Office; and
(f) Post-secondary Learning Institution.
The following uses are permitted uses in existing approved buildings in the Commercial – Office District if:

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

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

(i) Accessory Food Service;

(i.1) Artist’s Studio;

(ii) Computer Games Facility;

(iii) Convenience Food Store;

(iv) Financial Institution;

(v) Fitness Centre;

(vi) Health Services Laboratory – With Clients;

(vii) Indoor Recreation Facility;

(viii) Library;

(ix) Pet Care Service;

(x) Power Generation Facility – Small;

(xi) Print Centre;

(xii) Protective and Emergency Service;

(xiii) Radio and Television Studio;

(xiv) Restaurant: Food Service Only – Small;

(xv) Restaurant: Licensed – Small;

(xvi) Retail and Consumer Service;

(xvi.1) Specialty Food Store; and

(xvii) Take Out Food Service.

Discretionary Uses

Uses listed in subsection 829(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Commercial – Office District.

Uses listed in subsection 829(2) are discretionary uses if they are proposed in an existing building that does not have at least one commercial use that has been approved after the parcel was designated as a commercial land use district.
(3) **Uses** listed in subsection 829(3) are *discretionary uses* in the Commercial – Office District if:
   
   (a) they are proposed for a new *building* or new addition to a *building*;
   
   (b) they are located in a *building* where less than 90.0 per cent of the *building’s gross floor area* is used for *uses* listed in subsection 829(2)(a) through (f) inclusive; or
   
   (c) they are located above the ground floor of the *building*.

(4) The following *uses* are *discretionary uses* in the Commercial – Office District:

   (a) **Cannabis Counselling**;
   
   (a.1) **Child Care Service**;  
   
   (a.2) **Conference and Event Facility**;
   
   (b) **Drinking Establishment – Medium**;
   
   (c) **Drinking Establishment – Small**;
   
   (c.1) **Food Production**;
   
   (c.2) **deleted**
   
   (d) **Outdoor Café**;
   
   (d.1) **Payday Loan**;
   
   (e) **Power Generation Facility – Medium**;
   
   (f) **Restaurant: Food Service Only – Medium**;
   
   (g) **Restaurant: Licensed – Medium**;
   
   (g.1) **Restaurant: Neighbourhood**;
   
   (h) **Sign – Class C**;
   
   (i) **Sign – Class E**;
   
   (j) **Sign – Class F**;
   
   (j.1) **Sign – Class G**;
   
   (k) **Special Function – Class 2**;
   
   (k.1) **deleted**
   
   (k.2) **Urban Agriculture**;
   
   (l) **Utility Building**;
   
   (m) **Veterinary Clinic**; and
   
   (n) **deleted**
   
   (o) **Wind Energy Conversion System – Type 1**.
Rules
831 In addition to the rules in this District, all uses in this District must comply with:

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

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

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

Use Area
834 (1) Unless otherwise referenced in subsection (2), there is no use area restriction for uses in the Commercial – Office District.

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

Front Setback Area
835 The front setback area must have a minimum depth of 6.0 metres.

Rear Setback Area
836 (1) Where the parcel shares a rear property line with a parcel designated as:

(a) a commercial district, the rear setback area must have a minimum depth of 3.0 metres;
(b) an industrial district, the rear setback area must have a minimum depth of 3.0 metres;
(c) a residential district, the rear setback area must have a minimum depth of 6.0 metres; and
(d) a special purpose district, the rear setback area must have a minimum depth of 6.0 metres.

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

(a) an LRT corridor or street, the rear setback area must have a minimum depth of 6.0 metres;

(b) a lane that separates the parcel from a parcel designated as a residential district, the rear setback area must have a minimum depth of 6.0 metres; and

(c) a lane, in all other cases, the rear setback area must have a minimum depth of 3.0 metres.

### Side Setback Area

837 (1) Where the parcel shares a side property line with a parcel designated as:

(a) a commercial district, the side setback area must have a minimum depth of 3.0 metres;

(b) an industrial district, the side setback area must have a minimum depth of 3.0 metres;

(c) a residential district, the side setback area must have a minimum depth of 6.0 metres; and

(d) a special purpose district, the side setback area must have a minimum depth of 6.0 metres.

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

(a) an LRT corridor or street, the side setback area must have a minimum depth of 6.0 metres;

(b) a lane that separates the parcel from a parcel designated as a residential district, the side setback area must have a minimum depth of 6.0 metres; and

(c) a lane, in all other cases, the side setback area must have a minimum depth of 3.0 metres.

### Landscaping In Setback Areas

838 (1) Where a setback area shares a property line with an LRT corridor or street, the setback area must:

(a) be a soft surfaced landscaped area; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or
(ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

(2) Where a setback area shares a property line with a parcel designated as a residential district, the setback area must:

(a) be a soft surfaced landscaped area;
(b) provide a minimum of 1.0 trees:
   (i) for every 30.0 square metres; or
   (ii) for every 45.0 square metres, where irrigation is provided by low water irrigation system; and
(c) provide trees planted in a linear arrangement along the length of the setback area.

(3) Where a setback area shares a property line with a lane or a parcel designated as a commercial, industrial or special purpose district, the setback area:

(a) must be a soft surfaced landscaped area;
(b) may have a sidewalk along the length of the building; and
(c) provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

Employee Area

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

Reductions of Minimum Motor Vehicle Parking Requirement

840 deleted
Excess Motor Vehicle Parking Stalls

841 Where the number of motor vehicle parking stalls provided for uses is in excess of 6.0 stalls per 100.0 square metres of gross usable floor area, those excess stalls must be located in either underground or structured parking.

Required Bicycle Parking Stalls

842 (1) The uses listed in section 830 must provide 1.0 bicycle parking stall – class 1 per 1000.0 square metres gross usable floor area of the use.

(2) The uses listed in section 830 must provide 1.0 bicycle parking stall – class 2 per 1000.0 square metres of gross usable floor area of the use.

(3) The minimum required number of bicycle parking stalls for all other uses is the minimum requirement referenced in Part 4.
Division 10: Commercial – Regional 1 f#
(C-R1 f#) District

Purpose

(1) The Commercial – Regional 1 District is intended to be characterized by:

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

(2) Areas of land greater than 6.0 hectares should not be designated Commercial – Regional 1 District.

Permitted Uses

The following uses are permitted uses in the Commercial – Regional 1 District:

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

Discretionary Uses

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

(a) Artist’s Studio;

(a.1) Auction Market – Other Goods;

(b) Auction Market – Vehicles and Equipment;

(c) Auto Service – Major;

(d) Auto Service – Minor;

(d.1) Cannabis Store;

(e) Car Wash – Multi-Vehicle;

(f) Car Wash – Single Vehicle;

(g) Convenience Food Store;

(h) Drinking Establishment – Medium;

(i) Drinking Establishment – Small;

(j) Drive Through;

(k) Fitness Centre;

(k.1) Food Production;

(l) Gaming Establishment – Bingo;

(m) Gas Bar;

(n) Indoor Recreation Facility;

(n.1) Information and Service Provider;

(o) Liquor Store;

(p) Market;

(p.1) Office;

(q) Outdoor Café;

(q.1) Parking Lot – Grade;

(q.2) Parking Lot – Structure;

(q.3) Print Centre;

(r) Restaurant: Food Service Only – Medium;
(s) Restaurant: Food Service Only – Small;
(t) Restaurant: Licensed – Medium;
(u) Restaurant: Licensed – Small;
(u.1) Restaurant: Neighbourhood;
(v) Restored Building Products Sales Yard;
(w) Retail Garden Centre;
(x) Retail and Consumer Service;
(y) Seasonal Sales Area;
(z) Sign – Class C;
(aa) Sign – Class E;
(bb) Sign – Class F;
(bb.1) Sign – Class G;
(cc) Special Function – Class 2;
(cc.1) deleted
(cc.2) Specialty Food Store;
(dd) Supermarket;
(dd.1) Urban Agriculture;
(ee) Utility Building;
(ff) Vehicle Rental – Major;
(gg) Vehicle Rental – Minor;
(hh) Vehicle Sales – Major;
(ii) Vehicle Sales – Minor;
(jj) Wind Energy Conversion System – Type 1; and
(kk) Wind Energy Conversion System – Type 2.

Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;
(b) the Rules Governing All Districts referenced in Part 3; and
(c) the applicable Uses And Use Rules referenced in Part 4.
Parcel Area
847 The area of a parcel must be a minimum of 0.5 hectares and a maximum of 6.0 hectares.

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

Building Height
849 The maximum building height is 15.0 metres.

Buildings
850 (1) Every parcel in the Commercial – Regional 1 District must have one building that is equal to or exceeds 3600.0 square metres of gross floor area.

(2) In addition to the building required by subsection (1), a parcel may have up to two buildings, so long as no additional building exceeds 360.0 square metres in gross floor area.

(3) The maximum number of buildings on every parcel is three.

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

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

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

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

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

Rear Setback Area

Where the parcel shares a rear property line with a parcel designated as:

(a) Commercial – Regional 1 District, there is no requirement for a rear setback area;

(b) any other commercial district, the rear setback area must have a minimum depth of 3.0 metres;

(c) an industrial district, the rear setback area must have a minimum depth of 3.0 metres;

(d) a residential district, the rear setback area must have a minimum depth of 6.0 metres; and

(e) a special purpose district, the rear setback area must have a minimum depth of 6.0 metres.

Where the parcel shares a rear property line with:

(a) an LRT corridor or street, the rear setback area must have a minimum depth of 6.0 metres;

(b) a lane that separates the parcel from a parcel designated as a residential district, the rear setback area must have a minimum depth of 6.0 metres; and

(c) a lane, in all other cases, the rear setback area must have a minimum depth of 3.0 metres.

Side Setback Area

Where the parcel shares a side property line with a parcel designated as:

(a) Commercial – Regional 1 District, there is no requirement for a side setback area;

(b) any other commercial district, the side setback area must have a minimum depth of 3.0 metres;

(c) an industrial district, the side setback area must have a minimum depth of 3.0 metres;

(d) a residential district, the side setback area must have a minimum depth of 6.0 metres; and
(e) a special purpose district, the side setback area must have a minimum depth of 6.0 metres.

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

(a) an LRT corridor or street, the side setback area must have a minimum depth of 6.0 metres;

(b) a lane that separates the parcel from a parcel designated as a residential district, the side setback area must have a minimum depth of 6.0 metres; and

(c) a lane, in all other cases, the side setback area must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

856 (1) Where a setback area shares a property line with an LRT corridor or street, the setback area must:

(a) be a soft surfaced landscaped area; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

(2) Where a setback area shares a property line with a parcel designated as a residential district, the setback area must:

(a) be a soft surfaced landscaped area;

(b) provide a minimum of 1.0 trees:

(i) for every 30.0 square metres; or

(ii) for every 45.0 square metres, where irrigation is provided by a low water irrigation system; and

(c) provide trees planted in a linear arrangement along the length of the setback area.

(3) Where a setback area shares a property line with a lane or a parcel designated as a commercial, industrial or special purpose district, the setback area:

(a) must be a soft surfaced landscaped area;

(b) may have a sidewalk along the length of the building; and
(c) must provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres, where irrigation is provided by low water irrigation system.

Minimum Required Motor Vehicle Parking Stalls
857  deleted

Excess Motor Vehicle Parking Stalls
858  Where the number of motor vehicle parking stalls required for uses is in excess of 6.0 stalls per 100.0 square metres of gross usable floor area, those excess stalls must be located in either underground or structured parking.

Exclusive Use of Motor Vehicle Parking Stalls
859  deleted

Required Bicycle Parking Stalls
860  (1) The minimum number of bicycle parking stalls – class 1 for all uses is the minimum requirement referenced in Part 4.

(2) The minimum bicycle parking stalls – class 2 is 5.0 per cent of the number of motor vehicle parking stalls.
Division 11: Commercial – Regional 2 District

Purpose
861 (1) The Commercial – Regional 2 District is intended to be characterized by:
(a) enclosed malls;
(b) multiple buildings comprehensively designed on a parcel;
(c) parcels that are located along major roads and transit facilities;
(d) access by motor vehicles and public transit;
(e) pedestrian connections from public transit to and between buildings and from parking areas to buildings;
(f) building location, setback areas and landscaping that buffer the effect of commercial uses on nearby residential districts; and
(g) varying building density established through maximum floor area ratios for individual parcels.

(2) Areas of land less than 4.0 hectares should not be designated Commercial – Regional 2 District.

Permitted Uses
862 (1) The following uses are permitted uses in the Commercial – Regional 2 District:
(a) Park;
(b) Sign – Class A;
(c) Sign – Class B;
(d) Sign – Class D; and
(e) Utilities.

(2) The following uses are permitted uses in the Commercial – Regional 2 District if they are located within existing approved buildings:
(a) Accessory Food Service;
(b) Accessory Liquor Service;
(c) Amusement Arcade;
(c.1) Artist’s Studio;
(c.2) Beverage Container Quick Drop Facility;
(d) Billiard Parlour;
(e) Catering Service – Minor;
(f) Cinema;
(g) Computer Games Facility;
(h) Convenience Food Store;
(i) Counselling Service;
(j) Dinner Theatre;
(k) Financial Institution;
(l) Fitness Centre;
(m) Funeral Home;
(n) Health Services Laboratory – With Clients;
(o) Home Based Child Care – Class 1;
(p) Home Occupation – Class 1;
(q) Indoor Recreation Facility;
(r) Information and Service Provider;
(s) Instructional Facility;
(t) Library;
(u) Medical Clinic;
(v) Museum;
(w) Office;
(x) Pawn Shop;
(y) Performing Arts Centre;
(z) Pet Care Service;
(aa) Power Generation Facility – Small;
(bb) Print Centre;
(cc) Protective and Emergency Service;
(dd) Restaurant: Food Service Only – Large;
(ee) Restaurant: Food Service Only – Medium;
(ff) Restaurant: Food Service Only – Small;
(gg) Restaurant: Licensed – Medium;
(hh) Restaurant: Licensed – Small;
(hh.1) Restaurant: Neighbourhood;
(ii) Retail and Consumer Service;
(jj) Service Organization;
(kk) Specialty Food Store;
(ll) Supermarket;
(mm) Take Out Food Service;
(nn) Vehicle Rental – Minor;
(oo) Vehicle Sales – Minor; and
(pp) Veterinary Clinic.

Discretionary Uses

863 (1) Uses listed in subsection 862(2) are discretionary uses if they are located in new buildings or new additions to existing buildings in the Commercial – Regional 2 District.

(2) Uses listed in subsection 862(2) are discretionary uses if they are proposed in an existing building that does not have at least one commercial use that has been approved after the parcel was designated as a commercial land use district.

(3) The following uses are discretionary uses in the Commercial – Regional 2 District:

(a) Auto Service – Major;
(b) Auto Service – Minor;
(c) deleted
(c.1) Brewery, Winery and Distillery;
(c.2) Cannabis Counselling;
(c.3) Cannabis Store;
(d) Car Wash – Multi Vehicle;
(e) Car Wash – Single Vehicle;
(f) Child Care Service;
(f.1) Conference and Event Facility;
(g) Drinking Establishment – Large;
(h) Drinking Establishment – Medium;
(i) Drinking Establishment – Small;
(j) Drive Through;
(k) Dwelling Unit;
(k.1) Food Production;
(l) Gaming Establishment – Bingo;
(m) Gas Bar;
(n) Home Occupation – Class 2;
(o) Hotel;
(p) Liquor Store;
(q) Live Work Unit;
(q.1) Market;
(q.2) deleted
(r) Night Club;
(s) Outdoor Café;
(t) Parking Lot – Grade;
(u) Parking Lot – Structure;
(u.1) Payday Loan;
(v) Place of Worship – Medium;
(w) Place of Worship – Small;
(x) Post-secondary Learning Institution;
(y) Power Generation Facility – Medium;
(z) Radio and Television Studio;
(z.1) Recyclable Material Drop-Off Depot;
(aa) Restaurant: Licensed – Large;
(bb) Seasonal Sales Area;
(cc) Sign – Class C;
(dd) Sign – Class E;
(ee) Special Function – Class 2;
(ee.1) deleted
(ee.2) Urban Agriculture;
(ff) Utility Building;

(gg) Vehicle Rental – Major; and

(hh) Vehicle Sales – Major.

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Parcel Area
865 The minimum area of a parcel is 4.0 hectares.

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

(a) is not less than 40,000.0 square metres;

(b) contains a number of separate uses; and

(c) has an internal hallway for customers.

(2) Parcels may have buildings, in addition to the building required by section (1), providing the combined gross floor area of all use areas in those buildings does not exceed 20.0 per cent of the gross floor area of the “Enclosed Mall” building located on the parcel.

(3) In this section, “Enclosed Mall” means a building containing two or more retail uses accessible by an enclosed common corridor.

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

Building Height
868 The maximum building height is 46.0 metres.
Location of Uses within Buildings
869  (1) Dwelling Units and Live Work Units must not be located on the ground floor of a building.

(2) “Commercial Uses” and Live Work Units:
   (a) may be located on the same floor as Dwellings Units; and
   (b) must not share an internal hallway with Dwellings Units.

(3) Where this section refers to “Commercial Uses”, it refers to the listed uses at sections 862 and 863, other than Dwelling Unit and Live Work Unit.

Front Setback Area
870  The front setback area must have a minimum depth of 6.0 metres.

Rear Setback Area
871  (1) Where the parcel shares a rear property line with a parcel that is designated as a Commercial – Regional 1 District, there is no requirement for a rear setback area.

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

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

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

Landscaping In Setback Areas
873  (1) Where a setback area shares a property line with an LRT corridor or street, the setback area must:
   (a) be a soft surfaced landscaped area; and
   (b) have a minimum of 1.0 trees and 2.0 shrubs:
      (i) for every 35.0 square metres; or
      (ii) for every 50.0 square metres, where irrigation is provided by low water irrigation system.

(2) Where a setback area shares a property line with a parcel designated as a residential district, the setback area must:
   (a) be a soft surfaced landscaped area;
(b) provide a minimum of 1.0 trees:
   (i) for every 30.0 square metres; or
   (ii) for every 45.0 square metres, where irrigation is provided by low water irrigation system;

(c) provide trees planted in a linear arrangement along the length of the setback area; and

(d) be screened by a fence that is a maximum height of 2.0 metres.

(3) Where a setback area shares a property line with a lane or a parcel designated as a commercial, industrial or special purpose district, the setback area:

(a) must be a soft surfaced landscaped area;

(b) may provide a sidewalk along the length of the building; and

(c) must provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres, where irrigation is provided by low water irrigation system.

Minimum Required Motor Vehicle Parking Stalls

874 deleted 48P2020
Reductions of Minimum Motor Vehicle Parking Requirement

48P2020

875 deleted

Excess Motor Vehicle Parking Stalls

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

Exclusive Use of Motor Vehicle Parking Stalls

48P2020

877 deleted
Required Bicycle Parking Stalls

878  (1) The minimum number of bicycle parking stalls – class 1 for:

(a) each Dwelling Unit and Live Work Unit is:

(i) no requirement when the number of units is less than 20; and

(ii) 0.5 stalls per unit when the total number of units equals or exceeds 20; and

(b) all other uses is 2.0 per cent of the number of motor vehicle parking stalls.

(2) The minimum number of bicycle parking stalls – class 2 for:

(a) each Dwelling Unit and Live Work Unit is:

(i) 2.0 stalls for development of 20 units or less; and

(ii) 0.1 stalls per unit for developments of more than 20 units; and

(b) all other uses is 3.0 per cent of the number of motor vehicle parking stalls.

Exclusive Use of Bicycle Parking Stalls

879 Bicycle parking stalls – class 1 provided for Dwelling Units and Live Work Units are for the exclusive use of residents.
Division 12: Commercial – Regional 3 (C-R3) District

Purpose

(1) The Commercial – Regional 3 District is intended to be characterized by:

(a) comprehensively planned and designed subdivision and development with multiple buildings on multiple parcels;

(b) orderly phased subdivision and development of large tracts of land over time;

(c) opportunities for a variety of building sizes and use areas;

(d) parcels that are created and designed to support efficient access to the uses intended for those and nearby parcels;

(e) buildings, uses, vehicle access and pedestrian features on a site that link with each other and adjacent parcels;

(f) pedestrian access from public transit, to and between buildings and pedestrian amenities;

(g) flexibility regarding a building’s density, established through individual floor area ratios for individual parcels; and

(h) varying building height established through maximum building heights for individual parcels.

(2) Areas of land less than 6.0 hectares should not be designated Commercial – Regional 3 District.

Permitted Uses

(1) The following uses are permitted uses in the Commercial – Regional 3 District:

(a) Park;

(b) Sign – Class A;

(c) Sign – Class B;

(d) Sign – Class D; and

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

(a) Accessory Food Service;
(b) Accessory Liquor Service;
(c) Amusement Arcade;

(c.1) deleted
(c.2) Beverage Container Quick Drop Facility;
(d) Catering Service – Minor;
(e) Computer Games Facility;
(f) Convenience Food Store;
(g) Counselling Service;
(h) Dinner Theatre;
(i) Financial Institution;
(j) Fitness Centre;
(k) Funeral Home;
(l) Health Services Laboratory – With Clients;
(m) Indoor Recreation Facility;
(n) Information and Service Provider;
(o) Instructional Facility;
(p) Library;
(q) Medical Clinic;
(r) Museum;
(s) Office;
(t) Pawn Shop;
(u) Performing Arts Centre;
(v) Pet Care Service;
(w) Power Generation Facility – Small;
(x) Print Centre;
(y) Protective and Emergency Service;
(z) Radio and Television Studio;

(z.1) Recyclable Material Drop-Off Depot;
(aa) Restaurant: Food Service Only – Medium;
(bb) Restaurant: Food Service Only – Small;
(cc) Restaurant: Licensed – Medium;
(dd) Restaurant: Licensed – Small;
(dd.1) Restaurant: Neighbourhood;
(ee) Retail and Consumer Service;
(ff) Service Organization;
(gg) Specialty Food Store;
(hh) Supermarket;
(ii) Take Out Food Service;
(jj) Vehicle Rental – Minor;
(kk) Vehicle Sales – Minor; and
(ll) Veterinary Clinic.

Discretionary Uses

882 (1) Uses listed in subsection 881(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Commercial – Regional 3 District.

(2) Uses listed in subsection 881(2) are discretionary uses if they are proposed in an existing building that does not have at least one commercial use that has been approved after the parcel was designated as a commercial land use district.

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

(a) Artist’s Studio;
(a.1) Auto Service – Major;
(b) Auto Service – Minor;
(c) deleted
(d) Billiard Parlour;
(d.1) Brewery, Winery and Distillery;
(d.2) Cannabis Counselling;
(d.3) Cannabis Store;
(e) Car Wash – Multi-Vehicle;
(f) Car Wash – Single Vehicle;
(g) Child Care Service;
(h) Cinema;
(h.1) Conference and Event Facility;
(i) Drinking Establishment – Large;
(j) Drinking Establishment – Medium;
(k) Drinking Establishment – Small;
(l) Drive Through;

49P2017
(l.1) Food Production;
(m) Gaming Establishment – Bingo;
(n) Gas Bar;
(o) Hotel;
(p) Liquor Store;

5P2013, 42P2019
(p.1) Market;

28P2016, 25P2018
(p.2) deleted
(q) Night Club;
(r) Outdoor Café;
(s) Parking Lot – Grade;
(t) Parking Lot – Structure;

43P2015
(t.1) Payday Loan;
(u) Place of Worship – Medium;
(v) Place of Worship – Small;
(w) Post-secondary Learning Institution;
(x) Power Generation Facility – Medium;
(y) Restaurant: Food Service Only – Large;
(z) Restaurant: Licensed – Large;
(aa) Seasonal Sales Area;
(bb) Sign – Class C;
(cc) Sign – Class E;
(dd) Social Organization;

4P2012
(ee) Special Function – Class 2;

10P2009, 4P2012
(ee.1) deleted

33P2019
(ee.2) Urban Agriculture;
(ff) Utility Building;

38P2013
(gg) Vehicle Rental – Major;

38P2013
(hh) Vehicle Sales – Major;
(ii) Wind Energy Conversion System – Type 1; and
(jj) Wind Energy Conversion System – Type 2.

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

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

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

Transportation
886 All developments in the Commercial – Regional 3 District must have:
(a) road networks within parcels and motor vehicle access connections to existing or anticipated streets;
(b) direct motor vehicle connections through parcels to provide access to adjacent parcels; and
(c) motor vehicle connections between parking areas and the road networks.

Building Orientation and Design
887 (1) The main public entrance of buildings must be identifiable and accessible.
(2) Public entrances must be accentuated by a minimum of one example of three or more of the following features:
(a) arcades;
(b) arches;
(c) awnings;
(d) pitched or raised cornice roof forms;
(e) porticoes;
(f) recesses or projections; and
(g) windows.

(3) The finishing materials and design of the façade where the main public entrance is located must be used on the other façades of the building.

Front Setback Area

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

Rear Setback Area

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

(a) Commercial – Regional 3 District, there is no requirement for a rear setback area;

(b) any other commercial district, the rear setback area must have a minimum depth of 3.0 metres;

(c) an industrial district, the rear setback area must have a minimum depth of 3.0 metres;

(d) a residential district, the rear setback area must have a minimum depth of 6.0 metres; and

(e) a special purpose district, the rear setback area must have a minimum depth of 6.0 metres.

(2) Where the parcel shares a rear property line with an LRT corridor or street, the rear setback area must have a minimum depth of 6.0 metres.

(3) Where the parcel shares a rear property line with a lane and the lane separates the parcel from a parcel designated as:

(a) a residential district, the rear setback area must have a minimum depth of 6.0 metres; and

(b) a District, other than a residential district, the rear setback area must have a minimum depth of 3.0 metres.
Side Setback Area
890 (1) Where the parcel shares a side property line with a parcel designated as:

(a) Commercial – Regional 3 District, there is no requirement for a side setback area;
(b) any other commercial district, the side setback area must have a minimum depth of 3.0 metres;
(c) an industrial district, the side setback area must have a minimum depth of 3.0 metres;
(d) a residential district, the side setback area must have a minimum depth of 6.0 metres; and
(e) a special purpose district, the side setback area must have a minimum depth of 6.0 metres.

(2) Where the parcel shares a side property line with an LRT corridor or street, the side setback area must have a minimum depth of 6.0 metres.

(3) Where the parcel shares a side property line with a lane and the lane separates the parcel from a parcel designated as:

(a) a residential district, the side setback area must have a minimum depth of 6.0 metres;
(b) a District, other than a residential district, the side setback area must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas
891 (1) Where a setback area shares a property line with an LRT corridor or street, the setback area must:

(a) be a soft surfaced landscaped area; and
(b) provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

(2) Where a setback area shares a property line with a parcel designated as a residential district, the setback area must:

(a) be a soft surfaced landscaped area;
(b) provide a minimum of 1.0 trees:
   (i) for every 30.0 square metres; or
   (ii) for every 45.0 square metres, where irrigation is provided by a low water irrigation system; and
(c) provide trees planted in a linear arrangement along the length of the setback area.

(3) Where a setback area shares a property line with a lane or a parcel designated as a commercial, industrial or special purpose district, the setback area:

(a) must be a soft surfaced landscaped area;
(b) may have a sidewalk along the length of the building; and
(c) must provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres, where the irrigation is provided by a low water irrigation system.

Minimum Required Motor Vehicle Parking Stalls

48P2020 892 deleted

Reductions of Minimum Motor Vehicle Parking Requirement

48P2020 893 deleted
Excess Motor Vehicle Parking Stalls

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

Exclusive Use of Motor Vehicle Parking Stalls

895 deleted

Required Bicycle Parking Stalls

896 (1) The minimum number of bicycle parking stalls – class 1 for an “Enclosed Mall” is 2.0 per cent of the number of motor vehicle parking stalls.

(2) The minimum number of bicycle parking stalls – class 2 for an “Enclosed Mall” is 3.0 per cent of the number of motor vehicle parking stalls.

(3) In this section, “Enclosed Mall” means a building containing two or more retail stores that are accessible by an enclosed common corridor.
PART 8: INDUSTRIAL DISTRICTS

Division 1: General Rules for Industrial Land Use Districts

Projections Into Setback Areas

897 (1) Unless otherwise referenced in subsections (2), (3) and (4), buildings must not be located in any setback area.

(2) Eaves of a building may project into any setback area a maximum of 0.6 metres.

(3) Portions of a building below the surface of the ground may extend into any setback area only when those portions are used as a parking structure.

(4) Signs may be located in any setback area, and where so located must be in accordance with Part 3, Division 5.

General Landscaped Area Rules

898 (1) Landscaped areas must be provided in accordance with a landscape plan approved by a Development Authority.

(2) A landscape plan for the entire development must be submitted as part of each development permit application, where changes are proposed to the building or parcel, and must show at least the following:

(a) the existing and proposed topography;

(b) the existing vegetation and indicate whether it is to be retained or removed;

(c) the layout of berms, open space systems, pedestrian circulation, retaining walls, screening, slope of the land, soft surfaced landscaped areas and hard surfaced landscaped areas;

(d) the species, sizes and numbers of plant material and the types of landscaped areas; and

(e) details of the irrigation system.

(3) The landscaped areas shown on the landscape plan approved by the Development Authority must be maintained on the parcel for so long as the development exists.

(4) All soft surfaced landscaped areas must be irrigated by an underground irrigation system, unless otherwise provided by a low water irrigation system.
(5) For the purpose of determining the minimum number of trees and shrubs in a **setback area**, portions of **setback areas** that are paved for sidewalks and vehicle access, utility rights of way or any other purpose allowed by the **Development Authority**, must be included in the calculation of the required area, even though trees and shrubs are not capable of growing in that area.

(6) If the minimum **setback area** is not capable of growing trees and shrubs, additional area on the **parcel** adjoining the **setback area** must be provided for the trees and shrubs.

**Planting Requirements**

899 (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.

(2) A minimum of 25.0 per cent of all trees required must be coniferous.

(3) Deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting.

(4) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must be a minimum of 3.0 metres in height at the time of planting.

(5) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

(6) **Soft surfaced landscaped areas** may include **Urban Agriculture**.

**Low Water Irrigation System**

900 (1) When a **low water irrigation system** is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.

(2) When a **low water irrigation system** is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

**Visibility Setback**

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

**Mechanical Screening**

902 Unless otherwise referenced in a District, mechanical equipment or systems that are located outside of a **building** must be **screened**.
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

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

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.

A display and sales area is not allowed if it would result in the use operating exclusively as a retail store.

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; and
   (c) it is separate and distinct from areas of the parcel used for the storage of materials, goods or equipment.
   (d) deleted

Wind Energy Conversion System

904.4 (1) A Wind Energy Conversion System – Type 1 or a Wind Energy Conversion System – Type 2 must:
   (a) be located a minimum distance equal to the total Wind Energy Conversion System height from a property line, measured from the base;
   (b) be painted a single, neutral, non-reflective, non-glossy colour;
   (c) have a self-supporting tubular tower or monopole, not including lattice or pylon towers, if not mounted to a building;
   (d) be equipped with manual and automatic over speed controls;
   (e) be repaired or removed from the parcel upon disrepair, abandonment, or termination of the Wind Energy Conversion System - Type 1 or Wind Energy Conversion System - Type 2 use for a period of 6 months or greater;
   (f) not be located in the actual front setback area, actual side setback area or the rear setback area when the corresponding property line is adjacent to a residential district;
   (g) not contain any signs or other non-system related objects, which are visible from a residential or special purpose district, other than Directional Signs;
(h) not contain any accent lighting, or be indirectly illuminated or artificially lit, except as required for navigational safety or Directional Signs;

(i) not contain guy wires or other similar structural support devices, excluding those that may be required to fasten the Wind Energy Conversion System to a building;

(j) not be within 100.0 metres of any permanent or temporary wetland or water body;

(k) not have a tower-climbing apparatus or blade tips closer than 4.6 metres from grade unless enclosed by a minimum 1.8 metre high fence; and

(l) not have a total power generation capacity greater than 100 kilowatts.

(2) A Wind Energy Conversion System – Type 1:

(a) must not be located within 60.0 metres from a residential district, and

(b) may require a biophysical impact assessment as part of a development permit application, that may include, but is not limited to, a literature review by a qualified biologist, field surveys, habitat assessments, and consideration for the publication “Wildlife Guidelines for Alberta Wind Energy Projects” by Alberta Environment and Sustainable Resource Development.

(3) A Wind Energy Conversion System – Type 2:

(a) must not be located within 550.0 metres from a residential district;

(b) requires a biophysical impact assessment as part of a development permit application, that may include, but is not limited to, a literature review by a qualified biologist, field surveys, habitat assessments, and consideration for the publication “Wildlife Guidelines for Alberta Wind Energy Projects” by Alberta Environment and Sustainable Resource Development; and

(c) may have a maximum total Wind Energy Conversion System height of:

(i) 15.0 metres above the maximum building height of the district, and

(ii) 50 metres where there is no maximum building height.
A development permit may only be issued for a limited period of time not exceeding:

(a) five (5) years for a Wind Energy Conversion System – Type 1 and a Wind Energy Conversion System – Type 2; and

(b) where a development permit for a Wind Energy Conversion System – Type 1 or a Wind Energy Conversion System – Type 2 has been approved, subsequent development permit approvals for the legally existing Wind Energy Conversion System - Type 1 or Wind Energy Conversion System - Type 2 may be granted for a period greater than stated in subsections (a).

Parcel Access

905 All developments must comply with the Controlled Streets Bylaw.
Division 2: Industrial – General (I-G) District

Purpose

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

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) delete
(d.1) Beverage Container Quick Drop Facility;
(d.2) Brewery, Winery and Distillery;
(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.2) Recyclable Material Drop-Off Depot;
(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.
Discretionary Uses

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

(a) in proposed **buildings**, or proposed additions to existing **buildings**, that are located on a **parcel** that is **adjacent** to a **major street** or expressway; or

(b) on a **parcel** that does not have both sewer and water systems provided by the **City**.

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

(a) **Auction Market – Other Goods**;

(b) **Auction Market – Vehicles and Equipment**;

(b.1) **deleted**

(c) **Building Supply Centre**;

(d) **Bulk Fuel Sales Depot**;

(d.1) **Cannabis Facility**;

(e) **Child Care Service**;

(f) **Convenience Food Store**;

(g) **Custodial Quarters**;

(h) **Drive Through**;

(i) **Equipment Yard**;

(j) **Gas Bar**;

(k) **Instructional Facility**;

(l) **Kennel**;

(m) **Large Vehicle and Equipment Sales**;

(m.1) **deleted**

(n) **Office**;

(o) **Outdoor Café**;

(p) **Pet Care Service**;

(p.1) **Place of Worship – Large**;

(q) **Print Centre**;

(r) **Restaurant: Food Service Only – Medium**;

(s) **Restaurant: Food Service Only – Small**;

(t) **Restaurant: Licensed – Medium**;
The following uses are discretionary uses in the Industrial – General (I-G) District on a parcel with a Cannabis Facility:

(a) Cannabis Store.

Rules

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

(a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Building Size

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

Floor Area Ratio

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

Building Height

The maximum building height is 16.0 metres.
Building Setback

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

Storage of Goods, Materials and Supplies

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

(a) not located in a setback area; and
(b) not located between a building and a major street or expressway.
(c) deleted

(2) Goods, materials or supplies stored outside of a building within 5.0 metres of a property line have a maximum height of 5.0 metres.

(3) The height of goods, materials or supplies is measured from grade and includes any pallets, supports or other things on which the goods, materials or supplies are stacked.

Screening

914 Loading docks, outdoor activities and equipment located outside of a building must be screened from view of:

(a) an adjacent expressway, major street, LRT corridor or regional pathway; and
(b) a street or lane where the street or lane separates the parcel from a residential district or special purpose district.

Gross Floor Area for Offices and Administration Areas

914.1 (1) Unless otherwise referenced in subsection (2), the cumulative gross floor area of Office uses in a building must not exceed 50.0 per cent of the gross floor area of the building.

(2) Areas in a building used for administration or to provide work space to employees of a use will not be included when determining compliance with subsection (1) provided:

(a) the administration or work space area is located in the same use area as the use that it serves; and
(b) the principal use is not an Office.

(3) The Development Authority may consider a relaxation of subsection (1) where an Office is proposed in a building:

(a) that was legally existing or approved prior to the effective date of this Bylaw; and
(b) where the floor area proposed for the Office has already been constructed to accommodate an administrative or office function.
Front Setback Area

915 Where the parcel shares a front property line with:

(a) an expressway or major street, the front setback area must have a minimum depth of 6.0 metres; and

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

Rear Setback Area

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

(a) a commercial district, the rear setback area must have a minimum depth of 1.2 metres;

(b) an industrial district:

(i) the rear setback area must have a minimum depth of 1.2 metres; or

(ii) in the case where walls facing the rear property line are constructed of materials that do not require maintenance, there is no requirement for a rear setback area; or

(iii) in the case where the parcel is adjacent to a rail line that terminates and there is no need for a spur line or the spur line is incorporated within the building, there is no requirement for a rear setback area;

(c) a residential district, the rear setback area must have a minimum depth of 6.0 metres; and

(d) a special purpose district, the rear setback area must have a minimum depth of 6.0 metres.

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

(a) an expressway or major street, the rear setback area must have a minimum depth of 6.0 metres;

(b) the Headworks Canal operated by the Western Irrigation District, the rear setback area must have a minimum depth of 7.5 metres;

(c) a lane, there is no requirement for a rear setback area; and

(d) an LRT corridor or street, not including an expressway or major street, the rear setback area must have a minimum depth of 4.0 metres.
Side Setback Area

1. Where the parcel shares a side property line with a parcel designated as:

   (a) a commercial district, the side setback area must have a minimum depth of 1.2 metres;

   (b) an industrial district:

      (i) the side setback area must have a minimum depth of 1.2 metres; or

      (ii) in the case where walls facing the side property line are constructed of materials that do not require maintenance, there is no requirement for a side setback area; or

      (iii) in the case where the parcel is adjacent to a rail line that terminates and there is no need for a spur line or the spur line is incorporated within the building, there is no requirement for a side setback area;

   (c) a residential district, the side setback area must have a minimum depth of 6.0 metres; and

   (d) a special purpose district, the side setback area must have a minimum depth of 6.0 metres.

2. Where the parcel shares a side property line with:

   (a) an expressway or major street, the side setback area must have a minimum depth of 6.0 metres;

   (b) the Headworks Canal operated by the Western Irrigation District, the side setback area must have a minimum depth of 7.5 metres;

   (c) a lane, there is no requirement for a side setback area; and

   (d) an LRT corridor or street, not including an expressway or major street, the side setback area must have a minimum depth of 4.0 metres.

Landscaping in Setback Areas

1. Where a setback area shares a property line with a street, expressway or major street, the setback area must:

   (a) be a soft surfaced landscaped area; and

   (b) provide a minimum of 1.0 trees and 2.0 shrubs:

      (i) for every 35.0 square metres; or

      (ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.
(2) Where a setback area shares a property line with a lane, there is no requirement for a soft surfaced landscaped area or hard surfaced landscaped area.

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

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

(5) Where a setback area shares a property line with the Headworks Canal operated by the Western Irrigation District, the setback area must:
   (a) be a soft surfaced landscaped area;
   (b) provide a minimum of 1.0 trees and 2.0 shrubs:
       (i) for every 35.0 square metres; or
       (ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system; and
   (c) provide trees and shrubs planted in a linear arrangement along the length of the setback area.

Additional Landscaping Requirements

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

(3) A sidewalk must be provided along the entire length of the front of a building, not including any portion of the building where loading docks are located.

(4) Every sidewalk located along the front of a building and every sidewalk located within a setback area must be:
   (a) a hard surfaced landscaped area;
   (b) a minimum width of 2.0 metres; and
   (c) raised above the surface of an adjacent parking area.

(5) Every sidewalk located within a parking area must be:
   (a) an asphalt surface;
   (b) indicated by painted lines;
   (c) a minimum width of 2.0 metres; and
   (d) at the same surface level as the parking area.

Employee Area

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

Outside Product Display Areas

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

Purpose

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

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

Permitted Uses

The following uses are permitted uses in the Industrial – Business District:

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

The following uses are permitted uses in the Industrial – Business District if they are located within existing approved buildings:

(a) Catering Service – Minor;
(b) Computer Games Facility;
(c) Convenience Food Store;
(d) Counselling Service;
(e) Financial Institution;
(f) deleted
(g) Information and Service Provider;
(h) Library;
(i) Instructional Facility;
(j) Office;
(k) deleted
(l) Power Generation Facility – Small;
(m) Print Centre;
(n) Protective and Emergency Service;
(o) Radio and Television Studio; and
(p) Specialized Industrial.

Discretionary Uses

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

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

(a) Artist’s Studio;
(a.1) Cannabis Counseling;
(a.2) Child Care Service;
(b) Conference and Event Facility;
(c) Drinking Establishment – Small;
(d) Drive Through;
(e) Fitness Centre;
(f) Gas Bar;
(g) Health Services Laboratory – With Clients;
(h) Hotel;
(i) Indoor Recreation Facility;
(j) Medical Clinic;
(j.1) deleted
(k) Motion Picture Production Facility;
(l) Outdoor Café;
(m) Parking Lot – Grade;
(n) Parking Lot – Structure;
(n.1) Payday Loan; 43P2015
(o) Post-secondary Learning Institution;
(p) Power Generation Facility – Medium;
(q) Printing, Publishing and Distributing;
(r) Restaurant: Food Service Only – Small;
(s) Restaurant: Licensed – Small;
(t) Retail and Consumer Service;
(u) Self Storage Facility;
(v) Sign – Class C;
(w) Sign – Class E;
(x) Sign – Class F;
(x.1) Sign – Class G; 30P2011
(y) Special Function – Class 2;
(z) deleted 4P2012
(aa) Specialty Food Store;
(bb) Take Out Food Service;
(bb.1) Urban Agriculture; 33P2019
(cc) Utility Building; 38P2013
(dd) Vehicle Rental – Minor; and 32P2009, 38P2013
(ee) Wind Energy Conversion System – Type 1. 38P2013

(3) The following uses are discretionary uses in the Industrial – Business District if they are located within a building containing at least one use listed in subsection 923(2):
(a) Brewery, Winery and Distillery; 22P2016
(a.1) Drinking Establishment – Medium; 22P2016
(b) Restaurant: Food Service Only – Medium; and
(c) Restaurant: Licensed – Medium.

Rules
925 In addition to the rules in this District, all uses in this District must comply with:
(a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;
(b) the Rules Governing All Districts referenced in Part 3; and
Floor Area Ratio
926 The maximum \textit{floor area ratio} for \textit{parcels} designated Industrial – Business District is the number following the letter “f” indicated on the Land Use District Maps.

Building Height
927 The maximum \textit{building height} for \textit{parcels} designated Industrial – Business District is:

(a) 12.0 metres; or

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

Use Area
928 (1) Unless otherwise referenced in subsection (2), there is no \textit{use area} requirement for \textit{uses} in the Industrial – Business District.

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

Storage of Goods, Materials and Supplies
928.1 All goods, materials and supplies associated with a \textit{use} must be contained within a \textit{building}.

Front Setback Area
929 The \textit{front setback area} must have a minimum depth of 6.0 metres.

Rear Setback Area
930 (1) Where the \textit{parcel} shares a \textit{rear property line} with a \textit{parcel} designated as:

(a) a \textit{commercial district}, the \textit{rear setback area} must have a minimum depth of 1.2 metres;

(b) an \textit{industrial district}, the \textit{rear setback area} must have a minimum depth of 1.2 metres;

(c) a \textit{residential district}, the \textit{rear setback area} must have a minimum depth of 6.0 metres; and

(d) a \textit{special purpose district}, the \textit{rear setback area} must have a minimum depth of 6.0 metres.

(2) Where the \textit{parcel} shares a \textit{rear property line} with:

(a) an \textit{LRT corridor} or \textit{street}, the \textit{rear setback area} must have a minimum depth of 6.0 metres;
(b) a lane that separates the parcel from a parcel designated as a residential district, the rear setback area must have a minimum depth of 3.0 metres; and

(c) a lane, in all other cases, the rear setback area must have a minimum depth of 1.2 metres.

Side Setback Area

931 (1) Where the parcel shares a side property line with a parcel designated as:

(a) a commercial district, the side setback area must have a minimum depth of 1.2 metres;

(b) an industrial district, the side setback area must have a minimum depth of 1.2 metres;

(c) a residential district, the side setback area must have a minimum depth of 6.0 metres; and

(d) a special purpose district, the side setback area must have a minimum depth of 6.0 metres.

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

(a) an LRT corridor or street, the side setback area must have a minimum depth of 6.0 metres;

(b) a lane that separates the parcel from a parcel designated as a residential district, the side setback area must have a minimum depth of 3.0 metres; and

(c) a lane, in all other cases, the side setback area must have a minimum depth of 1.2 metres.

Landscaping In Setback Areas

932 (1) Where a setback area shares a property line with a street, the setback area must:

(a) be a soft surfaced landscaped area; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.
(2) Where a setback area shares a property line with a lane that does not separate the parcel from a parcel designated as a residential district, there is no requirement for a soft surfaced landscaped area or hard surfaced landscaped area.

(3) Where a setback area shares a property line with a parcel designated as a residential district or a lane that separates the parcel from a parcel designated as a residential district, the setback area must:
   
   (a) be a soft surfaced landscaped area;
   
   (b) provide a minimum of 1.0 trees and 2.0 shrubs:
       
       (i) for every 30.0 square metres; or
       
       (ii) for every 35.0 square metres, where irrigation is provided by a low water irrigation system; and
   
   (c) provide trees and shrubs planted in a linear arrangement along the length of the setback area.

(4) Where a setback area shares a property line with an LRT corridor or parcel designated as a commercial, industrial or special purpose district, the setback area:

   (a) must be a soft surfaced landscaped area;
   
   (b) may provide a sidewalk in the setback area along the length of the building; and
   
   (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
       
       (i) for every 35.0 square metres; or
       
       (ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.
Additional Landscaping Requirements

933  (1) Unless otherwise referenced in this District, all setback areas on a parcel, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the Development Authority, must be a soft surfaced landscaped area.

(2) Every building on a parcel must have at least one sidewalk connecting the public entrance to a public sidewalk, or in the case where there is no public sidewalk, to the nearest street.

(3) Where a building contains more than one use, every use that has an exterior public entrance must either:
   (a) have a sidewalk connecting the public entrance to the sidewalk required by subsection (2); or
   (b) have a sidewalk connecting that public entrance to a public sidewalk or to the nearest street.

(4) Every building on a parcel must have at least one sidewalk connecting the parking area to the public entrances of the building.

(5) Every sidewalk provided must:
   (a) be along the entire length of the front of a building, not including any portion of the building where loading occurs;
   (b) be a hard surfaced landscaped area;
   (c) be a minimum width of 2.0 metres;
   (d) have different surfacing than the surfacing of the parking areas on the parcel; and
   (e) be raised above the surface of the parking area, when located in a parking area.

Landscaping for Large Parking Area

934  (1) Landscaping is required in a parking area when the total surface area containing the required drive aisles, motor vehicle parking stalls and vehicular access for a development is equal to or greater than 5000.0 square metres.

(2) Landscaped areas in the parking area:
   (a) must be provided at a ratio of 0.15 square metres for every 1.0 square metres of the total surface area referenced in subsection (1); and
(b) must be provided as a combination of hard surfaced landscaped area and soft surfaced landscaped area in the form of islands and strips.

(3) Islands provided in the parking area must:

(a) be provided at the beginning and end of every row of motor vehicle parking stalls;

(b) be provided for every 20 motor vehicle parking stalls in a row with no more than 20 stalls between islands;

(c) be a minimum area of 12.0 square metres with at least one side of the island being a minimum length of 2.0 metres;

(d) provide a minimum of 1.0 trees and 2.0 shrubs; and

(e) be surrounded by a concrete curb.

(4) Strips provided in the parking area must:

(a) be provided every four (4) rows of motor vehicle parking stalls with no more than four (4) rows between strips;

(b) be perpendicular to the motor vehicle parking stalls for the full length of the parking stall row;

(c) be a minimum depth of 2.0 metres;

(d) provide a minimum of 1.0 trees every 15.0 metres of the length of the strip; and

(e) be surrounded by a concrete curb.

(5) If the application of these rules results in an island or a strip being contiguous with a setback area, that island or strip is not required at that location on the parcel.

(6) Sidewalks connecting the public entrance to a public sidewalk and sidewalks connecting the parking area to the public entrance may be included in determining whether the development satisfies the requirements of this section.

Employee Area

935 All developments must have an outdoor area, for use of employees, that is a minimum of 10.0 square metres.
Reductions to Minimum Motor Vehicle Parking Stalls

936  

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

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

(a) locations on the perimeter of industrial areas where the industrial parcel shares a property line with a residential district, local street or lane abutting a residential district;

(b) a limited range and size of uses; and

(c) limitations on outside activities, vehicular access, and parking and loading, aimed at mitigating the impact of uses on nearby non-industrial parcels.

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

(a) Park;

(b) Sign – Class A;

(c) Sign – Class B;

(d) Sign – Class D; and

(e) Utilities.

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

(a) Catering Service – Minor;

(b) Computer Games Facility;

(c) Convenience Food Store;

(d) Counselling Service;

(e) Financial Institution;

(f) Information and Service Provider;

(g) Instructional Facility;

(h) Office;

(i) Pawn Shop;
Discretionary Uses

Uses listed in subsection 938(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Industrial – Edge District.

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

(a) Artist’s Studio;

(b) Child Care Service;

(c) Custodial Quarters;

(d) Drinking Establishment – Small;

(e) Fitness Centre;

(f) General Industrial – Light;

(g) Health Services Laboratory – With Clients;

(h) Indoor Recreation Facility;

(i) Liquor Store;

(j) Medical Clinic;

(j.1) deleted
(k) Outdoor Café;

(k.1) Place of Worship – Large; 36P2011

(k.01) Payday Loan; 43P2015

(l) Power Generation Facility – Medium;

(m) Restaurant: Licensed – Small;

(n) deleted 39P2010

(o) Self Storage Facility;

(p) Sign – Class C;

(q) Sign – Class E;

(r) Sign – Class F;

(r.1) deleted 30P2011, 4P2013

(s) Special Function – Class 2; 4P2012

(t) deleted 4P2012

(u) Specialty Food Store;

(v) Take Out Food Service; 38P2013

(v.1) Urban Agriculture; 33P2019

(w) Utility Building; and 38P2013

(x) Wind Energy Conversion System – Type 1. 38P2013

Rules

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

(a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Floor Area Ratio

941 The maximum floor area ratio for buildings is 1.0.

Building Height

942 The maximum building height is 12.0 metres.
Activities and Objects Prohibited
943 (1) Where a parcel shares a street or lane with a residential district or Special Purpose – Community Institution District, the area between any buildings on that parcel and that street or lane must not contain:
(a) entrances to the parcel;
(b) garbage enclosures;
(c) loading areas; or
(d) outside activities.

(2) Where a parcel shares a street or lane with a residential district or Special Purpose – Community Institution District, there must not be any vehicle entrance or overhead doors on the façade of the building facing those Districts, lanes or streets.

Use Area
944 (1) Unless otherwise referenced in subsection (2), the maximum use area is 300.0 square metres.

(2) The following uses do not have a use area restriction:
(a) Convenience Food Store;
(b) General Industrial – Light;
(c) Self Storage Facility; and
(d) Specialty Food Store;

Storage of Goods, Materials and Supplies
945 All goods, materials and supplies associated with a use must be contained within a building.

Front Setback Area
946 The front setback area must have a minimum depth of 3.0 metres.

Rear Setback Area
947 (1) Where the parcel shares a rear property line with a parcel designated as:
(a) a commercial district, the rear setback area must have a minimum depth of 1.2 metres;
(b) an industrial district, the rear setback area must have a minimum depth of 1.2 metres;
(c) a residential district, the rear setback area must have a minimum depth of 6.0 metres; and
(d) a *special purpose district*, the *rear setback area* must have a minimum depth of 6.0 metres.

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

(a) a *lane* that separates the *parcel* from a *parcel* designated as a *residential district*, the *rear setback area* must have a minimum depth of 3.0 metres;

(b) a *lane*, in all other cases, the *rear setback area* must have a minimum depth of 1.2 metres; and

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

**Side Setback Area**

948 (1) Where the *parcel* shares a *side property line* with a *parcel* designated as:

(a) a *commercial district*, the *side setback area* must have a minimum depth of 1.2 metres;

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

(c) a *residential district*, the *side setback area* must have a minimum depth of 6.0 metres; and

(d) a *special purpose district*, the *side setback area* must have a minimum depth of 6.0 metres.

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

(a) a *lane* that separates the *parcel* from a *parcel* designated as a *residential district*, the *side setback area* must have a minimum depth of 3.0 metres;

(b) a *lane*, in all other cases, the *side setback area* must have a minimum depth of 1.2 metres; and

(c) an *LRT corridor* or *street*, the *side setback area* must have a minimum depth of 3.0 metres.

**Landscaping In Setback Areas**

949 (1) Where a *setback area* shares a *property line* with a *street*, the *setback area* must:

(a) be a *soft surfaced landscaped area*; and
(b) provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

(2) Where a setback area shares a property line with a lane that does not separate the parcel from a parcel designated as a residential district, there is no requirement for soft surfaced landscaped area or hard surfaced landscaped area.

(3) Where a setback area shares a property line with a parcel designated as a residential district or a lane that separates the parcel from a parcel designated as a residential district, the setback area must:
   (a) be a soft surfaced landscaped area;
   (b) provide a minimum of 1.0 trees and 2.0 shrubs:
      (i) for every 30.0 square metres; or
      (ii) for every 35.0 square metres, where irrigation is provided by a low water irrigation system; and
   (c) provide trees and shrubs planted in a linear arrangement along the length of the setback area.

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

Additional Landscaping Requirements

950 (1) Unless otherwise referenced in this District, all setback areas on a parcel, not including those portions specifically required for motor
vehicle access, sidewalks, or any other purpose allowed by the Development Authority, must be a soft surfaced landscaped area.

(2) Every building on a parcel must have at least one sidewalk connecting the public entrance to a public sidewalk, or in the case where there is no public sidewalk, to the nearest street.

(3) Where a building contains more than one use, every use that has an exterior public entrance must either:

(a) have a sidewalk connecting the public entrance to the sidewalk required by subsection (2); or

(b) have a sidewalk connecting that public entrance to a public sidewalk or to the nearest street.

(4) A sidewalk must be provided along the entire length of the front of a building, not including any portion of the building where loading docks are located.

(5) Every sidewalk provided must:

(a) be a hard surfaced landscaped area;

(b) be a minimum width of 2.0 metres;

(c) have different surfacing than the surfacing of the parking area; and

(d) be raised above the surface of the parking area when located in a parking area.

Employee Area

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

Screening

952 Where activities or a truck and trailer parking area associated with a use are located outside of a building, they must be screened and not visible from a:

(a) residential district;

(b) special purpose district; and

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

Purpose
953 The Industrial – Commercial District is intended to be characterized by:

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

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

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

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

(a) Artist’s Studio;
(b) deleted
(b.1) Beverage Container Quick Drop Facility;
(c) Building Supply Centre;
(d) Counselling Service;
(e) Dry-cleaning and Fabric Care Plant;
(f) Financial Institution;
(g) Fitness Centre;
(h) General Industrial – Light;
(i) Health Services Laboratory – With Clients;
(j) Indoor Recreation Facility;
(k) Information and Service Provider;
(l) Instructional Facility;
(m) Medical Clinic;
(n) Office;
(o) Pawn Shop;
(p) Pet Care Service;
(q) Print Centre;
(q.1) Protective and Emergency Service;
(r) Radio and Television Studio;
(r.1) Recyclable Material Drop-Off Depot;
(s) Restaurant: Food Service Only – Medium;
(t) Restaurant: Food Service Only – Small;
(u) Retail and Consumer Service;
(v) Service Organization;
(w) Specialty Food Store;
(x) Take Out Food Service;
(y) Vehicle Rental – Minor;
(z) Vehicle Sales – Minor; and
(aa) Veterinary Clinic.
Discretionary Uses

(1) Uses listed in subsection 954(2) are discretionary uses if they are located in new buildings or new additions to existing buildings in the Industrial – Commercial District.

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

(a) Auction Market – Other Goods;
(b) Auction Market – Vehicles and Equipment;
(c) Auto Body and Paint Shop;
(d) Auto Service – Major;
(e) Auto Service – Minor;
(e.1) Brewery, Winery and Distillery;
(e.2) Cannabis Counselling;
(e.3) Cannabis Store;
(f) Car Wash – Multi-Vehicle;
(g) Car Wash – Single Vehicle;
(h) Child Care Service;
(i) Convenience Food Store;
(j) Custodial Quarters;
(k) Drinking Establishment – Small;
(l) Drive Through;
(m) Gas Bar;
(n) Large Vehicle and Equipment Sales;
(o) Large Vehicle Service;
(p) Large Vehicle Wash;
(q) Liquor Store;
(q.1) deleted
(r) Outdoor Café;
(r.1) Payday Loan;
(s) Power Generation Facility – Medium;
(t) Recreational Vehicle Sales;
(t.1) Recreational Vehicle Service;
(u) Restaurant: Licensed – Medium;
(v) Restaurant: Licensed – Small;
(w) Restored Building Product Sales Yard;
(x) Self Storage Facility;
(y) Sign – Class C;
(z) Sign – Class E;
(aa) Sign – Class F;
(aa.1) Sign – Class G;
(bb) Special Function – Class 2;
(bb.1) Urban Agriculture;
(cc) deleted
(dd) Utility Building;
(ee) Vehicle Rental – Major;
(ff) Vehicle Sales – Major; and

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

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

Parcel Location
957 deleted

Floor Area Ratio
958 The maximum floor area ratio for buildings is 1.0.

Building Height
959 The maximum building height is 12.0 metres.

Use Area
960 (1) Unless otherwise provided in subsection (2), there is no use area requirement in the Industrial – Commercial District.

(2) The maximum use area for a Retail and Consumer Service is 930.0 square metres.
Front Setback Area
961 The **front setback area** must have a minimum depth of 6.0 metres.

Rear Setback Area
962 (1) Where the **parcel** shares a **rear property line** with a **parcel** designated as:

   (a) a **commercial district**, the **rear setback area** must have a minimum depth of 1.2 metres;

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

   (c) a **residential district**, the **rear setback area** must have a minimum depth of 6.0 metres; and

   (d) a **special purpose district**, the **rear setback area** must have a minimum depth of 6.0 metres.

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

   (a) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres;

   (b) a **lane**, in all other cases, the **rear setback area** must have a minimum depth of 1.2 metres; and

   (c) an **LRT corridor** or **street**, the **rear setback area** must have a minimum depth of 6.0 metres.

Side Setback Area
963 (1) Where the **parcel** shares a **side property line** with a **parcel** designated as:

   (a) a **commercial district**, the **side setback area** must have a minimum depth of 1.2 metres;

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

   (c) a **residential district**, the **side setback area** must have a minimum depth of 6.0 metres; and

   (d) a **special purpose district**, the **side setback area** must have a minimum depth of 6.0 metres.

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

Landscaping In Setback Areas

964 (1) Where a setback area shares a property line with a street, the setback area must:
   (a) be a soft surfaced landscaped area; and
   (b) provide a minimum of 1.0 trees and 2.0 shrubs:
      (i) for every 35.0 square metres; or
      (ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

(2) Where a setback area shares a property line with a lane that does not separate the parcel from a parcel designated as a residential district, there is no requirement for soft surfaced landscaped area or hard surfaced landscaped area.

(3) Where a setback area shares a property line with a parcel designated as a residential district or a lane that separates the parcel from a parcel designated as a residential district, the setback area must:
   (a) be a soft surfaced landscaped area;
   (b) provide a minimum of 1.0 trees and 2.0 shrubs:
      (i) for every 30.0 square metres; or
      (ii) for every 35.0 square metres, where irrigation is provided by a low water irrigation system; and
   (c) provide trees and shrubs planted in a linear arrangement along the length of the setback area.

(4) Where a setback area shares a property line with an LRT corridor or parcel designated as a commercial, industrial or special purpose district, the setback area:
   (a) must be a soft surfaced landscaped area;
Additional Landscaping Requirements

965  (1) Unless otherwise referenced in this District, all setback areas on a parcel, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the Development Authority, must be a soft surfaced landscaped area.

(2) Every building on a parcel must have at least one sidewalk connecting the public entrance to a public sidewalk, or in the case where there is no public sidewalk, to the nearest street.

(3) Where a building contains more than one use, every use that has an exterior public entrance must either:
   (a) have a sidewalk connecting the public entrance to the sidewalk required by subsection (2); or
   (b) have a sidewalk connecting that public entrance to a public sidewalk or to the nearest street.

(4) A sidewalk must be provided along the entire length of the front of a building, not including any portion of the building where loading docks are located.

(5) Every sidewalk required 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 area; and
   (d) be raised above the surface of the parking area, when located in a parking area.

Storage of Goods, Materials and Supplies

965.1  (1) A use may have an outdoor area for the storage of goods, materials or supplies provided the storage area is:
   (a) not located in a setback area;
   (b) not located between a building and a street; and
   (c) within a screened enclosure or screened from view of a street.
(d)  deleted

(2) Goods, materials and supplies stored outside of a building within 5.0 metres of a property line have a maximum height of 5.0 metres.

(3) Goods, materials and supplies stored outside of a building more than 5.0 metres from a property line may have a maximum height of 12.0 metres.

(4) The height of goods, materials and supplies is measured from grade and includes any pallets, supports or other things on which the goods, materials or supplies are stacked.

**Employee Area**

All developments must have an outdoor area, for the use of employees, that is a minimum of 10.0 square metres.
Division 6: Industrial – Redevelopment (I-R) District

Purpose

967 The Industrial – Redevelopment District is intended to be characterized by:

(a) small blocks of parcels originally surveyed on a grid lotting pattern contained within the Alyth, Bonnybrook, Greenview, Manchester, and Skyline Industrial Areas;

(b) fragmented land ownership creating parcels that are small and narrow in width;

(c) small, narrow parcels where it may be difficult to provide landscaping along the front and corner side property lines and where it may be difficult to provide motor vehicle parking stalls;

(d) reduction in landscaping standards in order to facilitate redevelopment of the smaller parcel and achieve parking on the parcel;

(e) parcels that are not located along a major street or share a property line with a residential district; and

(f) a wide range of industrial uses that would allow for reuse and redevelopment of existing parcels.

Permitted Uses

968 The following uses are permitted uses in the Industrial – Redevelopment District:

(a) Artist’s Studio;

(b) Auto Body and Paint Shop;

(c) Auto Service – Major;

(d) Auto Service – Minor;

(e) deleted

(e.1) Beverage Container Quick Drop Facility;

(e.2) Brewery, Winery and Distillery;

(f) Car Wash – Multi-Vehicle;

(g) Car Wash – Single Vehicle;

(h) Catering Service – Major;

(i) Catering Service – Minor;

(j) Crematorium;

(k) Dry-cleaning and Fabric Care Plant;
General Industrial – Light;
General Industrial – Medium;
Indoor Recreation Facility;
Large Vehicle Service;
Large Vehicle Wash;
Motion Picture Production Facility;
Park;
Parking Lot – Grade;
Parking Lot – Structure;
Power Generation Facility – Medium;
Power Generation Facility – Small;
Protective and Emergency Service;
Recreational Vehicle Service;
Recyclable Material Drop-Off Depot;
Sign – Class A;
Sign – Class B;
Sign – Class D;
Utilities;
Utility Building;
Vehicle Storage – Large;
Vehicle Storage – Passenger; and
Vehicle Storage – Recreational.

Discretionary Uses

The following uses are discretionary uses in the Industrial – Redevelopment District:

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

Rules
970 In addition to the rules in this District, all uses in this District must comply with:
(a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;
(b) the Rules Governing All Districts referenced in Part 3; and
(c) the applicable Uses And Use Rules referenced in Part 4.

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

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

Building Height
973 The maximum building height is 16.0 metres.

Screening
974 (1) Loading docks and mechanical equipment that are part of a building must be screened from view of an adjacent expressway or major street.

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

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

Front Setback Area
975 Where the parcel shares a front property line with a street and the length of that front property line is:
   (a) less than 45.0 metres, there is no requirement for a front setback area;
   (b) 45.0 metres or more but less than 60.0 metres, the front setback area must have a minimum depth of 1.0 metre;
   (c) 60.0 metres or more but less than 90.0 metres, the front setback area must have a minimum depth of 2.0 metres; and
   (d) 90.0 metres or more, the front setback area must have a minimum depth of 4.0 metres.
Rear Setback Area

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

(a) a commercial district, the rear setback area must have a minimum depth of 1.2 metres;

(b) an industrial district or a lane:

(i) the rear setback area must have a minimum depth of 1.2 metres; or

(ii) in the case where walls facing the rear property line are constructed of materials that do not require maintenance, there is no requirement for a rear setback area; or

(iii) in the case where the parcel is adjacent to a rail line that terminates and there is no need for a spur line or the spur line is incorporated within the building, there is no requirement for a rear setback area;

(c) a residential district, the rear setback area must have a minimum depth of 6.0 metres; and

(d) a special purpose district, the rear setback area must have a minimum depth of 6.0 metres.

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

(a) an expressway or major street, the rear setback area must have a minimum depth of 6.0 metres;

(b) an LRT corridor or street, not including an expressway or major street, the rear setback area must have a minimum depth of 4.0 metres;

(c) with the Headworks Canal operated by the Western Irrigation District, the rear setback area must have a minimum depth of 7.5 metres; and

(d) a lane, there is no requirement for a rear setback area.

Side Setback Area

(1) Where the parcel shares a side property line with a parcel designated as:

(a) a commercial district, the side setback area must have a minimum depth of 1.2 metres;

(b) an industrial district or a lane:

(i) the side setback area must have a minimum depth of 1.2 metres; or

(ii) in the case where walls facing the side property line are constructed of materials that do not require
maintenance, there is no requirement for a side setback area; or

(iii) in the case where the parcel is adjacent to a rail line that terminates and there is no need for a spur line or the spur line is incorporated within the building, there is no requirement for a side setback area;

(c) a residential district, the side setback area must have a minimum depth of 6.0 metres; and

(d) a special purpose district, the side setback area must have a minimum depth of 6.0 metres.

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

(a) an expressway, LRT corridor or major street, the side setback area must have a minimum depth of 6.0 metres;

(b) with the Headworks Canal operated by the Western Irrigation District, the side setback area must have a minimum depth of 7.5 metres;

(c) a lane, there is no requirement for a side setback area; and

(d) with a street, other than an expressway or major street, and the length of that side property line is:

(i) less than 45.0 metres, there is no requirement for a side setback area;

(ii) 45.0 metres or more but less than 60.0 metres, the side setback area must have a minimum depth of 1.0 metre;

(iii) 60.0 metres or more but less than 90.0 metres, the side setback area must have a minimum depth of 2.0 metres; and

(iv) 90.0 metres or more, the side setback area must have a minimum depth of 4.0 metres.

Landscaping In Setback Areas

978  (1) Where a setback area shares a property line with an expressway, Headworks Canal operated by the Western Irrigation District, major street, or street, the setback area must:

(a) be a soft surfaced landscaped area; and

(b) have a minimum of 1.0 trees and 2.0 shrubs:
(i) for every 35.0 square metres; or
(ii) for every 50.0 square metres, where that setback area is irrigated with a low water irrigation system.

(2) Where a setback area shares a property line with a lane, there is no requirement for either a soft surfaced landscaped area or a hard surfaced landscaped area.

(3) Where a setback area shares a property line with a parcel designated as a residential district, the setback area must:
   (a) be a soft surfaced landscaped area;
   (b) have a minimum of 1.0 trees and 2.0 shrubs:
      (i) for every 30.0 square metres; or
      (ii) for every 50.0 square metres, where that setback area is irrigated with a low water irrigation system.
   (c) provide trees and shrubs planted in a linear arrangement along the length of the setback area.

(4) Where a setback area shares a property line with an LRT corridor or a parcel designated as a commercial, industrial or special purpose district, the setback area:
   (a) must be a soft surfaced landscaped area;
   (b) may have a sidewalk in the setback area along the length of the building; and
   (c) must provide a minimum of 1.0 trees and 2.0 shrubs:
      (i) for every 35.0 square metres; or
      (ii) for every 50.0 square metres if that setback area when irrigation is provided by a low water irrigation system.

Additional Landscaping Requirements
979 (1) Unless otherwise referenced in this District, all setback areas on a parcel, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the Development Authority, must be a soft surfaced landscaped area.

(2) Every building on a parcel must have at least one sidewalk connecting the public entrance to a public sidewalk, or in the case where there is no public sidewalk, to the nearest street.
(3) A sidewalk must be provided along the entire length of the front of a building, not including any portion of the building where loading docks are located.

(4) Every sidewalk required must:

(a) be a hard surfaced landscaped area;
(b) have different surfacing than the surfacing of the parking area;
(c) be a minimum width of 2.0 metres; and
(d) be raised above the surface of the parking area, when located in a parking area.

Storage of Goods, Materials and Supplies

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

(a) not located in a setback area; and
(b) not located between a building and a major street or expressway.

(c) deleted

(2) Goods, materials or supplies stored outside of a building within 5.0 metres of a property line have a maximum height of 5.0 metres.

(3) The height of goods, materials or supplies is measured from grade and includes any pallets, supports or other things on which the goods, materials or supplies are stacked.

Employee Area

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

Outside Product Display Areas

981 deleted
Division 7: Industrial - Outdoor (I-O) District

Purpose
982 The Industrial – Outdoor District is intended to be characterized by:

(a) uses where materials are stored outdoors;
(b) a very limited range of uses that are compatible with storage uses;
(c) large parcels;
(d) storm water runoff being contained within the parcel;
(e) few buildings that are small in comparison with the size of the parcel;
(f) parcels that might have minimal or no City servicing; and
(g) limiting the visibility of uses where visibility and aesthetics are identified as planning concerns through berming, screening, or landscaped setback areas.

Permitted Uses
983 The following uses are permitted uses in the Industrial – Outdoor District:

(a) Equipment Yard;
(b) Park;
(c) Power Generation Facility – Small;
(d) Sign – Class A;
(e) Sign – Class B;
(f) Sign – Class C;
(g) Sign – Class D;
(h) Storage Yard;
(i) Utilities;
(j) Vehicle Storage – Large;
(k) Vehicle Storage – Passenger; and
(l) Vehicle Storage – Recreational.

Discretionary Uses
984 (1) The following uses are discretionary uses in the Industrial – Outdoor District:

(a) Custodial Quarters;
(b) Power Generation Facility – Medium.
(c) Salvage Yard;
(d) Sign – Class E;
(e) Sign – Class F;
30P2011, 4P2012, 38P2013
(e.1) Sign – Class G;
(f) deleted
4P2012
(f.1) Urban Agriculture;
33P2019
(g) Utility Building;
38P2013
(h) Wind Energy Conversion System – Type 1; and
38P2013
(i) Wind Energy Conversion System – Type 2.
38P2013

(2) The following uses are discretionary uses in the Industrial – Outdoor District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) General Industrial – Light; and
(b) General Industrial – Medium.

Rules

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

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

Parcel Area

986 The minimum area of a parcel is 1.6 hectares.

Building Size

987 The maximum gross floor area of all buildings on a parcel in the Industrial – Outdoor District is 1,600.0 square metres.

Building Height

988 The maximum building height is 10.0 metres.

Storage of Goods, Materials and Supplies

32P2009
989 (1) Goods, materials or supplies stored outside of a building within 5.0 metres of a property line have a maximum height of 5.0 metres.
(2) The height of goods, materials or supplies is measured from grade and includes any pallets, supports or other things on which the goods, materials or supplies are stacked.
Front Setback Area
990 The front setback area must have a minimum depth of 6.0 metres.

Rear Setback Area
991 (1) Where the parcel shares a rear property line with a parcel designated as:
   (a) a commercial district, the rear setback area must have a minimum depth of 1.2 metres;
   (b) an industrial district, there is no requirement for rear setback area;
   (c) a residential district, the rear setback area must have a minimum depth of 6.0 metres;
   (d) Special Purpose – Transportation and Utility Corridor District, the rear setback area must have a minimum depth of 50.0 metres; and
   (e) any other special purpose district, the rear setback area must have a minimum depth of 6.0 metres.

(2) Where the parcel shares a rear property line with:
   (a) an LRT corridor or street, the rear setback area must have a minimum depth of 6.0 metres;
   (b) the Headworks Canal operated by the Western Irrigation District, the rear setback area must have a minimum depth of 7.5 metres; and
   (c) a lane, there is no requirement for a rear setback area.

Side Setback Area
992 (1) Where the parcel shares a side property line with a parcel designated as:
   (a) a commercial district, the side setback area must have a minimum depth of 1.2 metres;
   (b) an industrial district, there is no requirement for a side setback area;
   (c) a residential district, the side setback area must have a minimum depth of 6.0 metres;
   (d) Special Purpose – Transportation and Utility Corridor District, the side setback area must have a minimum depth of 50.0 metres; and

47P2008
(e) any other special purpose district, the side setback area
must have a minimum depth of 6.0 metres.

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

(a) an expressway, LRT corridor or major street, the side
setback area must have a minimum depth of 6.0 metres;

(b) the Headworks Canal operated by the Western Irrigation
District, the side setback area must have a minimum depth of
7.5 metres; and

(c) a lane, there is no requirement for a side setback area.

Landscaping In Setback Areas

(1) Where a setback area shares a property line with a Headworks
Canal operated by the Western Irrigation District, LRT corridor,
street, or parcel designated as a commercial, industrial or special
purpose district, the setback area must:

(a) be a soft surfaced landscaped area; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is
provided by a low water irrigation system.

(2) Where a setback area shares a property line with a lane, there is
no requirement for either a soft surfaced landscaped area or a hard
surfaced landscaped area.

(3) Where a setback area shares a property line with a parcel
designated as a residential district, the setback area must:

(a) be a soft surfaced landscaped area; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is
provided by a low water irrigation system.
Fencing and Screening
994  (1)  All materials, supplies and products must be screened from view of the street.

(2)  A fence must not be located on a property line forming a setback area or in any setback area.

Storm Water Management System
995  (1)  Every parcel must have a storm water management system approved by the Development Authority.

(2)  The storm water management system must not be located in any setback area.

(3)  The storm water management system may have a berm located around the perimeter of the pond area.

Garbage
996  Garbage and waste material must be stored in containers in a location approved by the Development Authority.

Mechanical Screening
997  There is no requirement to screen mechanical systems or equipment, when located outside of a building.

Minimum Motor Vehicle Parking Stalls
998  deleted
Division 8: Industrial – Heavy (I-H) District

Purpose

999 (1) The Industrial – Heavy District is intended to be characterized by:

(a) industrial uses that typically have significant external nuisance effects that are likely to impact their land and neighbouring parcels;
(b) industrial uses that are generally larger in scale and require large parcels;
(c) buildings that are generally purpose-built that are not easily adaptable to other uses;
(d) uses that typically feature tall stacks, silos, extensive outdoor activities, outdoor conveyor belts, pipes and ducts extending between multiple buildings and other highly visible equipment that is difficult to screen but is integral to the operation of the use;
(e) buildings and structures that are generally higher than those found in the Industrial – General District;
(f) parcels that are accessed by hazardous goods routes, railway lines, or other means of access suitable for the transportation of raw materials and goods;
(g) locations adjacent to Industrial – General or Industrial – Outdoor Districts; and
(h) developments that require thorough scrutiny and wide discretion by the Development Authority.

(2) A parcel located within 250.0 metres of a residential district, a Place of Worship – Large or an area of land proposed in a statutory plan for future residential uses, should not be designated Industrial – Heavy District.

Permitted Uses

1000 The following uses are permitted uses in the Industrial – Heavy District:

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

1001 (1) The following uses are discretionary uses in the Industrial – Heavy District:

(a) Asphalt, Aggregate and Concrete Plant;

(a.1) Brewery, Winery and Distillery;

(b) Bulk Fuel Sales Depot;

(c) General Industrial – Heavy;

(d) Freight Yard;

(e) Power Generation Facility – Medium;

(f) Sign – Class E;

(g) Sign – Class F;

(g.1) Sign – Class G;

(h) deleted

(i) Utility Building;

(j) Wind Energy Conversion System – Type 1; and

(k) Wind Energy Conversion System – Type 2.

(2) The following uses are discretionary uses in the Industrial – Heavy District if they are located in a building that was legally existing or approved prior to the effective date of this Bylaw:

(a) General Industrial – Light; and

(b) General Industrial – Medium.

**Rules**

1002 In addition to the rules in this District, all uses in this District must comply with:

(a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

**Front Setback Area**

1003 The front setback area must have a minimum depth of 6.0 metres.

**Rear Setback Area**

1004 (1) Where the parcel shares a rear property line with a parcel designated as:

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

(c) a residential district, the rear setback area must have a minimum depth of 15.0 metres;

(d) Special Purpose – Transportation and Utility Corridor District, the rear setback area must have a minimum depth of 50.0 metres; and

(e) any other special purpose district, the rear setback area must have a minimum depth of 6.0 metres.

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

Side Setback Area

1005 (1) Where the parcel shares a side property line with a parcel designated as:
   (a) a commercial district, the side setback area must have a minimum depth of 6.0 metres;
   (b) an industrial district;
      (i) the side setback area must have a minimum depth of 6.0 metres; or
      (ii) in the case where walls facing the side property line are constructed of materials that do not require maintenance, there is no requirement for a side setback area; or
(iii) in the case where the parcel is adjacent to a rail line that terminates and there is no need for a spur line or the spur line is incorporated within the building, there is no requirement for a side setback area;

c) a residential district, the side setback area must have a minimum depth of 15.0 metres;

d) Special Purpose – Transportation and Utility Corridor District, the side setback area must have a minimum depth of 50.0 metres; and

e) any other special purpose district, the side setback area must have a minimum depth of 6.0 metres.

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

(a) an expressway or major street, the side setback area must have a minimum depth of 6.0 metres;

(b) with the Headworks Canal operated by the Western Irrigation District, the side setback area must have a minimum depth of 7.5 metres;

(c) an LRT corridor or street, not including an expressway or major street, the side setback area must have a minimum depth of 6.0 metres; and

(d) a lane, there is no requirement for a side setback area.

Landscaping In Setback Areas

1006 (1) Where a setback area shares a property line with an expressway, Headworks Canal operated by the Western Irrigation District, LRT corridor, major street, street, or parcel designated as a commercial, industrial or special purpose district, the setback area must:

(a) be a soft surfaced landscaped area; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a low water irrigation system.

(2) Where a setback area shares a property line with a lane, there is no requirement for either a soft surfaced landscaped area or a hard surfaced landscaped area.

(3) Where a setback area shares a property line with a parcel designated as a residential district, the setback area must:

(a) be a soft surfaced landscaped area; and
(b) provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 30.0 square metres; or
   (ii) for every 35.0 square metres, where irrigation is provided by a low water irrigation system.

(4) deleted

Fencing and Screening
1007 (1) All materials, supplies and products must be screened from view of the street.

(2) A fence must not be located on a property line forming a setback area or in any setback area.

Storm Water Management System
1008 (1) Every parcel must have a storm water management system, approved by the Development Authority.

(2) The storm water management system must not be located in any setback area.

(3) The storm water management system may have a berm located around the perimeter of the pond area.

Garbage
1009 Garbage and waste material must be stored in containers in a location approved by the Development Authority.

Mechanical Screening
1010 There is no requirement to screen mechanical systems or equipment, when located outside of a building.

Minimum Motor Vehicle Parking Stalls
1011 deleted

Required Bicycle Parking Stalls
1012 The minimum number of bicycle parking stall – class 2 is 1.0 stalls per 2000.0 square metres of gross usable floor area.
PART 9: SPECIAL PURPOSE DISTRICTS

Division 1: General Rules for Special Purpose Land Use Districts

Projections into Setback Areas

1013 (1) Unless otherwise referenced in subsections (2), (3), (4) and (5), buildings must not be located in any setback area.

(2) Eaves of a building may project into any setback area a maximum of 0.6 metres.

(3) Portions of a building below the surface of the ground may extend into any setback area only when those portions are used as a parking structure.

(4) A parking area for a use may be located in any setback area to a minimum of 1.2 metres from any property line.

(5) Signs may be located in any setback area, and where so located, must be in accordance with Part 3, Division 5.

General Landscaped Area Rules

1014 (1) Landscaped areas are only required in the following Districts:

   (a) Special Purpose – School, Park and Community Reserve District;
   (b) Special Purpose – Community Service District;
   (c) Special Purpose – Recreation District;
   (d) Special Purpose – Community Institution District;
   (e) Special Purpose – City and Regional Infrastructure District; and
   (f) Special Purpose – University Research Park District.

(2) Extensive Agriculture, Natural Area, Park and Urban Agriculture do not require landscaped areas.

(3) Landscaped areas must be provided in accordance with a landscape plan approved by the Development Authority.

(4) A landscape plan for the entire development must be submitted as part of each development permit application where changes are proposed to the building or parcel, and must show at least the following:

   (a) the existing and proposed topography;
(b) the existing vegetation and indicate whether it is to be retained or removed;

(c) the layout of berms, open space systems, pedestrian circulation, retaining walls, screening, slope of the land, soft surfaced landscaped areas and hard surfaced landscaped areas;

(d) the species, sizes and numbers of plant material and the types of landscaped areas; and

(e) details of the irrigation system.

(5) 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.

(6) Unless otherwise referenced in a District, all soft surfaced landscaped areas must be irrigated by an underground irrigation system, unless a low water irrigation system is provided.

(7) For the purpose of determining the minimum number of trees and shrubs in a setback area, portions of setback areas that are paved for sidewalks and vehicle access, utility rights of way, or any other purpose allowed by the Development Authority, must be included in the calculation of the required area even though trees and shrubs are not capable of growing in that area.

(8) If the minimum setback area is not capable of growing trees and shrubs, additional area on the parcel, adjoining the setback area, must be provided for the trees and shrubs.

Planting Requirements

1015 (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.

(2) A minimum of 25.0 per cent of all trees required must be coniferous.

(3) Deciduous trees must have a minimum calliper of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum calliper of 75 millimeters at the time of planting.

(4) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must be a minimum of 3.0 metres in height at the time of planting.

(5) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

(6) Soft surfaced landscaped areas may include Urban Agriculture.
Low Water Irrigation System
1016  (1) When a low water irrigation system is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.

(2) When a low water irrigation system is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

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

Mechanical Screening
1018 Mechanical equipment or systems that are located outside of a building must be screened.

Garbage
1019  (1) Garbage containers and waste material must be stored either:

(a) inside a building; or

(b) in a garbage container enclosure approved by the Development Authority.

(2) Garbage container enclosures must not be located in any setback area.

Solar Collectors
1019.1 (1) A solar collector may only be located on the wall or roof of a building.

(2) A solar collector mounted on a roof with a pitch of less than a 4:12, may project a maximum of 2.0 metres from the surface of the roof.

(3) A solar collector mounted on a roof with a pitch of 4:12 or greater:

(a) may project a maximum of 1.3 metres from the surface of the roof; and

(b) must not extend beyond the outermost edge of the roof.

(4) A solar collector that is mounted on a wall:

(a) must be located a minimum of 2.4 metres above grade; and

(b) may project a maximum of 0.6 metres from the surface of that wall.
Wind Energy Conversion System

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

(a) be located a minimum distance equal to the total Wind Energy Conversion System height from a property line, measured from the base;

(b) be painted a single, neutral, non-reflective, non-glossy colour;

(c) have a self-supporting tubular tower or monopole, not including lattice or pylon towers, if not mounted to a building;

(d) be equipped with manual and automatic over speed controls;

(e) be repaired or removed from the parcel upon disrepair, abandonment, or termination of the Wind Energy Conversion System - Type 1 or Wind Energy Conversion System - Type 2 use for a period of 6 months or greater;

(f) not be located in the actual front setback area, actual side setback area or the rear setback area when the corresponding property line is adjacent to a residential district;

(g) not contain any signs or other non-system related objects, which are visible from a residential or special purpose district, other than Directional Signs;

(h) not contain any accent lighting, or be indirectly illuminated or artificially lit, except as required for navigational safety or Directional Signs;

(i) not contain guy wires or other similar structural support devices, excluding those that may be required to fasten the Wind Energy Conversion System to a building;

(j) not be within 100.0 metres of any permanent or temporary wetland or water body;

(k) not have a tower-climbing apparatus or blade tips closer than 4.6 metres from grade unless enclosed by a minimum 1.8 metre high fence; and

(l) not have a total power generation capacity greater than 100 kilowatts.

(2) A Wind Energy Conversion System – Type 1:

(a) must not be located within 60.0 metres from a residential district; and
(b) may require a biophysical impact assessment as part of a development permit application, that may include, but is not limited to, a literature review by a qualified biologist, field surveys, habitat assessments, and consideration for the publication “Wildlife Guidelines for Alberta Wind Energy Projects” by Alberta Environment and Sustainable Resource Development.

(3) A Wind Energy Conversion System – Type 2:

(a) must not be located within 550.0 metres from a residential district;

(b) requires a biophysical impact assessment as part of a development permit application, that may include, but is not limited to, a literature review by a qualified biologist, field surveys, habitat assessments, and consideration for the publication “Wildlife Guidelines for Alberta Wind Energy Projects” by Alberta Environment and Sustainable Resource Development; and

(c) may have a maximum total Wind Energy Conversion System height of:

(i) 30 metres in the Special Purpose - School, Park and Community Reserve District, Special Purpose - Recreation District, and Special Purpose - Community Institution District; and

(ii) 50 metres in the Special Purpose - Urban Nature District, Special Purpose - City and Regional Infrastructure District, Special Purpose - University Research Park District, and Special Purpose - Transportation and Utility Corridor District.

(4) A development permit may only be issued for a limited period of time not exceeding:

(a) five (5) years for a Wind Energy Conversion System – Type 1; and a Wind Energy Conversion System – Type 2; and

(b) where a development permit for a Wind Energy Conversion System – Type 1 or a Wind Energy Conversion System – Type 2 has been approved, subsequent development permit approvals for the legally existing Wind Energy Conversion System – Type 1 or Wind Energy Conversion System – Type 2 may be granted for a period greater than stated in subsections (a).

Parcel Access

1020 All developments must comply with the Controlled Streets Bylaw.
Division 2: Special Purpose – Urban Nature (S-UN) District

Purpose

1021 (1) The Special Purpose – Urban Nature District is intended to:

(a) be applied to lands that have either been set aside for the purpose of preserving existing characteristics of a natural plant or animal community or which are undergoing naturalization;
(b) provide for natural landforms, vegetation, and wetlands; and
(c) limit development to improvements that facilitate passive recreational use.

(2) The Special Purpose - Urban Nature District should be applied to land dedicated as environmental reserve pursuant to the Municipal Government Act or its predecessors.

Permitted Uses

1022 The following uses are permitted uses in the Special Purpose – Urban Nature District:

(a) Natural Area;
(b) Park Maintenance Facility – Small;
(c) Sign – Class A;
(d) Sign – Class B; and
(e) Sign – Class D.

Discretionary Uses

1023 The following uses are discretionary uses in the Special Purpose – Urban Nature District:

(a) Food Kiosk;
(b) Museum;
(b.1) Power Generation Facility – Small;
(c) Sign – Class C;
(d) Utilities;
(e) Wind Energy Conversion System – Type 1; and
(f) Wind Energy Conversion System – Type 2.
**Rules**

1024 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.
Division 3: Special Purpose – School, Park and Community Reserve (S-SPR) District

Purpose

1025 (1) The Special Purpose – School, Park and Community Reserve District is intended to:

(a) provide for schools, parks, open space, and recreation facilities; and

(b) have parcels of various sizes and use intensities.

(2) The Special Purpose - School, Park and Community Reserve District should only be applied to land dedicated as school reserve, municipal school reserve, community reserve, public reserve, and reserve pursuant to the Municipal Government Act or its predecessors.

Permitted Uses

1026 The following uses are permitted uses in the Special Purpose – School, Park and Community Reserve District:

(a) Natural Area;
(b) Outdoor Recreation Area;
(c) Park;
(d) Park Maintenance Facility – Small;
(e) Power Generation Facility – Small;
(f) School Authority – School;
(g) School Authority Purpose – Minor;
(h) Sign – Class A; and
(i) deleted
(j) Utilities.

Discretionary Uses

1027 (1) The following uses are discretionary uses in the Special Purpose – School, Park and Community Reserve district;

(a) Community Entrance Feature;
(a.1) Community Recreation Facility;
(b) Food Kiosk;
(c) Indoor Recreation Facility;
(d) School Authority Purpose – Major;
(e) Sign – Class B;
(f) Sign – Class C;
(g) Sign – Class D;
(h) Sign – Class E;
(i) Utility Building;
(j) Wind Energy Conversion System – Type 1; and
(k) Wind Energy Conversion System – Type 2.

(2) The following uses are additional discretionary uses if they are located in buildings used or previously used as Community Recreation Facility, Indoor Recreation Facility or School Authority – School in the Special Purpose – School, Park and Community Reserve District:

(a) Child Care Service.

Rules
1028 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.

Front, Rear and Side Setback Area
1029 The setback area from every property line must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas
1030 (1) All setback areas on a parcel, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the Development Authority, must be a soft surfaced landscaped area.

(2) All setback areas must provide a minimum of:

(a) 1.2 trees for every 70.0 square metres for the use of School Authority – School;
(b) \(1.2\) trees for every \(70.0\) square metres for any \textit{use} contained within a \textit{building} previously used for \textit{School Authority – School}; and

(c) \(1.0\) trees and \(2.0\) shrubs for every \(45.0\) square metres for all other \textit{uses}.

\textbf{Additional Landscaping Requirements}

\textbf{1031} (1) All areas of a \textit{parcel} must be a \textit{soft surfaced landscaped area} unless specifically allowed by the \textit{Development Authority}.

(2) All \textit{soft surfaced landscaped areas} on a \textit{parcel} with \textit{buildings} used or previously used for \textit{School Authority – School} do not require an underground irrigation system.

(3) Every \textit{building} on a \textit{parcel} must have at least one sidewalk connecting the \textit{public entrance} to a public sidewalk, or in the case where there is no public sidewalk, to the nearest \textit{street}.

(4) Where a \textit{building} contains more than one \textit{use}, every \textit{use} that has an exterior \textit{public entrance} must either:

(a) have a sidewalk connecting the \textit{public entrance} to the sidewalk referenced in subsection (3); or

(b) have a sidewalk connecting that \textit{public entrance} to a public sidewalk or to the nearest \textit{street}.

(5) Every \textit{building} on a \textit{parcel} must have at least one sidewalk connecting the parking area to the \textit{public entrances} of the \textit{building}.

(6) Every sidewalk provided must:

(a) be a \textit{hard surfaced landscaped area};

(b) be a minimum width of \(2.0\) metres;

(c) have a different surfacing than the surfacing of parking areas on the \textit{parcel}; and

(d) be raised above the surface of the parking area, when located in a parking area.

\textbf{Reductions to Minimum Required Motor Vehicle Parking Stalls}

\textbf{1032} \textit{deleted} \hspace{1cm} 48P2020
Division 4: Special Purpose – Community Service (S-CS) District

Purpose

1033 The Special Purpose – Community Service District is intended to:

(a) accommodate education and community uses located in buildings;

(b) accommodate a limited range of small scale, public indoor and outdoor recreation facilities; and

(c) have limited application to parcels that are not designated reserve pursuant to the Municipal Government Act or its predecessors.

Permitted Uses

1034 The following uses are permitted uses in the Special Purpose – Community Service District:

(a) Natural Area;

(b) Outdoor Recreation Area;

(c) Park;

(d) Park Maintenance Facility – Small;

(e) Power Generation Facility – Small;

(f) School Authority – School;

(g) School Authority Purpose – Minor;

(h) Sign – Class A; and

(i) deleted

(j) Utilities.

Discretionary Uses

1035 The following uses are discretionary uses in the Special Purpose – Community Service District:

(a) Child Care Service;

(a.1) Community Entrance Feature;

(b) Community Recreation Facility;

(c) Food Kiosk;

(d) Indoor Recreation Facility;
(e) Library;
(f) Museum;
(g) Park Maintenance Facility – Large;
(h) Protective and Emergency Service;
(i) School – Private;
(j) School Authority Purpose – Major;
(k) Service Organization;
(l) Sign – Class B;
(m) Sign – Class C;
(n) Sign – Class D;
(o) Sign – Class E;
(o.1) Urban Agriculture;
(p) Utility Building; and
(q) Wind Energy Conversion System – Type 1.

**Rules**

**1036** 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.

**Front, Rear and Side Setback Area**

**1037** The *setback area* from every *property line* must have a minimum depth of 3.0 metres.

**Landscaping In Setback Areas**

**1038**

1. All *setback areas* on a *parcel*, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the Development Authority, must be a *soft surfaced landscaped area*.

2. All *setback areas* must provide a minimum of:

(a) 1.2 trees for every 70.0 square metres for the *use* of School Authority – School;
(b) 1.2 trees for every 70.0 square metres for any use contained within a building previously used for School Authority – School; and

(c) 1.0 trees and 2.0 shrubs for every 45.0 square metres for all other uses.

Additional Landscaping Requirements

1039 (1) All areas of a parcel must be a soft surfaced landscaped area, unless specifically allowed by the Development Authority.

(2) All soft surfaced landscaped areas on a parcel with buildings used or previously used for School Authority – School do not require an underground irrigation system.

(3) Every building on a parcel must have at least one sidewalk connecting the public entrance to a public sidewalk, or in the case where there is no public sidewalk, to the nearest street.

(4) Where a building contains more than one use, every use that has an exterior public entrance must either:

   (a) have a sidewalk connecting the public entrance to the sidewalk referenced in subsection (3); or

   (b) have a sidewalk connecting that public entrance to a public sidewalk or to the nearest street.

(5) Every building on a parcel must have at least one sidewalk connecting the parking area to the public entrances of the building.

(6) Every sidewalk provided must:

   (a) be a hard surfaced landscaped area;

   (b) be a minimum width of 2.0 metres;

   (c) have a different surfacing than the surfacing of parking areas on the parcel; and

   (d) be raised above the surface of the parking area, when located in a parking area.

Reductions to Minimum Required Motor Vehicle Parking Stalls

1040  deleted 48P2020
Division 5: Special Purpose – Recreation (S-R) District

Purpose

1041 (1) The Special Purpose – Recreation District is intended to:

(a) accommodate a range of indoor and outdoor recreation uses;
(b) provide for complementary uses located within buildings occupied by indoor and outdoor recreation uses; and
(c) be applied to parcels of various sizes with a greater range of use intensities.

(2) The Special Purpose – Recreation District should not be applied to land dedicated as reserve pursuant to the Municipal Government Act or its predecessors.

Permitted Uses

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

(a) Natural Area;
(b) Park;
(c) Park Maintenance Facility – Small;
(d) Power Generation Facility – Small;
(e) Sign – Class A; and
(f) deleted
(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;
(q.2) Special Function – Class 2;
(r) Spectator Sports Facility;
(r.1) Urban Agriculture;
(s) Utility Building;
(t) Wind Energy Conversion System – Type 1; and
(u) Wind Energy Conversion System – Type 2.

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

(a) Accessory Liquor Service;
(b) Child Care Service;
(c) Conference and Event Facility;
(d) Medical Clinic;
(e) Restaurant: Food Service Only – Medium;
(f) Restaurant: Food Service Only – Small;
(g) Restaurant: Licensed – Medium;
(h) Restaurant: Licensed – Small; and
(i) Retail and Consumer Service.

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

(a) Restaurant: Food Service Only – Small;
(b) Restaurant: Licensed – Small; and
(c) Retail and Consumer Service.
The following uses are discretionary uses in the Special Purpose – Recreation District when they occur in a building approved as a Community Recreation Facility:

(a) Child Care Service.

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:

(a) Child Care Service;
(b) Conference and Event Facility;
(c) Drinking Establishment – Large;
(d) Drinking Establishment – Medium;
(e) Drinking Establishment – Small;
(f) Restaurant: Food Service Only – Large;
(g) Restaurant: Food Service Only – Medium;
(h) Restaurant: Food Service Only – Small;
(i) Restaurant: Licensed – Large;
(j) Restaurant: Licensed – Medium;
(k) Restaurant: Licensed – Small; and
(l) Retail and Consumer Service.

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

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

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

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

(2) The maximum cumulative use area for all:

(a) Medical Clinics is 1000.0 square metres;
(b) 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:
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(a) 1.0 trees and 2.0 shrubs for every 45.0 square metres; or
(b) 1.0 trees and 2.0 shrubs for every 60.0 square metres, where irrigation is provided by a low water irrigation system.

Additional Landscaping Requirements

1050 (1) All areas of a parcel must be a soft surfaced landscaped area unless specifically allowed by the Development Authority.

(2) Every building on a parcel must have at least one sidewalk connecting the public entrance to a public sidewalk, or in the case where there is no public sidewalk, to the nearest street.

(3) Where a building contains more than one use, every use that has an exterior public entrance must either:
   (a) have a sidewalk connecting the public entrance to the sidewalk referenced in subsection (2); or
   (b) have a sidewalk connecting that public entrance to a public sidewalk or to the nearest street.

(4) Every building on a parcel must have at least one sidewalk connecting the parking area to the public entrances to the building.

(5) Every sidewalk provided must:
   (a) be a hard surfaced landscaped area;
   (b) be a minimum width of 2.0 metres;
   (c) have a different surfacing than the surfacing of parking areas on the parcel; and
   (d) be raised above the surface of the parking area when located in a parking area.

Landscaping for Large Parking Area

1051 (1) Landscaping is required in a parking area when the total surface area containing the required drive aisles, motor vehicle parking stalls and vehicular access for a development is equal to or greater than 5000.0 square metres.

(2) Landscaped areas in the parking area:
   (a) must be provided at a ratio of 0.15 square metres for every 1.0 square metres of the total surface area referenced in subsection (1); and
(b) must be provided as a combination of *hard surfaced landscaped area* and *soft surfaced landscaped area* in the form of islands and strips.

(3) Islands provided in the parking area must:

(a) be provided at the beginning and end of every row of *motor vehicle parking stalls*;

(b) be provided for every 20 *motor vehicle parking stalls* in a row with no more than 20 stalls between islands;

(c) be a minimum area of 12.0 square metres with at least one side of the island being a minimum length of 2.0 metres;

(d) provide a minimum of 1.0 trees and 2.0 shrubs; and

(e) be surrounded by a concrete curb.

(4) Strips provided in the parking area must:

(a) be provided for every four (4) rows of *motor vehicle parking stalls* with no more than four (4) rows between strips;

(b) be perpendicular to the *motor vehicle parking stalls* for the full length of the parking stall row;

(c) be a minimum depth of 2.0 metres;

(d) provide a minimum of 1.0 trees every 15.0 metres of the length of the strip; and

(e) be surrounded by a concrete curb.

(5) If the application of these rules results in an island or a strip being contiguous with a *setback area*, that island or strip is not required at that location on the *parcel*.

(6) Sidewalks connecting the *public entrance* to a public sidewalk and sidewalks connecting the parking area to the *public entrance* may be included in determining whether the *development* satisfies the requirement of this section.

Reductions to Minimum Required Motor Vehicles Parking Stalls

48P2020

1052  deleted
Division 6: Special Purpose – Community Institution (S-CI) District

Purpose
1053 The Special Purpose – Community Institution District is intended to:
   (a) provide for large scale culture, worship, education, health and treatment facilities;
   (b) provide for a wide variety of building forms located throughout the city; and
   (c) be sensitive to the context when located within residential areas.

Permitted Uses
1054 The following uses are permitted uses in the Special Purpose – Community Institution District:
   (a) Home Occupation - Class 1;  
   (a.1) Natural Area;  
   (b) Park;  
   (c) Power Generation Facility – Small;  
   (d) Protective and Emergency Service;  
   (e) Sign – Class A;  
   (f) Sign – Class B; and  
   (g) deleted  
   (h) Utilities.

Discretionary Uses
1055 (1) The following uses are discretionary uses in the Special Purpose – Community Institution District:
   (a) Addiction Treatment;  
   (b) Cemetery;  
   (c) Child Care Service;  
   (d) Columbarium;  
   (d.1) Conference and Event Facility;  
   (e) Crematorium;  
   (f) Custodial Care;  
   (g) Food Kiosk;  
   (g.1) Home Occupation – Class 2;
(h) Hospital;

(i) Instructional Facility;

(j) Library;

(k) Museum;

(l) Performing Arts Centre;

(m) Place of Worship – Large;

(n) Place of Worship – Medium;

(o) Place of Worship – Small;

(p) Post-secondary Learning Institution;

(q) Power Generation Facility – Medium;

(r) Residential Care;

(s) School – Private;

(s.1) School Authority – School;

(t) Service Organization;

(u) Sign – Class C;

(v) Sign – Class D;

(w) Sign – Class E;

(x) deleted

(y) Social Organization;

(z) deleted

(aa) Spectator Sports Facility;

(aa.1) Urban Agriculture;

(bb) Utility Building;

(cc) Wind Energy Conversion System – Type 1; and

(dd) Wind Energy Conversion System – Type 2.

(2) The following uses are additional discretionary uses if they are located in existing buildings containing Dwelling Units at the time of the effective date of this Bylaw:

(a) Multi-Residential Development.

(3) The following uses are additional discretionary uses if they are located in an existing building that is used or was previously used as Assisted Living at the time of the effective date of this Bylaw:

(a) Assisted Living.
Rules

1056 In addition to the rules in this District, all uses in this District must comply with:

(a) the General Rules for Special Purpose Land Use Districts referenced in Part 9, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Building Height

1057 (1) The maximum building height on a parcel that shares a property line with another parcel that has no buildings or that has a building with a height greater than 6.0 metres above grade at that shared property line, and where the other parcel is designated with a low density residential district, M-CG district or M-G district:

(a) is 8.0 metres measured from grade at the shared property line;

(b) increases proportionately to 12.0 metres measured from grade at a distance of 4.0 metres from the shared property line; and

(c) is 12.0 metres measured from grade at a distance greater than 4.0 metres from the shared property line.

(2) Where a parcel shares a property line with a parcel containing a building less than or equal to 6.0 metres in height and designated as a low density residential district, M-CG, or M-G District, the maximum building height:

(a) is 6.0 metres measured from grade at the shared property line;

(b) increases proportionately to 12.0 metres measured from grade at a distance of 6.0 metres from the shared property line; and

(c) is 12.0 metres measured from grade at a distance greater than 6.0 metres from the shared property line.

(3) Where a parcel shares a property line with a parcel designated as M-C1, M-1, or M-X1 District, the maximum building height is 14.0 metres.

(4) Where a parcel shares a property line with a parcel designated as M-C2, M-2, or M-X2 District, the maximum building height is 16.0 metres.
(5) Where a parcel shares a property line with a parcel designated as a District, other than those referenced in subsections (1) through (4) inclusive, there is no limitation to building height.

(6) Where a parcel shares property lines with parcels that meet more than one of the requirements referenced in subsections (1) through (5) inclusive, the maximum building height must be the most restrictive height.

Front Setback Area
1058 The front setback area must have a minimum depth of 6.0 metres.

Rear Setback Area
1059(1) Where the parcel shares a rear property line with another parcel, the setback area from that parcel must have a minimum depth of 1.2 metres.

(2) Where the parcel shares a rear property line with a lane, LRT corridor or street, the setback area from that lane, LRT corridor or street must have a minimum depth of 3.0 metres.

Side Setback Area
1060(1) Where the parcel shares a side property line with another parcel, the setback area from that parcel must have a minimum depth of 1.2 metres.

(2) Where the parcel shares a side property line with a lane, LRT corridor or street, the setback area from that lane, LRT corridor or street must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas
1061(1) The provisions of this section do not apply to Assisted Living, Residential Care and Multi-Residential Development.

(2) 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.

(3) 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.
Where a setback area shares a property line with a lane or parcel designated as a commercial, industrial or special purpose district, the setback area must provide a minimum of:

(a) 1.0 trees and 2.0 shrubs for every 45.0 square metres; or
(b) 1.0 trees and 2.0 shrubs for every 60.0 square metres, where irrigation is provided by a low water irrigation system.

Landscaping Requirements for Assisted Living, Residential Care and Multi-Residential Development

1062 (1) Where Assisted Living, Residential Care and Multi-Residential Development is located on a parcel, the minimum required landscaped area must be 40.0 per cent of the area of the parcel.

2  The required landscaped area may be a combination of hard surfaced landscaped area and soft surfaced landscaped area.

3  The maximum hard surfaced landscaped area is 30.0 per cent of the required landscaped area.

4  Trees and shrubs must be planted in an overall minimum ratio of 1.0 trees and 2.0 shrubs per 45.0 square metres of required landscaped area.

Additional Landscaping Requirements

1063 (1) All areas of a parcel must be a soft surfaced landscaped area unless specifically allowed by the Development Authority.

2  Every building on a parcel must have at least one sidewalk connecting the public entrance to a public sidewalk, or in the case where there is no public sidewalk, to the nearest street.

3  Where a building contains more than one use, every use that has an exterior public entrance must either:

(a) have a sidewalk connecting the public entrance to the sidewalk referenced in subsection (2); or
(b) have a sidewalk connecting that public entrance to a public sidewalk or to the nearest street.

4  Every building on a parcel must have at least one sidewalk connecting the parking area to the public entrances of the building.

5  Every sidewalk provided must:

(a) be a hard surfaced landscaped area;
(b) be a minimum width of 2.0 metres;
(c) have a different surfacing than the surfacing of parking areas on the *parcel*; and

(d) be raised above the surface of the parking area, when located in a parking area.

**Landscaping for Large Parking Area**

1064 (1) Landscaping is required in a parking area when the total surface area containing the required drive aisles, *motor vehicle parking stalls* and vehicular access for a *development* is equal to or greater than 5000.0 square metres.

(2) *Landscaped areas* in the parking area:

(a) must be provided at a ratio of 0.15 square metres for every 1.0 square metres of the total surface area referenced in subsection (1); and

(b) must be provided as a combination of *hard surfaced landscaped area* and *soft surfaced landscaped area* in the form of islands and strips.

(3) Islands provided in the parking area must:

(a) be provided at the beginning and end of every row of *motor vehicle parking stalls*;

(b) be provided for every 20 *motor vehicle parking stalls* in a row with no more than 20 stalls between islands;

(c) be a minimum area of 12.0 square metres with at least one side of the island being a minimum length of 2.0 metres;

(d) provide a minimum of 1.0 trees and 2.0 shrubs; and

(e) be surrounded by a concrete curb.

(4) Strips provided in the parking area must:

(a) be provided for every four (4) rows of *motor vehicle parking stalls* with no more than four (4) rows between strips;

(b) be perpendicular to the *motor vehicle parking stalls* for the full length of the parking stall row;

(c) be a minimum depth of 2.0 metres;

(d) provide a minimum of 1.0 trees every 15.0 metres of the length of the strip; and

(e) be surrounded by a concrete curb.
(5) If the application of these rules results in an island or a strip being contiguous with a **setback area**, that island or strip is not required at that location on the **parcel**.

(6) Sidewalks connecting the **public entrance** to a public sidewalk and sidewalks connecting the parking area to the **public entrance** may be included in determining whether the **development** satisfies the requirement of this section.

**Reductions to Minimum Required Motor Vehicle Parking Stalls**

1065  *deleted*
Division 7: Special Purpose – City and Regional Infrastructure (S-CRI) District

Purpose

The Special Purpose – City and Regional Infrastructure District is intended to provide for:

(a) infrastructure and utility facilities;
(b) vehicle maintenance, work depots and training centres related to infrastructure development and maintenance;
(c) facilities and systems for public transportation; and
(d) uses operated by Federal, Provincial and Municipal levels of government.

Permitted Uses

The following uses are permitted uses in the Special Purpose – City and Regional Infrastructure District:

(a) Airport;
(b) Cemetery;
(c) Columbarium;
(d) Crematorium;
(e) Military Base;
(f) Municipal Works Depot;
(g) Natural Area;
(h) Park;
(i) Power Generation Facility – Small;
(j) Protective and Emergency Service;
(k) Rail Line;
(l) Sewage Treatment Plant;
(m) Sign – Class A;
(n) Sign – Class B;
(o) Sign – Class D;
(p) deleted
(q) Tree Farm;
(r) Utilities;
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(2) The following uses are permitted uses in the Special Purpose – City and Regional Infrastructure District if they are located within existing approved buildings:

(a) Temporary Shelter.

Discretionary Uses

1068 (1) The following uses are discretionary uses in the Special Purpose – City and Regional Infrastructure District:

(a) Custodial Care;
(b) Distribution Centre;
(c) Equipment Yard;
(d) Freight Yard;
(e) Information and Service Provider;
(f) Instructional Facility;
(g) deleted
(h) Office;
(h.1) Outdoor Recreation Area;
(i) Parking Lot – Grade;
(j) Parking Lot – Structure;
(k) Power Generation Facility – Medium;
(l) Sign – Class C;
(m) Sign – Class E;
(m.1) Urban Agriculture;
(n) Wind Energy Conversion System – Type 1; and
(o) Wind Energy Conversion System – Type 2.

(2) An existing Sign – Class F is a discretionary use where:

(a) it existed on the effective date of this Bylaw, and
(b) is currently approved by a development permit issued by the City.
(3) **Sign – Class G** is a *discretionary use* where:

(a) it is replacing a **Sign – Class F** that was approved pursuant to subsection (2); and

(b) its location on the **parcel** is the same as the **Sign – Class F**.

(4) The following **uses** are *discretionary uses* when carried on by, or on behalf of, the **City** where located on **parcels** identified in subsections (5) and (6):

(a) **Sign – Class F**; and

(b) **Sign – Class G**.

(5) The **uses** listed in subsection 1068 (4) may be located on a **parcel** identified as one or more of the following:

(a) Block 1 Plan 7611002 excepting Road Plan 8211009 and Subdivision Plan 8911094;

(b) Lot 1 Block 13 Plan 7810679; and

(c) Block C Plan 7811204.

(6) The **uses** listed in subsection 1068 (4) may be located on a **parcel** identified as one or more of the following, if they are *pedestrian scaled third party advertising*:

(a) That portion of Research Road NW which lies east of 33 Street NW on Plan 8110138;

(b) Lot 5 Block 5 Plan 8110138;

(c) Lot 9 Block 5 Plan 9712289;

(d) Block 4 Plan 9512418;

(e) Block 1 Plan 7611002 excepting Road Plan 8211009 and Subdivision Plan 8911094;

(f) Lot 1 Block 1 Plan 8510947;

(g) Block 14 Plan Haysboro Industrial Calgary 5115HV;

(h) Block 9 Plan Franklin Park Industrial Calgary 7410806; excepting Street Widening Plan 7811004;

(i) Lot 10 Block 1 Plan 9912694;

(j) Lot 1 Block 9 Plan 8211309;

(k) Block 2 Plan 9911775;

(l) Lot 106 Block 13 Plan 9710384;

(m) Lot 1 Block 13 Plan 7810679;

(n) Block C Plan 7811204; and

(o) Lot 1 Block 39 Plan 0012045.
Rules

1069 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.

Setback Area

1070 (1) Where the parcel shares a property line with a parcel designated as:

(a) a commercial district, the setback area must have a minimum depth of 1.2 metres;
(b) an industrial district, the setback area must have a minimum depth of 1.2 metres;
(c) a residential district, the setback area must have a minimum depth of 6.0 metres; and
(d) a special purpose district, the setback area must have a minimum depth of 6.0 metres.

(2) Where the parcel shares a property line:

(a) with an LRT corridor or street, the setback area must have a minimum depth of 6.0 metres;
(b) with a lane that separates the parcel from a parcel designated as a residential district, the setback area must have a minimum depth of 6.0 metres; and
(c) with a lane, in all other cases, the setback area must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

1071 (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 a 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.
Where a setback area shares a property line with a lane, street, LRT corridor or parcel designated as a commercial, industrial or special purpose district, the setback area must provide a minimum of:

(a) 1.0 trees and 2.0 shrubs for every 45.0 square metres; or
(b) 1.0 trees and 2.0 shrubs for every 60.0 square metres, where irrigation is provided by a low water irrigation system.

Employee Area

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

Reductions to Minimum Required Motor Vehicle Parking Stalls

deleted

Sign Class – F and Sign – Class G Rules

The rules contained in Part 3, Division 5: Signs apply to Sign – Class F and Sign – Class G, except as follows:

(a) Sign – Class F pedestrian scaled third party advertising may only be illuminated indirectly in a manner that prevents the trespass of light onto adjacent parcels;

(b) Notwithstanding subsections 115.2(6), where a Sign – Class G pedestrian scaled third party advertising is visible from and located within 125.0 metres of a building containing a Dwelling Unit, the sign must not operate, or must only display a blank screen between 10 p.m. and 7 a.m.;

(c) In addition to any sign approved under subsections 1068(2), (3) and (5), a maximum of one Sign – Class F or Sign – Class G larger than a maximum height of 2.0 metres and a maximum sign area of 2.0 square metres may be located on each parcel identified in subsection 1068(5); and

(d) When a Third Party Advertising Sign or Digital Third Party Advertising Sign is located on a parcel identified in subsection 1068(5) (a), it must be a minimum of 200.0 metres from another Third Party Advertising Sign or Digital Third Party Advertising Sign, facing the same oncoming traffic.
Division 8: Special Purpose – University Research Park (S-URP) District

Purpose

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

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

(b) accommodate a limited range of complementary support uses.

Permitted Uses

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

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

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

(a) Counselling Service; and
(b) Office.

Discretionary Uses

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

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

(a) deleted
(b) Child Care Service;
(c) Convenience Food Store;
(d) Fitness Centre;
(e) deleted

(f) Indoor Recreation Facility;

(g) deleted

(h) Information and Service Provider;

(i) Instructional Facility;

(j) Outdoor Café;

(k) Power Generation Facility – Medium;

(l) Protective and Emergency Service;

(l.1) Recyclable Material Drop-Off Depot;

(m) Restaurant: Food Service Only – Small;

(n) Restaurant: Licensed – Small;

(o) Sign – Class B;

(p) Sign – Class C;

(q) Sign – Class D;

(r) Sign – Class E;

(r.1) Specialized Industrial;

(r.2) Urban Agriculture;

(s) Utility Building;

(t) Wind Energy Conversion System – Type 1; and

(u) Wind Energy Conversion System – Type 2.

Rules

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

(a) the General Rules for Special Purpose Land Use Districts referenced in Part 9, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Building Height

1078 The maximum building height is 25.0 metres.

Front Setback Area

1079 The front setback area must have a minimum depth of 15.0 metres.
Rear Setback Area
1080 (1) Where the parcel shares a rear property line with a parcel designated as:
   (a) a residential district, the rear setback area must have a minimum depth of 15.0 metres; and
   (b) any other District, the rear setback area must have a minimum depth of 6.0 metres.

(2) Where the parcel shares a rear property line with a street, the rear setback area must have a minimum depth of 15.0 metres.

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

(2) Where the parcel shares a side property line with a street, the side setback area must have a minimum depth of 15.0 metres.

Landscaping In Setback Areas
1082 (1) All setback areas on a parcel, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the Development Authority, must be a soft surfaced landscaped area.

(2) All setback areas must provide a minimum of:
   (a) 1.0 trees and 2.0 shrubs for every 45.0 square metres; or
   (b) 1.0 trees and 2.0 shrubs for every 60.0 square metres, where irrigation is provided by a low water irrigation system.

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

Reductions to Minimum Required Motor Vehicle Parking Stalls
1084 deleted 48P2020
Division 9: Special Purpose – Future Urban Development (S-FUD) District

Purpose

1085 The Special Purpose – Future Urban Development District is intended to:

(a) be applied to lands that are awaiting urban development and utility servicing;
(b) protect lands for future urban forms of development and density by restricting premature subdivision and development of parcels of land;
(c) provide for a limited range of temporary uses that can easily be removed when land is redesignated to allow for urban forms of development; and
(d) accommodate extensive agricultural uses prior to development to urban uses.

Permitted Uses

1086 The following uses are permitted uses in the Special Purpose – Future Urban Development District:

(a) Accessory Residential Building;
(b) Extensive Agriculture;
(b.1) Home Based Child Care – Class 1;
(c) Home Occupation – Class 1;
(d) Manufactured Home;
(e) Power Generation Facility – Small;
(f) Sign – Class A;
(g) Sign – Class B;
(h) Sign – Class D;
(i) Single-Detached Dwelling; and
(j) Utilities.

Discretionary Uses

1087 (1) The following uses are discretionary uses in the Special Purpose – Future Urban Development District:

(a) Bed and Breakfast;
(a.1) Home Based Child Care – Class 2;
(b) Home Occupation – Class 2;
(c) Outdoor Recreation Area;
(d) Power Generation Facility – Medium;
(e) Sign – Class C;
(f) deleted
(g) Sign – Class F;
(g.1) Sign – Class G;
(h) deleted
(i) Utility Building;
(j) Vehicle Storage – Passenger; and
(k) Vehicle Storage – Recreational.

(2) Uses that are not listed in this District are discretionary uses if, at the time of the effective date of this Bylaw, they were:

(a) being carried on pursuant to a development permit issued by The City of Calgary, the Municipal District of Foothills, or the Municipal District of Rocky View; or

(b) being carried on in accordance with the applicable Land Use Bylaw in effect for the municipality where the use was located at the time the use commenced, but were specifically exempted by that Land Use Bylaw from the requirement to obtain a development permit.

(3) A use that meets the conditions of subsection (2) ceases to be a discretionary use if it is discontinued for six consecutive months or more.

(4) The applicant for a development permit for a use, pursuant to this section, must show that the use complies with the conditions of subsection (2).

Rules
1088 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.
Parcel Area
1089 (1) Unless otherwise referenced in subsections (2) and (3), the minimum area of a parcel is 64.0 hectares.

(2) The subdivision of a new parcel from an unsubdivided quarter section may be considered where:

(a) the purpose of the subdivision is to contain an existing Dwelling Unit and other related buildings; and

(b) the area of the parcel is:

(i) a minimum of 0.4 hectares; and

(ii) maximum of 4.0 hectares.

(3) If a parcel is less than 64.0 hectares at the time it has been designated Special Purpose – Future Urban Development District, the minimum area of a parcel is the area of that parcel at the time of such designation.

Setback Areas
1090 (1) Where the parcel shares a property line with a lane, LRT corridor or street, the setback area from that property line must have a minimum depth of 6.0 metres.

(2) Where the parcel shares a property line with another parcel, the setback area from that property line must have a minimum depth of 1.2 metres.

Single Detached Dwellings and Manufactured Homes
1091 (1) Single Detached Dwellings and Accessory Residential Buildings on parcels designated as Special Purpose – Future Urban Development District must comply with all the rules, not including those referring to minimum area of a parcel, referenced in the:

(a) Residential – One Dwelling District when such uses are on parcels in the Developing Area; and

(b) Residential – Contextual One Dwelling District when such uses are on parcels in the Developed Area.

(2) The maximum number of Single Detached Dwellings on a parcel is one.

(3) Manufactured Homes on parcels designated as Special Purpose – Future Urban Development District must comply with all the rules, not including those referring to the minimum area of a parcel, referenced in the Residential – Manufactured Home District.
Division 10: Special Purpose – Transportation and Utility Corridor (S-TUC) District

Purpose

1092 (1) The Special Purpose – Transportation and Utility Corridor District is intended to:

(a) be applied to land located within the provincial transportation and utility corridor, where the primary purpose is to provide for provincial transportation facilities and linear utilities; and

(b) accommodate select types of temporary and removable uses where there is approved access and where the use is compatible with adjacent uses and transportation facilities and linear utilities.

(2) Only those lands within the Provincial Transportation and Utility Corridor should be designated Special Purpose – Transportation and Utility Corridor District.

Permitted Uses

1093 (1) The following uses are permitted uses in the Special Purpose – Transportation and Utility Corridor District:

(a) Extensive Agriculture;
(b) Home Occupation – Class 1;
(c) Municipal Works Depot;
(d) Natural Area;
(e) Park;
(f) Park Maintenance Facility – Small;
(g) deleted
(h) Sign – Class A;
(i) Sign – Class B;
(j) Sign – Class D; and
(k) deleted
(l) deleted
(m) Utilities.
Discretionary Uses

The following uses are discretionary uses in the Special Purpose – Transportation and Utility Corridor District:

(a) Accessory Residential Building;
(b) Home Occupation – Class 2;
(c) Outdoor Recreation Area;
(d) Parking Lot – Grade;
(e) Power Generation Facility – Medium;
(f) Power Generation Facility – Small;
(g) Sign – Class C;
(h) Utility Building;
(i) Vehicle Storage – Large;
(j) Vehicle Storage – Passenger;
(k) Vehicle Storage – Recreational;
(l) Wind Energy Conversion System – Type 1; and
(m) Wind Energy Conversion System – Type 2.

The following uses are discretionary uses in the Special Purpose – Transportation and Utility Corridor District when they occur on a parcel used for a Park or Outdoor Recreation Area:

(a) Food Kiosk; and
(b) Retail and Consumer Service.

The following uses are additional discretionary uses if they are located on the lands described in subsection (3):

(a) Equipment Yard;
(b) Freight Yard; and
(c) Storage Yard.
(3) Those areas cross-hatched and illustrated as Area A and Area B on Map 8, and more particularly described as:

(a) Area A: the full width of the Transportation and Utility Corridor lands from the north intersection of the Transportation and Utility Corridor and Deerfoot Trail N.E. to the intersection with the Transportation and Utility Corridor and 44 Street N.E.; and

(b) Area B: the full width of the Transportation and Utility Corridor lands from the intersection with the Transportation and Utility Corridor and Peigan Trail S.E. to the intersection between the Transportation and Utility Corridor and 130 Avenue S.E.

(4) Uses that are not listed in this District are discretionary uses if, at the time of the effective date of this Bylaw, they were:

(a) being carried on pursuant to a development permit issued by The City of Calgary, the Municipal District of Foothills, or the Municipal District of Rocky View; or

(b) being carried on in accordance with the applicable Land Use Bylaw in effect for the municipality where the use was located at the time the use commenced but were specifically exempted by that Land Use Bylaw from the requirement to obtain a development permit.

(5) A use which meets the conditions of subsection (4) ceases to be a discretionary use if it is discontinued for six consecutive months or more.

(6) The applicant for a development permit for a use pursuant to this section must show that the use complies with the conditions of subsection (4).

Rules

1095 In addition to the rules in this District, all uses in this District must comply with:

(a) the General Rules for Special Purpose Land Use Districts referenced in Part 9, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Retail and Consumer Service Restrictions

1095.1 Retail and Consumer Service must only operate in conjunction with, and sell products related to, an Outdoor Recreation Area.
Development Permit Restrictions

1096  (1) A development permit for a discretionary use must have a time limitation of no more than five years.

(2) Applications for uses which require permanent structures, buildings, or activities, which do not allow the easy removal, or allow access for utility maintenance, or which impair the intended purpose of the parcel as a utility corridor, must not be approved.

(3) When a development permit expires, all activities associated with that development permit must cease, and all buildings and improvements associated with that use must be removed from the parcel without further order from the Development Authority.

Projections into Setback Areas

1097 The rules referenced in subsections 1013(1) through (4) inclusive, do not apply to this District.

Setback Areas

1098 Where the parcel shares a property line with a street or parcel designated as a residential district or Special Purpose – Future Urban Development District, the setback area from that property line must have a minimum depth of 6.0 metres.

Specific Rules for Landscaped Areas

1098.1 (1) Landscaped areas must be provided in accordance with a landscape plan approved by the Development Authority when the development is within 50.0 metres of:

(a) a major street or expressway;
(b) a parcel designated as a residential district; or
(c) a parcel designated S-FUD.

(2) The landscaped areas shown on the landscape plan approved by the Development Authority must be maintained as long as the development exists.

(3) Screening must be provided for the following uses:

(a) Equipment Yard;
(b) Freight Yard;
(c) Storage Yard;
(d) Vehicle Storage – Large;
(e) Vehicle Storage – Passenger; and
(f) Vehicle Storage – Recreational.

Parcel Access

1098.2 A use must not have motor vehicle access from a residential street.
Map 8:
Special Purpose Transportation and Utility Corridor Areas
PART 10: DOWNTOWN

Purpose, General Rules and Districts
Part 10 was deleted by 33P2013 - June 9, 2014
PART 11: CENTRE CITY DISTRICTS

Division 1: General Rules for Centre City Multi-Residential High Rise Land Use Districts

Projections Into Setback Areas

1099 (1) Unless otherwise referenced in this section, buildings must not be located in any setback area.

(2) Portions of a building located above the surface of the ground may project into a setback area only in accordance with the rules contained in this section.

(3) Portions of a building below the surface of the ground may extend without any limits into a setback area.

(4) Wheelchair ramps may project without any limits into a setback area.

(5) Eaves may project a maximum of 0.6 metres, and window wells may project a maximum of 0.8 metres, into any setback area.

(6) Landings not exceeding 2.5 square metres, ramps other than wheelchair ramps and unenclosed stairs may project into any setback area.

(7) Signs may be located in any setback area, and where so located must be in accordance with Part 3, Division 5.

General Landscaped Area Rules

1100 (1) Landscaped areas must be provided in accordance with a landscape plan approved by a Development Authority.

(2) A landscape plan for the entire development must be submitted as part of each development permit application, where changes are proposed to the building or parcel, and must show at least the following:

(a) the existing and proposed topography;

(b) the existing vegetation and indicate whether it is to be retained or removed;

(c) the layout of berms, open space systems, pedestrian circulation, retaining walls, screening, slope of the land, soft surfaced landscaped areas and hard surfaced landscaped areas;

(d) the types, species, sizes and numbers of plant material and the types of hard surface landscaped areas;

(e) details of the irrigation system; and
(f) for landscaped areas with the Enhanced Landscaping Option, the following additional information must be provided:

(i) Latin and common names for all plant materials;

(ii) a plan that shows both the planting material size at time of planting and at time of maturity;

(iii) elevation plans for all landscaped areas showing plant material maturity; and

(iv) a report submitted by the applicant indicating how the landscape plan achieves the following:

(A) variation of planting materials, hard surface materials and decorative structures;

(B) provision of year-round visual interest;

(C) emphasis of entranceways and pedestrian pathways;

(D) location of planting materials and activity areas according to sunlight exposure and microclimate conditions;

(E) separation between public and private spaces; and

(F) provision of spaces for different purposes, including activity, seating, screening and buffering;

(g) for landscaped areas with the Low Water Landscaping Option details of the low water irrigation system, including extent of water delivery; and

(h) for landscaped areas with a building below, the following additional information must be provided:

(i) the location of underlying slabs and abutting walls;

(ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;

(iii) depths of the growing medium for each planting area;

(iv) the mature height and spread of all trees and shrubs; and

(v) the means of irrigating the planting areas.

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

(5) Unless otherwise referenced in subsections (6) and (7), all areas of a parcel, except for those portions specifically required for motor vehicle access, motor vehicle parking stalls, loading stalls, garbage facilities, or any purpose allowed by the Development Authority, must be a landscaped area.

(6) All setback areas adjacent to a street or another parcel, except for those portions specifically required for motor vehicle access, must be a landscaped area.

(7) All setback areas adjacent to a lane, except for those portions specifically required for motor vehicle access, motor vehicle parking stalls, loading stalls or garbage facilities must be a landscaped area.

(8) Amenity space must be included in the calculation of a landscaped area where such amenity space:

   (a) is provided outdoors at grade; and

   (b) is a hard surfaced landscaped area or soft surfaced landscaped area.

Specific Rules for Landscaped Areas

1101 (1) Any part of the parcel used for motor vehicle access, motor vehicle parking stalls, loading stalls and garbage or recycling facilities must not be included in the calculation of a landscaped area.

(2) The maximum hard surfaced landscaped area is 50.0 per cent of the required landscaped area.

(3) For landscaped areas above grade, a minimum of 30.0 per cent of the area must be covered with soft surfaced landscaping.

(4) Where a landscaped area above grade is fragmented into isolated spaces, a minimum of 30.0 per cent of each space must be covered with soft surfaced landscaping.

(5) Only landscaping provided at grade or between grade and 25 metres above grade may be counted towards the required landscaped area.

(6) At least 25 per cent of the required landscaped area must be provided at grade.

Planting Requirements

1102 (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.
A minimum of 1.0 trees and 2.0 shrubs must be planted for every 45.0 square metres of landscaped area provided.

**Landscaped areas** may include Urban Agriculture.

(2.1) Landscaped areas may include Urban Agriculture.

A minimum of 25.0 per cent of all trees provided must be coniferous.

Unless otherwise referenced in section 1104, deciduous trees must have a minimum calliper of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum calliper of 75 millimetres at the time of planting.

Unless otherwise referenced in section 1104, coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must be a minimum of 3.0 metres in height at the time of planting.

Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

(7) For landscaped areas with a building below, planting areas must have the following minimum soil depths:

(a) 1.2 metres for trees;

(b) 0.6 metres for shrubs; and

(c) 0.3 metres for all other planting areas.

The soil depths referenced in subsection (7) must cover an area equal to the mature spread of the planting material.

**Landscaped Area Reductions – Multi-Residential Development**

The minimum landscaped area for Multi-Residential Development may be reduced by the two options as referenced in sections 1104 and 1105 individually or in combination, to a total available reduction of 6.0 per cent of the area of a parcel.

**Enhanced Landscaping Option**

For the Enhanced Landscaping Option, the required landscaped area may be reduced by 3.0 per cent of the area of the parcel where:

(1) 1.0 trees and 2.0 shrubs are planted for every 25.0 square metres of landscaped area provided;

(2) deciduous trees have a minimum calliper of 65 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum calliper of 85 millimetres at the time of planting; and

(3) coniferous trees have a minimum height of 3.0 metres and at least 50.0 per cent of the provided coniferous trees must have a minimum height of 4.0 metres at the time of planting.
Low Water Landscaping Option

1105 For the Low Water Landscaping Option, the required landscaped area may be reduced by 3.0 per cent of the area of the parcel where:

(a) a low water irrigation system is provided;
(b) the delivery of the irrigated water is confined to trees and shrubs;
(c) trees and shrubs with similar water requirements are grouped together;
(d) a maximum of 30.0 per cent of the required landscaped area is planted with sod and the remainder is covered with plantings, mulch or hard surfaces;
(e) a minimum of 30.0 per cent of required trees are selected from the list in Table 5: Low Water Trees; and
(f) a minimum of 30.0 per cent of required shrubs are selected from the list in Table 6: Low Water Shrubs.

Table 5: Low Water Trees

<table>
<thead>
<tr>
<th>Low Water Deciduous Trees</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Botanical Name</td>
<td>Common Name</td>
</tr>
<tr>
<td>Acer ginnala</td>
<td>Amur Maple</td>
</tr>
<tr>
<td>deleted</td>
<td>deleted</td>
</tr>
<tr>
<td>Prunus padus commutate</td>
<td>Mayday</td>
</tr>
<tr>
<td>Prunus pennsylvanica</td>
<td>Pin Cherry</td>
</tr>
<tr>
<td>Prunus virginiana var. melanocarpa</td>
<td>Chokecherry</td>
</tr>
<tr>
<td>Pyrus ussuriensis</td>
<td>Ussurian pear</td>
</tr>
<tr>
<td>Quercus macrocarpa</td>
<td>Bur oak</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Low Water Coniferous Trees</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Botanical Name</td>
<td>Common Name</td>
</tr>
<tr>
<td>Picea Pungens</td>
<td>Blue Spruce</td>
</tr>
<tr>
<td>Pinus aristata</td>
<td>Bristlecone Pine</td>
</tr>
<tr>
<td>Pinus banksiana</td>
<td>Jack pine</td>
</tr>
<tr>
<td>Pinus contorta var. latifolia</td>
<td>Lodgepole pine</td>
</tr>
<tr>
<td>Pinus flexilis</td>
<td>Limber Pine</td>
</tr>
<tr>
<td>Pinus ponderosa</td>
<td>Ponderosa pine upright</td>
</tr>
</tbody>
</table>
### Table 6: Low Water Shrubs

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amelanchier alnifolia</td>
<td>Saskatoon berry</td>
</tr>
<tr>
<td>Arctostaphylos uva-ursi</td>
<td>Bearberry</td>
</tr>
<tr>
<td>deleted</td>
<td>deleted</td>
</tr>
<tr>
<td>Crataegus spp.</td>
<td>Hawthorn</td>
</tr>
<tr>
<td>Elaeagnus commutate</td>
<td>Wolf willow</td>
</tr>
<tr>
<td>deleted</td>
<td>deleted</td>
</tr>
<tr>
<td>deleted</td>
<td>deleted</td>
</tr>
<tr>
<td>Juniperus spp.</td>
<td>Juniper (various)</td>
</tr>
<tr>
<td>deleted</td>
<td>deleted</td>
</tr>
<tr>
<td>Pinus mugo</td>
<td>Mugo pine</td>
</tr>
<tr>
<td>Potentilla fruticosa</td>
<td>Cinquefoil</td>
</tr>
<tr>
<td>Prinsepia sinensis</td>
<td>Cherry prinsepia</td>
</tr>
<tr>
<td>Prunus fruticosa</td>
<td>European dwarf cherry</td>
</tr>
<tr>
<td>Prunus tenella</td>
<td>Russian almond</td>
</tr>
<tr>
<td>Prunus tomentosa</td>
<td>Nanking cherry</td>
</tr>
<tr>
<td>Prunus triloba</td>
<td>Double flowering plum</td>
</tr>
<tr>
<td>Prunus x cistena</td>
<td>Cistina cherry</td>
</tr>
<tr>
<td>Rhus trilobata</td>
<td>Skunk bush</td>
</tr>
</tbody>
</table>
Table 6: Low Water Shrubs

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ribes alpinum</td>
<td>Alpine currant</td>
</tr>
<tr>
<td>Ribes aureum</td>
<td>Golden currant</td>
</tr>
<tr>
<td>Ribes oxycanthoides</td>
<td>Wild gooseberry</td>
</tr>
<tr>
<td>Sambucus racemosa</td>
<td>European red elder</td>
</tr>
<tr>
<td>(excluding var. pubens)</td>
<td></td>
</tr>
<tr>
<td>Shepherdia argentea</td>
<td>Silver buffaloberry</td>
</tr>
<tr>
<td>Sorbaria sorbifolia</td>
<td>Ural false spirea</td>
</tr>
<tr>
<td>Spiraea trilobata</td>
<td>Three lobed spirea</td>
</tr>
<tr>
<td>Symphoricarpus occidentalis</td>
<td>Western snowberry</td>
</tr>
<tr>
<td>Syringa spp.</td>
<td>Lilac</td>
</tr>
<tr>
<td>Viburnum lantana</td>
<td>Wayfaring tree</td>
</tr>
<tr>
<td>Viburnum lentango</td>
<td>Nannyberry</td>
</tr>
</tbody>
</table>

Amenity Space

1106  (1) A patio may be located in a setback area between a multi-residential building and a property line shared with a street.

(2) Amenity space may be provided as common amenity space, private amenity space or a combination of both.

(3) The required minimum amenity space is 5.0 square metres per unit.

(4) When the private amenity space provided is 5.0 square metres or less per unit, that specific area will be included to satisfy the amenity space requirement.

(5) When the private amenity space exceeds 5.0 square metres per unit, only 5.0 square metres per unit must be included to satisfy the amenity space requirement.

(6) Where a patio is located within 4.0 metres of a lane or another parcel, it must be screened.

(7) Private amenity space must:

(a) be in the form of a balcony, deck or patio; and

(b) have no minimum dimensions of less than 2.0 metres.
(8) **Common amenity space:**
   (a) may be provided as *common amenity space – indoors* and as *common amenity space – outdoors*;
   (b) must be accessible from all the *units*;
   (c) must have a contiguous area of not less than 50.0 square metres with no dimension less than 6.0 metres;
   (d) must not be located in a required *setback area*; and
   (e) may be located at or above *grade*.

(9) A maximum of 50.0 per cent of the required *amenity space* may be provided as *common amenity space – indoors*.

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

**Motor Vehicle Parking Stall Requirements**

1107 (1) Where a *building* contains three or more *units* with shared entrance facilities in a *Multi-Residential Development*, 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) Where a *building* contains three or more *units* with no shared entrance facilities in a *Multi-Residential Development*, the minimum *motor vehicle parking stall* requirement:
   (a) for each *Dwelling Unit* or *Live Work Unit* is 1.0 stalls for resident parking;
   (b) for each *Dwelling Unit* is 0.15 *visitor parking stalls* per *unit*; and
   (c) for each *Live Work Unit* is 0.5 *visitor parking stalls* per *unit*.

(3) Where a *building* is a *Single Detached Dwelling*, a *Semi-detached Dwelling* or a *Duplex Dwelling* in a *Multi-Residential Development*, the minimum *motor vehicle parking stall* requirement:
(a) for each **Dwelling Unit** or **Live Work Unit** is 1.0 stalls for resident parking;

(b) for each **Dwelling Unit** is 0.15 *visitor parking stalls* per unit; and

(c) for each **Live Work Unit** is 0.5 *visitor parking stalls* per unit.

(4) *deleted* 48P2020

(5) *deleted* 48P2020

(6) *deleted* 48P2020

(6.1) *deleted* 48P2020
Bicycle Parking Stall Requirement

1108 (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; and
   
   (ii) 0.5 stalls per unit where the total number of units equals or exceeds 20; and

(b) all other uses is the minimum requirement referenced in Part 4.

(2) The minimum number of bicycle parking stalls – class 2 for:

(a) each Dwelling Unit and Live Work Unit is:

   (i) 2.0 stalls for developments of 20 units or less; and
   
   (ii) 0.1 stalls per unit for developments of more than 20 units; and

(b) all other uses is 5.0 per cent of the number of motor vehicle parking stalls.
Exclusive Use of Bicycle Parking Stalls

1109 Bicycle parking stalls – class 1 provided for Dwelling Units and Live Work Units are for the exclusive use of residents.

Accessory Residential Buildings

1110 (1) An Accessory Residential Building:
   (a) may have an amenity space in the form of a deck or a patio;
   (b) must not be located in a required setback area; and
   (c) must not be located between a building containing Dwelling Units and a street.

   (2) The maximum gross floor area of an Accessory Residential Building is:
       (a) 75.0 square metres when approved as storage, garbage containers and recycling facilities; and
       (b) 100.0 square metres when approved and used as a private garage.

   (3) The maximum height for an Accessory Residential Building when approved as a private garage is 5.0 metres measured from grade.

Objects Prohibited or Restricted

1111 (1) A recreational vehicle must not remain in an actual front setback area for longer than 24 hours.

   (2) A trailer used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste must not remain in an actual front setback area except engaged in loading or unloading.

   (3) A dilapidated vehicle must not remain outside of a building.

   (4) A large vehicle must not remain on a parcel except while engaged in loading or unloading.

   (5) A satellite dish antenna greater than 1.0 metre in diameter must not:
       (a) be located in an actual front setback area or in an actual side setback area of a corner parcel; and
       (b) be illuminated.

   (6) Subsection (5) does not apply to a satellite dish greater than 1.0 metre in diameter when the applicant demonstrates:
       (a) compliance with subsection (5) would prevent signal reception; and
       (b) the satellite dish will be located and screened to the satisfaction of the Development Authority.
Driveway Length and Parking Areas

1112 (1) A driveway must not have direct access to a major street unless:

(a) there is no practical alternative method of vehicular access to the parcel; and

(b) a turning space is provided on the parcel to allow all vehicles exiting to face the major street.

(2) A driveway connecting to a street must:

(a) be a minimum of 6.0 metres in length, when measured along the intended direction of travel for vehicles from the back of the public sidewalk or curb; and

(b) be a minimum of 3.0 metres in width.

(3) A driveway connecting to a lane must:

(a) be a minimum of 0.60 metres in length, when measured along the intended direction of travel for vehicles; and

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

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

Vehicle Access

1113 (1) Unless otherwise referenced in subsection (2), where the parcel shares a rear or side property line with a lane, all vehicle access to the parcel must be from the lane.

(2) Where a parcel shares a rear or side property line with a lane but access from the lane is not physically feasible due to elevation differences between the parcel and the lane, all vehicle access must be from a street.

Uses At Grade

1114 (1) An exterior access facing a street must be provided for each individual use or unit located on the floor closest to grade facing a street, which must be connected to the public sidewalk by an individual walkway.

(2) For laned parcels, the area between a building and a street must:

(a) be a landscaped area;

(b) not provide motor vehicle access, parkade access, garbage or loading access; and

(c) not contain motor vehicle parking stalls, loading stalls, garbage facilities or parkade and building venting.
Garbage

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

Recycling Facilities

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

Mechanical Screening

1117 Mechanical systems or equipment that are located outside of a building must be screened.

Visibility Setback

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

Retaining Walls

1119 (1) A retaining wall must be less than 1.2 metres in height when measured from the lowest grade at any point adjacent to the retaining wall to the highest grade retained by the retaining wall.

(2) A minimum horizontal separation of 1.0 metres must be maintained between retaining walls on a parcel.

Fences

1120 The height of a fence above grade at any point along a fence line must not exceed:

   (a) 1.2 metres for that portion of the fence extending beyond the foremost portion of all buildings on the parcel;

   (b) 2.0 metres for that portion of the fence that does not extend beyond the foremost portion of all buildings on the parcel; and

   (c) 2.5 metres to the highest point of a gateway provided that the gateway does not exceed more than 2.5 metres in length.

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

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

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

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

Parcel Access

1121 All *developments* must comply with the Controlled Streets Bylaw.
Division 2: Centre City Multi-Residential High Rise District (CC-MH)

Purpose

1122 The Centre City Multi-Residential High Rise District:

(a) is intended to provide for Multi-Residential Development on sites within the Centre City area of the city;

(b) has Multi-Residential Development that will provide intense development;

(c) has Multi-Residential Development where intensity is measured by floor area ratio to provide flexibility in building form and Dwelling Unit size and number;

(d) provides a building form that is street oriented at grade;

(e) has a maximum base density with the opportunity for a density bonus over and above base density to achieve public benefit and amenities within the same community;

(f) is primarily residential with a limited range of uses in the Care and Health Group and the Culture and Leisure Group of Schedule A of this Bylaw; and

(g) provides landscaping to complement the design of the development, relationship to the public realm and help to screen and buffer elements of the development that may have impacts on residents or nearby parcels.

Permitted Uses

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

(a) Accessory Residential Building;

(a.1) Home Based Child Care – Class 1;

(b) Home Occupation – Class 1;

(c) Park;

(d) Protective and Emergency Service;

(e) Sign – Class A; and

(e.1) deleted

(f) Utilities.

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

(a) School Authority – School; and

(b) School Authority Purpose – Minor.
Discretionary Uses

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

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

17P2009

5P2013

4P2013

33P2019

33P2019

(2) The following uses are additional discretionary uses if they are located in buildings used or previously used as a School Authority – School in the Centre City Multi-Residential High Rise District:

(a)  Library;
(b)  Museum;
(c)  School – Private;
(d)  School Authority Purpose – Major; and
(e)  Service Organization.

33P2019

(3) The following uses are additional discretionary uses on a parcel in the Centre City Multi-Residential High Rise District that has a building used or previously used as a School Authority - School:

(a)  Community Recreation Facility;
(b) Food Kiosk;
(c) Indoor Recreation Facility;
(d) Outdoor Recreation Area;
(e) Park Maintenance Facility – Large; and
(f) Park Maintenance Facility – Small.

(4) The following uses are additional discretionary uses in the Centre City Multi-Residential High Rise District if they are located on a parcel that is used or was previously used as Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:

(a) Backyard Suite;
(a.1) Duplex Dwelling;
(b) Secondary Suite;
(c) deleted
(d) deleted
(e) Semi-detached Dwelling; and
(f) Single Detached Dwelling.

(5) The following uses are additional discretionary uses on a parcel that has an existing building used as a Place of Worship – Large or Place of Worship – Medium provided any new development proposed does not result in the increase of any assembly area:

(a) Place of Worship – Large; and
(b) Place of Worship – Medium.

Rules
1125 In addition to the rules in this District, all uses in this District must comply with:

(a) the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1;
(b) the Rules Governing All Districts referenced in Part 3; and
(c) the applicable Uses And Use Rules referenced in Part 4.

Floor Area Ratio
1126 (1) The maximum floor area ratio is 5.0.
(2) The maximum floor area ratio may be increased in accordance with the bonus provisions contained in Part 11, Division 7.
Setback Area
1127 The depth of all setback areas must be equal to the minimum building setback required in section 1128.

Building Setbacks
1128 (1) The building setback from a property line shared with a street is a minimum of 3.0 metres and a maximum of 6.0 metres.

(2) The minimum building setback from a property line shared with a lane or another parcel is zero metres.

Floor Plate Restrictions
1129 Each floor of a building located partially or wholly above 25.0 metres above grade has a maximum:
   (a) floor plate area of 650.0 square metres; and
   (b) horizontal dimension of 37.0 metres.

Building Height
1130 There is no maximum building height.

Landscaping
1131 A minimum of 35 per cent of the area of a parcel must be a landscaped area.

Parking
1131.1 The minimum number of required motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls - class 1 and bicycle parking stalls - class 2 is the requirement specified in the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1.
Division 3: Centre City Multi-Residential High Rise Support Commercial District (CC-MHX)

Purpose
1132 The Centre City Multi-Residential High Rise Support Commercial District:
   (a) is intended to provide for Multi-Residential Development on sites within the Centre City area of the city;
   (b) has Multi-Residential Development that will provide intense development;
   (c) has Multi-Residential Development where intensity is measured by floor area ratio to provide flexibility in building form and Dwelling Unit size and number;
   (d) provides a building form that is street oriented at grade;
   (e) has a maximum base density with the opportunity for a density bonus over and above base density to achieve public benefit and amenities within the same community; and
   (f) is primarily residential with a limited range of uses in the Care and Health Group, the Culture and Leisure Group and a limited range of support commercial uses, restricted in size and location within the building.

Permitted Uses
1133 (1) The following uses are permitted uses in the Centre City Multi-Residential High Rise Support Commercial District:
   (a) Accessory Residential Building;
   (a.1) Home Based Child Care – Class 1; 17P2009
   (b) Home occupation – Class 1;
   (c) Park;
   (d) Protective and Emergency Service;
   (e) Sign – Class A;
   (f) Sign – Class B; and
   (f.1) deleted 10P2009, 4P2012
   (g) Utilities.

(2) The following uses are permitted uses in the Centre City Multi-Residential High Rise Support Commercial District if they are within existing approved buildings:
   (a) Artist’s Studio;
   (b) Convenience Food Store;
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(c) Counselling Service;
(d) Fitness Centre;
(d.1) Information and Service Provider;
(e) Instructional Facility;
(f) Library;
(g) Medical Clinic;
(h) Office;
(i) Power Generation Facility – Small;
(j) Print Centre;
(k) Retail and Consumer Service;
(l) Service Organization;
(m) Specialty Food Store; and
(n) Take Out Food Service.

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

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

Discretionary Uses

1134 (1) Uses listed in subsection 1133(2) are discretionary uses if they are located in proposed buildings or proposed additions to buildings in the Centre City Multi-Residential High Rise Support Commercial District.

(2) Uses listed in subsection 1133(2) are discretionary uses if they are proposed in a building which, at the time the application is made, had a use not listed in this District.

(3) The following uses are discretionary uses in the Centre City Multi-Residential High Rise Support Commercial District:

(a) Addiction Treatment;
(b) Assisted Living;
(b.1) Cannabis Counselling;
(c) Child Care Service;
(d) Community Entrance Feature;
(e) Community Recreation Facility;
(f) Custodial Care;
(g) Drinking Establishment – Small;
(h) Dwelling Unit;
(i) Home Occupation - Class 2;
(j) Hotel;
(k) Live Work Unit;
(k.1) deleted
(l) Multi-Residential Development;
(m) Outdoor Café;
(n) Place of Worship – Small;
(o) Place of Worship – Medium;
(p) Residential Care;
(q) Restaurant Food Service Only – Small;
(r) Restaurant Licensed - Small;
(r.1) Sign – Class C; 28P2016, 25P2018
(s) Sign – Class D;
(s.1) Sign – Class E; 5P2013
(t) deleted 4P2013
(u) Temporary Residential Sales Centre; 10P2009
(u.1) Urban Agriculture; and 33P2019
(v) Utility Building.

(4) The following uses are additional discretionary uses if they are located in buildings used or previously used as a School Authority – School in the Centre City Multi-Residential High Rise Support Commercial District:

(a) Library;
(b) Museum;
(c) School – Private;
(d) School Authority Purpose – Major; and
(e) Service Organization.

(5) The following uses are additional discretionary uses on a parcel in the Centre City Multi-Residential High Rise Support Commercial District that has a building used or previously used as a School Authority – School:
(a) Community Recreation Facility;
(b) Food Kiosk;
(c) Indoor Recreation Facility;
(d) Outdoor Recreation Area;
(e) Park Maintenance Facility - Large; and
(f) Park Maintenance Facility – Small.

The following uses are additional discretionary uses in the Centre City Multi-Residential High Rise Support Commercial District if they are located on a parcel that is used or was previously used as Duplex Dwelling, Semi-detached Dwelling or Single Detached Dwelling:

(a) Backyard Suite;
(a.1) Duplex Dwelling;
(b) Secondary Suite;
(c) deleted
(d) deleted
(e) Semi-detached Dwelling; and
(f) Single Detached Dwelling.

Rules
1135 In addition to the rules in this District, all uses in this District must comply with:

(a) the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1;
(b) the Rules Governing All Districts referenced in Part 3; and
(c) the applicable Uses And Use Rules referenced in Part 4.

Maximum Floor Area Ratio
1136 (1) The maximum floor area ratio is 5.0.

(2) The maximum floor area ratio may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

Setback Area
1137 The depth of all setback areas must be equal to the minimum building setback required in section 1138.

Building Setbacks
1138 (1) The building setback from a property line shared with a street for the following streets is a minimum of 1.5 metres and a maximum of 3.0 metres:
(a) 1 Street SE;
(b) 11 Street SW;
(c) 12 Avenue SW; and
(d) 16 Avenue SW.

(2) The building setback from a property line shared with all other streets is a minimum of 3.0 metres and a maximum of 6.0 metres.

(3) The minimum building setback from a property line shared with a lane or another parcel is zero metres.

Floor Plate Restrictions
1139 Each floor of a building located partially or wholly above 25.0 metres above grade has a maximum:

(a) floor plate area of 650.0 square metres; and
(b) horizontal dimension of 37.0 metres.

Building Height
1140 There is no maximum building height.

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

Use Area
1142 (1) Unless otherwise referenced in subsection (3) and (4), the maximum use area for uses on the ground floor of buildings in the Centre City Multi-Residential High Rise Support Commercial District is 300.0 square metres.

(2) Unless otherwise referenced in subsection (3), there is no maximum use area requirement for uses located on upper floors in the Centre City Multi-Residential High Rise Support Commercial District.

(3) The total of all use areas for Medical Clinic and Counselling Service within a building must not exceed 600.0 square metres.

(4) The following uses do not have a ground floor use area restriction:

(a) Addiction Treatment;
(b) Assisted Living;
(c) Custodial Care;
(d) Hotel;
(e) Place of Worship – Medium;
(f) Place of Worship – Small;
(g) Protective and Emergency Service;
(h) Residential Care; and
(i) Utility Building.

Location of Uses Within Buildings

1143 (1) Counselling Service, Instructional Facility – Inside, Medical Clinic, Office, and Service Organization uses must not be located on the ground floor of buildings.

(2) “Commercial Uses” and Live Work Units:
   (a) must be located on the first 2 floors only, with the exception of Hotel uses;
   (b) may be located on the same floor as Addiction Treatment, Custodial Care, Dwelling Units, Hotel and Residential Care;
   (c) must not share an internal hallway with Addiction Treatment, Custodial Care, Dwelling Units, Hotel and Residential Care;
   (d) must have a separate exterior entrance from that of the Dwelling Units; and
   (e) must not be located above any Dwelling Unit.

(3) Where this section refers to “Commercial Uses”, it refers to the listed permitted and discretionary uses in section 1133 and 1134, other than Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, Home Occupation - Class 1, Home Occupation - Class 2, Multi-Residential Development, Hotel, Live Work Unit, Place of Worship – Small, Place of Worship – Medium, Protective and Emergency Service, Residential Care and Utility Building uses.

(4) A minimum of 80 per cent of the gross floor area of buildings in the Centre City Multi-Residential High Rise Support Commercial District must contain Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units, Hotel, Live Work Units, Place of Worship – Small, Place of Worship – Medium, Protective and Emergency Service, Residential Care or Utility Building uses.

(5) Outdoor Café uses must:
   (a) only be located between a street and the use to which it is subordinate; and
   (b) not be located on the same block face where Dwelling Units or Live Work Units are located at grade.
Hotel Uses

1144 Hotel uses must:

(a) consist of guest rooms and the ancillary reception functions and restaurant uses only;
(b) not provide convention, banquet and meeting room facilities;
(c) provide only the reception and other ancillary functions and restaurant uses on the ground floor; and
(d) locate guest rooms above the ground floor.

Parking

1144.1 The minimum number of required motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls – class 1 and bicycle parking stalls – class 2 is the required specified in the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1.

Use of Parking Areas

1145 (1) Only those uses listed in the Residential Group of Schedule A to this Bylaw, with the exception of Hotel uses, may share an area of a parking structure with residential uses.

(2) All uses may share an entrance to areas of a parking structure.
### Division 4: General Rules for Centre City Commercial Land Use Districts

#### Projections into Setback Areas

**1146 (1)** Unless otherwise referenced in this section, a **building** must not be located in any **setback area**.

**1146 (2)** Portions of a **building** located above the surface of the ground may project into a **setback area** only in accordance with the rules contained in this section.

**1146 (3)** Portions of a **building** below the surface of the ground may extend without any limits into a **setback area**.

**1146 (4)** Wheelchair ramps may project without any limits into a **setback area**.

**1146 (5)** Eaves may project a maximum of 0.6 metres, and window wells may project a maximum of 0.8 metres, into any **setback area**.

**1146 (6)** **Landings** not exceeding 2.5 square metres, ramps other than wheelchair ramps and unenclosed stairs may project into any **setback area**.

**1146 (7)** **Signs** may be located in any **setback area**, and where so located must be in accordance with Part 3, Division 5.

#### General Landscaped Area Rules

**1147 (1)** **Landscape areas** must be provided in accordance with a landscape plan approved by the **Development Authority**.

**1147 (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 indicated 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.

**1147 (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.

(5) For the purpose of determining the minimum number of trees and shrubs in a setback area, portions of setback areas that are paved for sidewalks and vehicle access, utility rights of way, or any other purpose allowed by the Development Authority must be included in the calculation of the required area even though they are not capable of sustaining trees and shrubs.

(6) If the minimum setback area is not capable of sustaining trees and shrubs, additional area on the parcel located adjoining the setback area must be provided for the trees and shrubs.

Planting Requirements

1148 (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.

(2) A minimum of 25.0 per cent of all trees required must be coniferous.

(2.1) Landscaped areas may include Urban Agriculture.

(3) Deciduous trees must have a minimum calliper of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum calliper of 75 millimetres at the time of planting.

(4) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must 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

1149 (1) When a low water irrigation system is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.

(2) When a low water irrigation system is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

Additional Landscaping Requirements

1150 (1) Unless otherwise referenced in a District, all setback areas on a parcel, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the Development Authority, must be a landscaped area.

(2) All areas of a parcel must be a landscaped area unless specifically allowed by the Development Authority.
(3) Every building on a parcel must have at least one sidewalk connecting the public entrance to a public sidewalk, or in the case where there is no public sidewalk, to the nearest street.

(4) Where a building contains more than one use, every use that has an exterior public entrance must either:
   (a) have a sidewalk connecting the public entrance to the sidewalk required by subsection (3); or
   (b) have a sidewalk connecting that public entrance to a public sidewalk.

(5) Every building on a parcel must have at least one sidewalk connecting the parking area to the public entrances of the building.

(6) Where a sidewalk provided in satisfaction of this section is next to a portion of a building, the sidewalk must extend along the entire length of that side of the building.

(7) Every sidewalk provided must:
   (a) be a hard surfaced landscaped area;
   (b) be a minimum width of 2.0 metres;
   (c) have different surfacing than the surfacing of the parking areas on the parcel; and
   (d) be raised above the surface of the parking area when located in a parking area.

Residential Amenity Space

1151 (1) A patio may be located in a setback area between a multi-residential building and a property line shared with a street.

(2) Amenity space may be provided as common amenity space, private amenity space or a combination of both.

(3) The required minimum amenity space is 5.0 square metres per unit.

(4) When the private amenity space provided is 5.0 square metres or less per unit, that specific area will be included to satisfy the amenity space requirement.

(5) When the private amenity space exceeds 5.0 square metres per unit, only 5.0 square metres per unit must be included to satisfy the amenity space requirement.

(6) Where a patio is located within 4.0 metres of a lane or another parcel, it must be screened.

(7) Private amenity space must:
   (a) be in the form of a balcony, deck or patio; and
   (b) have no minimum dimensions of less than 2.0 metres.
(8) **Common amenity space:**
(a) may be provided as *common amenity space – indoors* and as *common amenity space – outdoors*;
(b) must be accessible from all the *units*;
(c) must have a contiguous area of not less than 50.0 square metres with no dimension less than 6.0 metres;
(d) must not be located in a required *setback area*; and
(e) may be located at or above *grade*.

(9) A maximum of 50.0 per cent of the required *amenity space* may be provided as *common amenity space – indoors*.

(10) **Common amenity space – outdoors:**
(a) must provide a *balcony*, *deck* or *patio* and at least one of the following as permanent features:
   (i) a barbeque; or
   (ii) seating; and
(b) must be used in the calculation of the required *landscaped area* when located below 25 metres above *grade*.

**Visibility Setback**

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

**Mechanical Screening**

1153 Mechanical systems or equipment that are located outside of a *building* must be *screened*.

**Garbage**

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

**Recycling Facilities**

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

**Screening**

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

1157 (1) For developments 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) deleted

(3) deleted

(4) deleted
Exclusive Use of Motor Vehicle Parking Stalls

1158 deleted

Required Bicycle Parking Stalls

1159 (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; and
   (ii) 0.5 stalls per unit where the total number of units equals or exceeds 20; and

(b) all other uses is the minimum requirement referenced in Part 4.

(2) The minimum number of bicycle parking stalls – class 2 for:

(a) each Dwelling Unit and Live Work Unit is:
   (i) 2.0 stalls for developments of 20 units or less; and
   (ii) 0.1 stalls per unit for developments of more than 20 units; and

(b) all other uses is 5.0 per cent of the number of motor vehicle parking stalls.
Exclusive Use of Bicycle Parking Stalls

1160 Bicycle parking stalls – class 1 provided for Dwelling Units and Live Work Units are for the exclusive use of residents.

Parcel Access

1161 All developments must comply with the access requirements of the Controlled Streets Bylaw.
Division 5: Centre City Mixed Use District (CC-X)

Purpose

1162 The Centre City Mixed Use District:

(a) is intended to provide for a mix of commercial, residential and a limited range of light industrial uses on sites within the Centre City area;

(b) is intended for mixed uses that are sensitive to adjacent districts that allow residential uses;

(c) provides intense development where intensity is measured by floor area ratio;

(d) provides a building form that is street oriented at grade; and

(e) has a maximum base density with the opportunity for a density bonus over and above base density to achieve commercial-residential mixed use, public benefit and amenities within the same community.

Permitted Uses

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

(a) Park;

(b) Sign – Class A;

(c) Sign – Class B;

(d) Sign – Class D; and

(d.1) deleted

(e) Utilities.

1163 (2) The following uses are permitted uses in the Centre City Mixed Use District if they are located within existing approved buildings:

(a) Accessory Food Service;

(b) Catering Service – Minor;

(c) Convenience Food Store;

(d) Counselling Service;

(e) Fitness Centre;

(f) Health Services Laboratory – With Clients;

(g) Home Based Child Care – Class 1;

(h) Home Occupation – Class 1;

(i) Information and Service Provider;

(j) Library;
(k) Medical clinic;
(l) Office;
(m) Pet Care Service;
(n) Power Generation Facility—Small;
(o) Print Centre;
(p) Protective and Emergency Service;
(q) Radio and Television Studio;
(r) Restaurant: Food Service Only—Small;
(s) Retail and Consumer Service;
(t) Service Organization;
(u) Specialty Food Store;
(v) Take Out Food Service; and
(w) Temporary Residential Sales Centre.

**Discretionary Uses**

**1164**

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

(2) **Uses** listed in subsection 1163(2) are *discretionary uses* if they are proposed in an existing **building** that does not have at least one **use** listed in this District that has been approved after the **parcel** was designated as a commercial land use district.

**32P2009**

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

(a) Accessory Liquor Service;
(b) Addiction Treatment;
(c) Artist’s Studio;
(c.1) Assisted Living;
(c.2) Beverage Container Quick Drop Facility;
(d) Billiard Parlour;
(d.1) Brewery, Winery and Distillery;
(d.2) Cannabis Counselling;
(d.3) Cannabis Store;
(e) Child Care Service;
(f) Cinema;
(f.1) Community Recreation Facility;
(g) Computer Games Facility;
(g.1) Conference and Event Facility;
(h) Custodial Care;

(i) Dinner Theatre;

(j) Drinking Establishment – Medium

(k) Drinking Establishment – Small;

(l) Dwelling Unit;

(m) Financial Institution;

(m.1) Food Kiosk; 2P2012

(n) General Industrial – Light;

(o) Home Occupation – Class 2;

(p) Hotel;

(q) Indoor Recreation Facility;

(r) Instructional Facility;

(r.1) Kennel; 46P2019

(s) Liquor Store;

(t) Live Work Unit;

(t.1) Market; 5P2013, 42P2019

(t.2) deleted 28P2016, 25P2018

(u) Multi-Residential Development;

(v) Night Club;

(w) Outdoor Café;

(x) Parking Lot – Grade (Temporary);

(y) Parking Lot – Structure;

(z) Pawn Shop;

(z.1) Payday Loan 43P2015

(aa) Performing Arts Centre;

(bb) Place of Worship – Small;

(cc) Place of Worship – Medium;

(dd) Post-secondary Learning Institution;

(ee) Residential Care;

(ff) Restaurant: Food Service Only – Medium;

(gg) Restaurant: Licensed – Medium; 35P2019

(hh) Restaurant: Licensed – Small; 35P2019

(hh.1) Restaurant: Neighbourhood; 35P2019, 2P2012
(hh.2) **School – Private**;

(hh.3) **School Authority – School**;

(ii) **Seasonal Sales Area**;

(jj) **Sign – Class C**;

(kk) **Sign – Class E**;

(ll) **Sign – Class F**;

(ll.1) *deleted*

(mm) **Social Organization**;

(nn) **Special Function – Class 2**;

(oo) **Supermarket**;

(oo.1) **Urban Agriculture**;

(pp) **Utility Building**; and

(qq) **Veterinary Clinic**.

(4) An existing **Sign – Class G** is a *discretionary use* where:

(a) it existed on the **parcel** prior to March 1, 2013; and

(b) the previously approved **development permit** issued by the **City** has not expired.

**Rules**

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

(a) the General Rules for Centre City Commercial Land Use Districts referenced in Part 11, Division 4;

(b) the Rules Governing All Districts referenced in Part 3; and

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

**Floor Area Ratio**

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

(a) for **parcels** between 12 and 13 Avenue and West of 1 Street SE:

(i) 3.0 for **uses** referenced in sections 1163 and 1164; or

(ii) 5.0 for **Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development** and **Hotel uses**

(b) for **parcels** between 15 and 17 Avenue and west of 1 Street SE is 3.0;

(c) for all other **parcels**:

(i) 5.0; or
The maximum floor area ratio in subsection (i) may be increased by a floor area ratio of 3.0 when this additional floor area is used for Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development and Hotel uses.

For developments located east of Macleod Trail SE the maximum floor area ratio is:

(a) 7.0 for the parcels SW-14-24-1-5 and Plan 0716155 Area B;
(b) for parcels between the CPR tracks and 11 Avenue and Olympic Way and 6 Street SE:
   (i) 5.0 for uses referenced in sections 1163 and 1164; or
   (ii) the maximum floor area ratio in subsection (i) may be increased by a floor area ratio of 3.0 when this additional floor area is used for Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development and Hotel uses; and
(c) 5.0 for all other parcels.

The maximum floor area ratio referenced in (1) and (2) may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

Building Height
1167 There is no maximum building height.

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

Front Setback Area
1169 (1) The front setback area must have a minimum depth of 1.5 metres and a maximum depth of 3.0 metres for parcels located on the following streets:
   (a) 4 Street SW;
   (b) 8 Street SW;
   (c) 11 Street SW;
   (d) 11 Avenue (west of Olympic Way SE); and
   (e) 12 Avenue (west of Macleod Trail SE).

(2) The front setback area must have a minimum depth of 1.5 metres and a maximum depth of 6.0 metres for parcels located on the following streets:
   (a) 1 Street SE;
(b) 14 Street SW;
(c) 10 Avenue; and
(d) Macleod Trail SE.

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

(a) 1 Street SW;
(b) 17 Avenue; and
(c) Olympic Way SE.

(4) The **front setback area** must have a minimum depth of 3.0 metres and a maximum depth of 6.0 metres for *parcels* located on the following *streets*:

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

Rear Setback Area

1170 (1) Where the *parcel* shares a **rear property line** with a *parcel* designated as:

(a) a **commercial district**, there is no requirement for a **rear setback area**; and

(b) a **residential district** or a **special purpose district** the **rear setback area** must have a minimum depth of 3.0 metres.
(2) Where the parcel shares a rear property line with:

(a) an LRT corridor, or rail corridor, the rear setback area must have a minimum depth of 3.0 metres;

(b) a lane that separates the parcel from a parcel designated as a residential district or a special purpose district, the rear setback area must have a minimum depth of 3.0 metres;

(c) a lane, in all other cases, there is no requirement for a rear setback area; and

(d) a street, the front setback area requirement referenced in section 1169 applies.

Side Setback Area
1171 (1) Where the parcel shares a side property line with a parcel designated as:

(a) a commercial district, there is no requirement for a side setback area; and

(b) a residential district or a special purpose district the side setback area must have a minimum depth of 3.0 metres.

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

(a) an LRT corridor, or rail corridor, the side setback area must have a minimum depth of 3.0 metres;

(b) a lane that separates the parcel from a parcel designated as a residential district or a special purpose district, the side setback area must have a minimum depth of 3.0 metres;

(c) a lane, in all other cases, there is no requirement for a side setback area; and

(d) a street, the front setback area requirement referenced in section 1169 applies.

Floor Plate Restrictions
1172 (1) When located within the area bounded by the CPR tracks, Macleod Trail SE, 12 Avenue and 8 Street SW, each floor of a building located partially or wholly above 36.0 metres above grade, and containing Dwelling Units, Hotel suites or Live Work Units, has a maximum:

(a) floor plate area of 930.0 square metres; and

(b) horizontal dimension of 44.0 metres.

(2) In all other locations, each floor of a building located partially or wholly above 36.0 metres above grade, and containing Dwelling Units, Hotel suites or Live Work Units, has a maximum:

(a) floor plate area of 650.0 square metres; and

(b) horizontal dimension of 37.0 metres.
Landscaping

1173 (1) A minimum of 30% of the area of the parcel must be a landscaped area.

(2) Landscaping provided at grade or below 36.0 metres above grade may be credited towards the landscaped area requirement.

Landscaping In Setback Areas

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

(2) Where a setback area shares a property line with a lane and approved access to the parcel is from the lane, there is no requirement for soft surfaced landscaped area or hard surfaced landscaped area for that setback area.

(3) Where a setback area shares a property line with an LRT corridor or a parcel designated as a residential district, the setback area must:

   (a) be a soft surfaced landscaped area;

(b) have a minimum of 1.0 trees and 2.0 shrubs:

   (i) for every 30.0 square metres; or

   (ii) for every 45.0 square metres where irrigation is provided by a low water irrigation system; and

(c) provide trees planted in a linear arrangement along the length of the setback area.

32P2020

(4) deleted

(5) Where a setback area shares a property line with a lane that separates the parcel from a parcel designated as a residential district and there is no access from the lane, the setback area:

(a) must be a soft surfaced landscaped area; and

(b) must provide a minimum of 1.0 trees and 2.0 shrubs:

   (i) for every 35.0 square metres; or

   (ii) for every 50.0 square metres where irrigation is provided by a low water irrigation system.
Location of Uses within Buildings

1175 (1) The following uses must not be located on the ground floor of buildings:

(a) Catering Service – Minor;
(b) Community Recreation Facility;
(c) Counselling Service;
(d) Health Services Laboratory – with Clients;
(e) deleted
(f) Indoor Recreation Facility;
(g) Instructional Facility;
(h) Medical Clinic;
(i) Place of Worship – Small;
(j) Radio and Television Studio; and
(k) Service Organization;

(2) Only those uses listed in the Residential Group of Schedule A to this Bylaw, with the exception of Hotel uses, may share a hallway with residential uses.

(3) All uses must be contained completely within a building, with the exception of Outdoor Café uses.

(4) deleted

(5) Only those uses listed in the Residential Group of Schedule A to this Bylaw, with the exception of Hotel uses, may share an area of a parking structure with residential uses.

(6) All uses may share an entrance to areas of a parking structure.

(7) When not combined with other uses in a comprehensive development the General Industrial – Light use may be allowed only in a building that was legally existing or approved prior to the effective date of this Bylaw.

Use Area

1176 (1) Unless otherwise referenced in subsection (3), (4) or (5), the maximum use area for uses on the ground floor of buildings in the Centre City Mixed Use District is 1200.0 square metres.

(2) Unless otherwise referenced in subsection (3), (4) or (5), there is no maximum use area requirement for uses located on upper floors in the Centre City Mixed Use District.
(3) The maximum use area of:

(a) Night Club is 300.0 square metres; and

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

(4) General Industrial – Light does not have a use area restriction when located in a building that was legally existing or approved prior to the effective date of this Bylaw.

(5) The following uses do not have a use area restriction:

(a) Addiction Treatment;

(b) Assisted Living;

(c) Custodial Care;

(d) Hotel;

(e) Place of Worship – Medium;

(f) Place of Worship – Small;

(g) Protective and Emergency Service;

(h) Residential Care; and

(i) Utility Building.

Motor Vehicle Parking Stall Requirements

1177 (1) Unless otherwise specified in this section, the minimum number of required motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls – class 1 and bicycle parking stalls – class 2 is the requirement specified in the General Rules for Centre City Commercial Land Use Districts referenced in Part 11, Division 4.

(2) For the area bounded by the CPR tracks, the Elbow River, 12 Avenue and 14 Street SW, the motor vehicle parking stall requirement is:

(a) no requirement for Cinema, Dinner Theatre, Drinking Establishment – Small, Drinking Establishment – Medium, Night Club, Performing Arts Centre, Restaurant: Food Service Only – Small, Restaurant: Food Service Only-Medium, Restaurant: Licensed – Small and Restaurant: Licensed – Medium;

(b) unless specified in subsection (b.1), a minimum of 1.0 stall per 100.0 square metres of gross usable floor area for Information and Service Provider, Liquor Store, Office, Pet Care Service, Print Centre, Retail and Consumer Service and Take Out Food Service;
(b.1) no requirement for Computer Games Facility, Convenience Food Store, Food Kiosk, Liquor Store, Outdoor Café and Retail and Consumer Service located on the ground floor of a building where:

(i) the building contains a Dwelling Unit, Hotel, Multi-Residential Development, or Office located above the ground floor; or

(ii) the use area is less than 465.0 square metres;

(c) a maximum of 1.5 stalls per Dwelling Unit; and

(d) For all uses other than Dwelling Units:

(i) a maximum of 100 per cent of the minimum required motor vehicle parking stalls may be provided for developments; and

(ii) the development authority may consider a relaxation of the minimum number of required motor vehicle parking stalls for developments of up 25 per cent only where:

(A) an off-site transportation improvements in lieu of parking fee is paid, calculated at the rate per motor vehicle parking stall established by Council in effect at the time the payment is made; and

(B) the rules in section 124 are met.

Supplies and Products

1178 All materials, supplies and products must be contained within a building.
Division 6: Centre City Commercial Corridor District (CC-COR)

Purpose

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

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

Permitted Uses

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

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

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

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

Discretionary Uses

1181 (1) Uses listed in subsection 1180(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Centre City Commercial Corridor District.

(2) Uses listed in subsection 1180(2) are discretionary uses if they are proposed in an existing building that does not have at least one use listed in this District that has been approved after the parcel was designated as a commercial land use district.

(3) The following uses are discretionary uses in the Centre City Commercial Corridor District:

(a) Accessory Liquor Service;
(b) Addiction Treatment;
(c) Artist’s Studio;
(c.1) Assisted Living;
(d) Billiard Parlour;
(d.1) Brewery, Winery and Distillery; 22P2016
(d.2) Cannabis Counselling; 25P2018
(d.3) Cannabis Store; 26P2018
(e) Child Care Service;
(f) Cinema;
(g) Computer Games Facility;
(g.1) Conference and Event Facility; 46P2019
(h) Custodial Care; 11
(i) Drinking Establishment – Medium;
(j) Drinking Establishment – Small;
(k) Dwelling Unit;
(k.1) Food Production; 49P2017
(l) Home Occupation – Class 2;
(m) Hotel;
(n) Indoor Recreation Facility; 32P2009, 9P2012
(o) Instructional Facility;
(o.1) Kennel; 46P2019
(p) Liquor Store;
(q) Live Work Unit;
(q.1) Market; 5P2013, 42P2019
(q.2) deleted 28P2016, 25P2018
(r) Outdoor Café;
(s) Parking Lot – Grade;
(t) Parking Lot – Structure;
(u) Pawn Shop;
(u.1) Payday Loan; 43P2015
(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;
Rules

1182 In addition to the rules in this District, all uses in this District must comply with:

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

Floor Area Ratio

1183 (1) For developments that do not contain Dwelling Units, the maximum floor area ratio is 3.0.

(2) For developments containing Dwelling Units, the maximum floor area ratio is:

(a) 3.0; or
(b) 3.0, plus the gross floor area of Dwelling Units above the ground floor, up to a maximum floor area ratio of 5.0.

(3) The maximum floor area ratio may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

Building Height

1184 There is no maximum building height.

Building Orientation

1185 (1) The main public entrance to a building must face the property line shared with a commercial street.

(2) Each at grade use facing a street must have an individual, direct access to the use from the building exterior and such access must face the street.
(3) Lobbies or entrances for upper floor uses must not occupy more than 20% of the at grade façade facing a street. For laneless parcels, portions of façades dedicated to underground parking and loading entrances must not be included as part of the at grade façade for the purposes of this rule.

(4) For laned parcels, no motor vehicle access, motor vehicle parking stalls, loading stalls, garbage facilities, parkade access/egress or parkade venting may be located between the street and an at grade use.

Building Façade
1186 (1) The length of the building façade that faces the commercial street must be a minimum of 80.0 per cent of the length of the property line it faces.

(2) In calculating the length of the building façade, the depth of any required rear or side setback areas referenced in sections 1191 and 1192 will not be included as part of the length of the property line.

Vehicle Access
1187 (1) Unless otherwise referenced in subsections (2) and (3), where the parcel shares a rear or side property line with a lane, all vehicle access to the parcel must be from the lane.

(2) Where the corner parcel shares a property line with a lane, those parcels may have vehicle access from either the lane or the street.

(3) Where a parcel shares a rear or side property line with a lane but access from the lane is not physically feasible due to elevation differences between the parcel and the lane, all vehicle access must be from a street.

Use Area
1188 (1) Unless otherwise referenced in subsection (3), the maximum use area for uses on the ground floor of buildings in the Centre City Commercial Corridor District is 465.0 square metres.

(2) Unless otherwise referenced in subsection (3), there is no maximum use area requirement for uses located on upper floors in the Centre City Commercial Corridor District.

(3) The maximum use area of a:

(a) Catering Service – Minor, or a Catering Service – Minor combined with any other use, is 300.0 square metres;

(b) Cinema, or a Cinema combined with any other use, is 550.0 square metres; and
(c) **Supermarket**, or a **Supermarket** combined with any other **use**, is 1400.0 square metres.

(4) The following **uses** do not have a **use area** restriction:

(a) **Addiction Treatment**;
(b) **Assisted Living**;
(c) **Custodial Care**;
(d) **Hotel**;
(e) **Place of Worship – Small**;
(f) **Protective and Emergency Service**;
(g) **Residential Care**; and
(h) **Utility Building**.

**Location of Uses within Buildings**

(1) The following **uses** must not be located on the ground floor of **buildings**:

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

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

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

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

Front Setback Area

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

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

(2) The front setback area must have a minimum depth of 1.5 metres and a maximum depth of 3.0 metres for parcels located on the following streets:

(a) 4 Street SW;
(b) 8 Street SW; and
(c) 12 Avenue.

(3) The front setback area must have a minimum depth of 1.5 metres and a maximum depth of 6.0 metres for parcels located on the following streets:

(a) 14 Street SW.

(4) The front setback area must have a minimum depth of 3.0 metres and a maximum depth of 6.0 metres for parcels located on the following streets:

(a) 13 Avenue SW;
(b) 14 Avenue SW;
(c) 15 Avenue SW; and
(d) 16 Avenue SW.

Rear Setback Area

1191 (1) Where the parcel shares a rear property line with a parcel designated as:

(a) a commercial district, there is no requirement for a rear setback area;
(b) an industrial district, the rear setback area must have a minimum depth of 1.2 metres;
(c) a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres; and

(d) a **special purpose district**, the **rear setback area** must have a minimum depth of 3.0 metres.

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

(a) an **LRT corridor**, the **rear setback area** must have a maximum depth of 3.0 metres;

(b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres;

(c) a **lane**, in all other cases, there is no requirement for a **rear setback area**; and

(d) a **street**, the **front setback area** requirement as referenced in section 1190 applies.

**Side Setback Area**

1192 (1) Where the **parcel** shares a **side property line** with a **parcel** designated as:

(a) a **commercial district**, there is no requirement for a **side setback area**;

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

(c) a **residential district**, the **side setback area** must have a minimum depth of 3.0 metres; and

(d) a **special purpose district**, the **side setback area** must have a minimum depth of 3.0 metres.

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

(a) an **LRT corridor**, the **side setback area** must have a maximum depth of 3.0 metres;

(b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **side setback area** must have a minimum depth of 3.0 metres;

(c) a **lane**, in all other cases, there is no requirement for a **side setback area**; and

(d) a **street**, the **front setback area** requirement as referenced in section 1190 applies.
Floor Plate Restrictions
1193 Each floor located partially or wholly above 36.0 metres above grade, and containing Dwelling Units, Hotel suites or Live Work Units, has a maximum:

(a) floor plate area of 650.0 square metres; and
(b) horizontal dimension of 37.0 metres.

Landscaping In Setback Areas
1194 (1) Where a setback area shares a property line with a street, the setback area must be a hard surfaced landscaped area.

(2) Where a setback area shares a property line with a lane and approved access to the parcel is from the lane, there is no requirement for soft surfaced landscaped area or hard surfaced landscaped area for that setback area.

(3) Where a setback area shares a property line with an LRT corridor or a parcel designated as a residential district, the setback area must:

(a) be a soft surfaced landscaped area;
(b) have a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 30.0 square metres; or
   (ii) for every 45.0 square metres where irrigation is provided by a low water irrigation system; and
(c) provide trees planted in a linear arrangement along the length of the setback area.

(4) Where a setback area shares a property line with a parcel designated as a commercial, industrial or special purpose district, the setback area:

(a) must be a soft surfaced landscaped area;
(b) may have a sidewalk along the length of the building; and
(c) must provide a minimum of 1.0 trees and 2.0 shrubs:
   (i) for every 35.0 square metres; or
   (ii) for every 50.0 square metres where irrigation is provided by a low water irrigation system.

(5) Where a setback area shares a property line with a lane that separates the parcel from a parcel designated as a residential district and there is no access from the lane, the setback area:

(a) must be a soft surfaced landscaped area;
(b) may have a sidewalk along the length of the building; and
must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres where irrigation is provided by a \textit{low water irrigation system}.

\textbf{Parking}

\begin{verbatim}
1194.1 The minimum number of required \textit{motor vehicle parking stalls, visitor parking stalls, bicycle parking stalls - class 1} and \textit{bicycle parking stalls - class 2} is the requirement specified in the General Rules for Centre City Commercial Land Use Districts referenced in Part 11, Division 4.
\end{verbatim}
Division 7: Rules Governing Centre City Bonus Overlays

General

1195 (1) The floor area ratio of the CC-MH, CC-MHX, CC-X and CC-COR land use districts may be increased from the maximum floor area ratio listed in the district in accordance with the bonus provisions of this Division.

(2) For districts other than those listed in 1195(1), including Direct Control Districts approved prior to passage of this Part, the density maximums of that district will continue to apply and those districts are not eligible for the bonus densities set out in this Division.

Bonus Area Boundaries

1196 Bonus densities set out in this Division apply only to the bonus areas indicated on Map 9.

Map 9: Bonus Area Boundaries

Bonus Area A

1197 The maximum floor area ratio with bonuses for Bonus Area A is 7.0.
PART 11 - DIVISION 7: BONUS RULES

Bonus Area B
1198 (1) Only developments containing units totaling a minimum gross floor area equal to a floor area ratio of 2.0 are eligible for bonusing under this Division.

(2) Subject to subsection (1), the maximum floor area ratio with bonuses for Bonus Area B is 9.0 for developments containing units when the bonusable floor area ratio is provided as units.

Bonus Area C
1199 The maximum floor area ratio with bonuses for Bonus Area C is 4.0.

Bonus Area D
1200 In accordance with the bonus provisions contained in this Division, the floor area ratio for Bonus Area D may be increased to a maximum of:

(a) 8.0; or

(b) 12.0, where the additional floor area ratio above 8.0 may only consist of units or Hotel guest rooms or both.

Bonus Area E
1201 The maximum floor area ratio with bonuses for Bonus Area E is 7.0.

Bonus Area F
1201.1 In accordance with the bonus provisions contained in this Division, the floor area ratio for Bonus Area F may be increased to a maximum of:

(a) 8.0; or

(b) 9.0, where the additional floor area ratio above 8.0 may only consist of units or Hotel guest rooms or both.

Bonus Area G
1201.2 In accordance with the bonus provisions contained in this Division, the floor area ratio for Bonus Area G may be increased to a maximum of 9.0, where the additional floor area ratio above 7.0 may only consist of units or Hotel guest rooms or both.

Bonus Area H
1201.3 In accordance with the bonus provisions contained in this Division, the floor area ratio for Bonus Area H may be increased to a maximum of:

(a) 8.0; or

(b) 12.0, where the additional floor area ratio above 8.0 may only consist of units or Hotel guest rooms or both.
Heritage Density Transfer Increase

1202 Notwithstanding sections 1197 to 1201.3, the maximum floor area ratio with bonuses for Bonus Areas A through H may be increased by an additional 10 per cent where:

(a) the additional 10 per cent floor area ratio is gained through a heritage density transfer from a site other than the development site, as defined for the purposes of this Division in Table 6.1; and

(b) the additional floor area gained is equal to or less than the amount being transferred from the heritage site.

1203 deleted

1204 deleted

Density Transfer Limitation

1205 (1) There is no provision for density transfer from one parcel to another other than those bonus earning items listed in Table 6.1.

(2) Bonus earning items listed in Table 6.1, heritage density transfer and park dedication transfer, may be from source sites located outside the bonus area boundaries set out in section 1196 and shall be located within the community in accordance with the purpose statements of the CC-MH, CC-MHX, CC-X and CC-COR districts as specified in section 1122(e), 1132(e), 1162(e) and 1179(f).
Incentive Density Calculation Method

1216.1 (1) The amount of additional gross floor area achieved by providing the requirements of the public amenity items in Table 6.1 are calculated as a floor area ratio, an Incentive Ratio or an Incentive Rate.

(2) An Incentive Rate indicates that the amount of additional gross floor area will be calculated by dividing the cost of the provided public amenity item in Table 6.1 by the respective Incentive Rate as established by Council where the following Incentive Rates apply:

(a) Incentive Rate 1 is $270.00 per square metre.

(3) Public amenity items that must or may be provided to achieve additional gross floor area are shown in Table 6.1.

(4) Bonus Areas A through D may use any of Public Amenity Items 1 through 7 in Table 6.1.

(5) Bonus Areas E through H may use any of Public Amenity Items 1 through 13 in Table 6.1.

(6) Unless otherwise specified in this Part, a Public Amenity Item for which additional gross floor area has been achieved must be maintained on the parcel for so long as the development exists.

(7) The Development Authority must determine whether a proposed Public Amenity Item is appropriate for the development.

Table 6.1: Beltline Density Bonus Items

<table>
<thead>
<tr>
<th>Overview</th>
<th>Item Description</th>
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<tbody>
<tr>
<td>1.0</td>
<td>Indoor Community Amenity Space</td>
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<td>2.0</td>
<td>Publicly Accessible Private Open Space</td>
</tr>
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<td>3.0</td>
<td>Affordable Housing Units</td>
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<td>4.0</td>
<td>Municipal Historic Resource Designation</td>
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<tr>
<td>5.0</td>
<td>Heritage Density Transfer</td>
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<td>6.0</td>
<td>Contribution to Beltline Community Investment Fund</td>
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<td>7.0</td>
<td>Parks Density Transfer</td>
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<td>8.0</td>
<td>Public Art On-Site</td>
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<td>9.0</td>
<td>Active Arts Space</td>
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<td>10.0</td>
<td>Cultural Support Space</td>
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<td>11.0</td>
<td>Innovative Public Amenity</td>
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<td>12.0</td>
<td>Indoor Public Hotel Space</td>
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<td>13.0</td>
<td>District Energy Connection Ability</td>
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<th>Item No.</th>
<th>Public Amenity Items</th>
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<tr>
<td>1.0</td>
<td><strong>INDOOR COMMUNITY AMENITY SPACE</strong>&lt;br&gt;Indoor community amenity space is defined as floor area provided for community purposes, including, but not limited to, offices, meeting rooms, assembly spaces, recreation facilities, educational facilities, cultural facilities, daycares and other social services.</td>
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<tr>
<td>1.1</td>
<td><strong>Incentive Calculation:</strong>&lt;br&gt;Where a <em>development</em> provides an indoor community amenity space, the Incentive Rate is Incentive Rate 1. &lt;br&gt;&lt;br&gt;<strong>Method:</strong>&lt;br&gt;Incentive <em>gross floor area</em> (square metres) = total construction cost ($) divided by (Incentive Rate 1 ($) multiplied by 0.75)</td>
</tr>
<tr>
<td>1.2</td>
<td><strong>Requirements:</strong>&lt;br&gt;Provision of indoor community amenity space, within the <em>development parcel</em>, in perpetuity to the <em>City</em>, and in a form acceptable to the Approving Authority.</td>
</tr>
<tr>
<td>2.0</td>
<td><strong>PUBLICLY ACCESSIBLE PRIVATE OPEN SPACE</strong>&lt;br&gt;Publicly accessible private open space is defined as outdoor open space located on the <em>development parcel</em> that is made available to the public through a registered public access easement agreement acceptable to the Approving Authority.</td>
</tr>
<tr>
<td>2.1</td>
<td><strong>Incentive Calculation:</strong>&lt;br&gt;Where a <em>development</em> provides a publicly accessible private open space, the Incentive Rate is Incentive Rate 1. &lt;br&gt;&lt;br&gt;<strong>Method:</strong>&lt;br&gt;Incentive <em>gross floor area</em> (square metres) = total construction cost ($) divided by (Incentive Rate 1 ($) multiplied by 0.75).</td>
</tr>
<tr>
<td>2.2</td>
<td><strong>Requirements:</strong>&lt;br&gt;Provision of publicly accessible private open space on the <em>development parcel</em> in a location, form, configuration and constructed in a manner acceptable to the Approving Authority.</td>
</tr>
<tr>
<td>3.0</td>
<td><strong>AFFORDABLE HOUSING UNITS</strong>&lt;br&gt;Affordable housing units are defined as non-market housing units provided within the <em>development</em>, owned and operated by the <em>City</em> or a bona fide non-market housing provided recognized by the <em>General Manager</em>.</td>
</tr>
<tr>
<td>3.1</td>
<td><strong>Incentive Calculation:</strong>&lt;br&gt;Where a <em>development</em> provides affordable housing units, the Incentive Rate is Incentive Rate 1.</td>
</tr>
<tr>
<td>Item No.</td>
<td>Public Amenity Items</td>
</tr>
<tr>
<td>---------</td>
<td>----------------------</td>
</tr>
<tr>
<td><strong>Method:</strong></td>
<td>Incentive <strong>gross floor area</strong> (square metres) = total construction ($) divided by (Incentive Rate 1 ($) multiplied by 0.75) + <strong>gross floor area</strong> (square metres) of affordable housing units.</td>
</tr>
<tr>
<td><strong>3.2 Requirements:</strong></td>
<td>Provision of affordable housing units within the development parcel, in perpetuity, in a number, location and design acceptable to the City or other bona fide non-market housing provider recognized by the City.</td>
</tr>
<tr>
<td><strong>4.0 MUNICIPAL HISTORIC RESOURCE DESIGNATION</strong></td>
<td>Municipal Historic Resources are <strong>buildings</strong> or portions of a building, a site or portions of a site that are designated under the Historic Resources Act.</td>
</tr>
<tr>
<td><strong>4.1 Incentive Calculation:</strong></td>
<td>Where a development designates a building, portions of a building, a site or portions of a site, as a Municipal Historic Resource, the Incentive Rate is Incentive Rate 1. Method: Incentive <strong>gross floor area</strong> (square metres) = total construction or restoration costs ($) divided by (Incentive Rate 1 ($) multiplied by 0.75)</td>
</tr>
</tbody>
</table>
| **4.2 Requirements:** | Historic resource designation includes:  
(a) where the building is listed on the Inventory of Evaluated Historic Resources;  
(b) maintaining the historic resource or building feature in its approved location on the parcel or within the building where it is incorporated into a new building;  
(c) an agreement between the Development Authority and the developer establishing the total cost of retention of the heritage resource prior to approval; and  
(d) designation of the historic resource as a Municipal Historic Resource pursuant to the Historical Resources Act by a Bylaw approved by Council. |
| **5.0 HERITAGE DENSITY TRANSFER** | Heritage density transfer is the transfer of unconstructed gross floor area from a parcel designated by bylaw as a Municipal Historic Resource pursuant to the provisions set out in the Historical Resources Act (the source parcel) to a parcel other than the development parcel (the receiving parcel). |
### Item No. 5.1 Incentive Calculation:

The heritage density transfer floor area in square metres is equal to the unconstructed *gross floor area* of a *parcel* as a result of designation of a *parcel* by bylaw as a Municipal Historic Resource. Unconstructed *gross floor area* is equal to the maximum allowable *floor area ratio* for that *parcel* and district, including applicable bonuses, multiplied by the *parcel* size and, subtracting the *gross floor area* of the Municipal Historic Resource.

**Method:**

Transferable incentive *gross floor area* (square metres) = maximum allowable *gross floor area* (square metres) minus Municipal Historic Resource *gross floor area* (square metres).

### Item No. 5.2 Requirements:

A heritage density transfer must include:

(a) a transfer agreement that is registered on the Certificate of Title of the *parcel* from which the density has been transferred;

(b) a land use redesignation of the *parcel* from which the density has been transferred to a Direct Control District in which the allowable maximum *floor area ratio* remaining after the transfer is regulated;

(c) a land use redesignation of the *receiving parcel* to a Direct Control District in which the allowable maximum *floor area ratio* achieved through the transfer is regulated;

(d) transfers only to receiving *parcels* located within the bonus area boundaries indicated on Map 9;

(e) transfers only from *parcels* where legal protection through designation as a Municipal Historic Resource has been completed; and

(f) only a one-time transfer from the *parcel* from which the density has been transferred to the receiving *parcel* with no further transfer possibility.

### Item No. 6.0 CONTRIBUTION TO THE BELTLINE COMMUNITY INVESTMENT FUND

The Beltline Community Investment Fund (BCIF) will be used for projects within the Beltline related to public realm improvements, including but not limited to: park acquisition, park design, redevelopment or enhancement, streetscape design and improvements within rights-of-way, implementation of urban design strategies and public art on public land.
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Public Amenity Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.1</td>
<td><strong>Incentive Calculation:</strong>&lt;br&gt;Where a <em>development</em> provides a contribution to the Beltline Community Investment Fund, the Incentive Rate is Incentive Rate 1.&lt;br&gt;&lt;br&gt;<strong>Method:</strong>&lt;br&gt;Incentive <em>gross floor area</em> (square metres) = contribution ($) divided by Incentive Rate 1 ($).</td>
</tr>
<tr>
<td>6.2</td>
<td><strong>Requirements:</strong>&lt;br&gt;A contribution must be made to the Beltline Community Investment Fund for the <em>development</em>.</td>
</tr>
<tr>
<td>7.0</td>
<td><strong>PARKS DENSITY TRANSFER</strong>&lt;br&gt;Private land is dedicated to the <em>City</em> as a public open space. The unused density from the lands to be dedicated may be transferred to another site within the bonus area boundaries indicated on Map 9.</td>
</tr>
<tr>
<td>7.1</td>
<td><strong>Incentive Calculation</strong>&lt;br&gt;The transferable bonus <em>gross floor area</em> in square metres for land transferred to the <em>City</em> for park purposes is equal to the maximum <em>floor area ratio</em> of the district, not including bonus provisions, multiplied by 2.5.&lt;br&gt;&lt;br&gt;<strong>Method:</strong>&lt;br&gt;Transferable incentive <em>gross floor area</em> (square metres) = maximum <em>gross floor area</em> multiplied by 2.5.</td>
</tr>
<tr>
<td>7.2</td>
<td><strong>Requirements:</strong>&lt;br&gt;Private land is dedicated to the <em>City</em> as a public open space where the <em>City</em> is the legal owner of the open space and the site is in a location and of a size and configuration acceptable to the <em>City</em>.</td>
</tr>
<tr>
<td>8.0</td>
<td><strong>PUBLIC ART ON-SITE</strong>&lt;br&gt;Public art is publicly accessible art of any kind that is permanently suspended, attached to a wall or other surface, or otherwise integrated into a <em>development</em>. It is privately owned and must be an original piece of art in any style, expression, genre or media, created by a recognized artist.</td>
</tr>
<tr>
<td>8.1</td>
<td>The maximum incentive <em>floor area ratio</em> for this item is 1.0.</td>
</tr>
<tr>
<td>8.2</td>
<td><strong>Incentive calculation:</strong>&lt;br&gt;Where a <em>development</em> provides public art – on site the Incentive Rate is Incentive Rate 1.&lt;br&gt;&lt;br&gt;<strong>Method:</strong>&lt;br&gt;Incentive <em>gross floor area</em> (square metres) = value of the artwork ($) divided by Incentive Rate 1 ($).</td>
</tr>
<tr>
<td>Item No.</td>
<td>Public Amenity Items</td>
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<tr>
<td>---------</td>
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</tr>
<tr>
<td>8.3</td>
<td><strong>Requirements:</strong></td>
</tr>
<tr>
<td></td>
<td>Public art – on site includes the following:</td>
</tr>
<tr>
<td></td>
<td>(a) artwork, the minimum value of which must be:</td>
</tr>
<tr>
<td></td>
<td>(i) $200000.00 for sites equal to or greater than 1812.0 square metres in area; or</td>
</tr>
<tr>
<td></td>
<td>(ii) $50000.00 for sites of less than 1812.0 square metres in area;</td>
</tr>
<tr>
<td></td>
<td>(b) the work of a recognized artist, i.e. created by a practitioner in the visual arts;</td>
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<tr>
<td></td>
<td>(c) a location in a publicly accessible area; and</td>
</tr>
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<td></td>
<td>(d) a minimum of 75.0 per cent of the artwork located either:</td>
</tr>
<tr>
<td></td>
<td>(i) outdoors, at grade and visible from the public sidewalk; or</td>
</tr>
<tr>
<td></td>
<td>(ii) on the building’s exterior and visible from the public sidewalk.</td>
</tr>
<tr>
<td>9.0</td>
<td><strong>ACTIVE ARTS SPACE</strong></td>
</tr>
<tr>
<td></td>
<td>Active arts space is publicly accessible, internal space that provides accommodation for one of the various branches of creative activity concerned with the production of imaginative designs, sounds or ideas. Active arts space is intended for activities that require public accessibility, e.g. performances, exhibitions.</td>
</tr>
<tr>
<td>9.1</td>
<td>The maximum incentive floor area ratio for this item is 4.0.</td>
</tr>
<tr>
<td>9.2</td>
<td><strong>Incentive Calculation:</strong></td>
</tr>
<tr>
<td></td>
<td>Where a development provides active arts space the Incentive Rate is Incentive Rate 1.</td>
</tr>
<tr>
<td></td>
<td><strong>Method:</strong></td>
</tr>
<tr>
<td></td>
<td>Incentive gross floor area (square metres) = cost of active arts space ($) plus the capitalized, future operating costs* (not including taxes) divided by Incentive Rate 1 ($).</td>
</tr>
<tr>
<td></td>
<td>* Future operating costs are calculated by multiplying $3,324.68 by the amount of active arts space provided in square metres (this is the net present value of operating costs based on $20 per square foot, a 2 per cent cost escalation, a 6 per cent discount rate, and a 25 year period).</td>
</tr>
<tr>
<td>9.3</td>
<td><strong>Requirements:</strong></td>
</tr>
<tr>
<td></td>
<td>Active arts space includes the following:</td>
</tr>
<tr>
<td></td>
<td>(a) a location:</td>
</tr>
<tr>
<td></td>
<td>(i) at grade or;</td>
</tr>
<tr>
<td>Item No.</td>
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<td>----------------------</td>
</tr>
<tr>
<td>9.3 cont’d</td>
<td>(ii) fronting on to, with direct access to and visible from the public sidewalk, <strong>grade</strong> level open space, or on-site pedestrian areas.</td>
</tr>
<tr>
<td></td>
<td>(b) entranceways and lobbies that are clear glazed where they abut a public sidewalk at <strong>grade</strong>;</td>
</tr>
<tr>
<td></td>
<td>(c) an agreement establishing the conditions for a long-term lease for the active arts space to be entered into by the <strong>City</strong> or its designated representative (“the tenant”) and the <strong>building</strong> owner, such lease to contain the following terms:</td>
</tr>
<tr>
<td></td>
<td>(i) a minimum term of 25.0 years;</td>
</tr>
<tr>
<td></td>
<td>(ii) a total rent of $11.0 per square metre per year, subject to (c) (iv);</td>
</tr>
<tr>
<td></td>
<td>(iii) subject to (c)(iv) and (v) the <strong>building</strong> owner will pay the normal <strong>building</strong> operating and capital costs attributable to the active arts space including without limitation property taxes if applicable, security, maintenance, repair, cleaning, property management fees and related costs up to the amount per square metre that would normally be charged to office tenants in the <strong>building</strong>;</td>
</tr>
<tr>
<td></td>
<td>(iv) the tenant will be responsible for all extraordinary operating and capital costs that are attributable to the active arts space, such as additional security costs associated with the use of the space or special events, additional cleaning necessitated by events in the space, and maintenance and repair of the tenant’s fixtures and equipment. The <strong>City</strong> will provide appropriate security to ensure that the tenant pays its costs and does not permit any liens to be placed on the property;</td>
</tr>
<tr>
<td></td>
<td>(v) upon expiry of the lease, the owner may elect, at the owner’s sole and absolute discretion, to renew the lease on the same terms and conditions or to not renew the lease, in which case the tenant will vacate the space upon lease expiry;</td>
</tr>
<tr>
<td></td>
<td>(vi) if at any time during the term of the lease the space remains unoccupied or unused for 12 consecutive months the owner has the option of terminating the lease upon giving the <strong>City</strong> 30 days written notice, provided that the conditions of (c)(vii) are met;</td>
</tr>
<tr>
<td>Item No.</td>
<td>Public Amenity Items</td>
</tr>
<tr>
<td>---------</td>
<td>----------------------</td>
</tr>
<tr>
<td>9.3 cont’d</td>
<td>(vii) that in the event of termination prior to the end of the 25-year term of the lease, the City will receive financial compensation for the space as calculated as the lesser of Incentive Rate 1 or the fair market value based on the gross floor area of the amenity space as estimated by an independent appraiser and, in addition, any portion of the unused, capitalized operating costs which were included in the original incentive gross floor area calculation; and (viii) the lease will define the nature of the uses or tenants that are deemed eligible to occupy the space. Eligible activities will include artist studios, exhibition space, performing arts space and rehearsal spaces.</td>
</tr>
<tr>
<td>10.0</td>
<td>CULTURAL SUPPORT SPACE</td>
</tr>
<tr>
<td>10.1</td>
<td>The maximum incentive floor area ratio for this item is 4.0.</td>
</tr>
<tr>
<td>10.2</td>
<td>Incentive Calculation:</td>
</tr>
<tr>
<td></td>
<td>Where a development provides cultural support space the Incentive Rate is Incentive Rate 1.</td>
</tr>
<tr>
<td></td>
<td>Method:</td>
</tr>
<tr>
<td></td>
<td>Incentive gross floor area (square metres) = cost of cultural support space ($) plus the capitalized, future operating costs* (not including taxes) divided by Incentive Rate 1 ($).</td>
</tr>
<tr>
<td></td>
<td>* Future operating costs are calculated by multiplying $3,324.68 by the amount of cultural support space provided in square metres (this is the net present value of operating costs based on $20 per square foot, a 2 per cent cost escalation, a 6 per cent discount rate, and a 25 year period).</td>
</tr>
<tr>
<td>10.3</td>
<td>Requirements:</td>
</tr>
<tr>
<td></td>
<td>A cultural support space includes the following:</td>
</tr>
<tr>
<td></td>
<td>(a) access to the tenant during the building's normal office hours unless otherwise agreed upon in the lease agreement;</td>
</tr>
<tr>
<td></td>
<td>(b) a location above grade where the space is used for administration;</td>
</tr>
<tr>
<td></td>
<td>(c) an agreement establishing the conditions for a long-term lease for the cultural support space to be entered into by the City or its designated representative (“the tenant”) and the building owner, such lease to contain the following terms:</td>
</tr>
<tr>
<td>Item No.</td>
<td>Public Amenity Items</td>
</tr>
<tr>
<td>---------</td>
<td>----------------------</td>
</tr>
</tbody>
</table>
| 10.3 cont’d | (i) a minimum term of 25.0 years;  
(ii) a total rent of $11 per square metre per year, subject to (c) (iv);  
(iii) subject to (c)(iv) and (v) the building owner will pay the normal building operating and capital costs attributable to the cultural support space including without limitation property taxes if applicable, security, maintenance, repair, cleaning, property management fees and related costs up to the amount per square metre that would normally be charged to office tenants in the building;  
(iv) the tenant will be responsible for all extraordinary operating and capital costs that are attributable to the cultural support space, such as additional security costs associated with the use of the space, additional cleaning necessitated by use of the space, and maintenance and repair of the tenant’s fixtures and equipment. the City will provide appropriate security to ensure that the tenant pays its costs and does not permit any liens to be placed on the property;  
(v) upon expiry of the lease, the owner may elect, at the owner’s sole and absolute discretion, to renew the lease on the same terms and conditions or to not renew the lease, in which case the tenant will vacate the space upon lease expiry;  
(vi) if at any time during the term of the lease the space remains unoccupied or unused for 12 consecutive months the owner has the option of terminating the lease upon giving the City 30 days written notice, provided that the conditions of (c)(vii) are met;  
(vii) that in the event of termination prior to the end of the 25-year term of the lease, the City will receive financial compensation for the space as calculated as the lesser of Incentive Rate 1 or the fair market value based on the gross floor area of the amenity space as estimated by an independent appraiser and, in addition, any portion of the unused, capitalized operating costs which were included in the original incentive gross floor area calculation; and  
(viii) the lease will define the nature of the uses or tenants that are deemed eligible to occupy the space. Eligible activities will include administration and storage. |
| 11.0 | INNOVATIVE PUBLIC AMENITY  
An innovative public amenity is a building feature that has not been considered under any of the other incentive items in this table, but which is determined by the Development Authority to provide a benefit to the public. |
<p>| 11.1 | The maximum incentive floor area ratio for this item is 1.0. |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>11.2</td>
<td><strong>Incentive Calculation:</strong>&lt;br&gt;Where a <em>development</em> provides an innovative amenity the Incentive Rate is Incentive Rate 1.&lt;br&gt;&lt;br&gt;<strong>Method:</strong>&lt;br&gt;Incentive <em>gross floor area</em> (square metres) = cost of amenity ($) divided by Incentive Rate 1 ($).</td>
</tr>
<tr>
<td>11.3</td>
<td><strong>Requirements:</strong>&lt;br&gt;An innovative public amenity includes the following:&lt;br&gt;1. a benefit to the community in which the density is being accommodated;&lt;br&gt;2. no items or amenities that are achievable or required through other means, including the other incentive amenity items in this table;&lt;br&gt;3. no standard features of a <em>building</em>;&lt;br&gt;4. an amount of additional <em>floor area ratio</em> commensurate with the cost of the amenity item provided; and&lt;br&gt;5. the sole discretion of the <em>Development Authority</em> to determine whether the proposed amenity feature is considered an innovative public amenity.</td>
</tr>
<tr>
<td>12.0</td>
<td><strong>INDOOR PUBLIC HOTEL SPACE</strong>&lt;br&gt;Indoor public hotel space is publicly accessible indoor space that can be used by <em>Hotel</em> guests, conference attendees and the general public without having to be guests of the <em>Hotel</em> or customers of a <em>use</em> within the <em>building</em>. Restaurant, lounge, café, retail and conference <em>use</em> areas, when located at <em>grade</em> and one <em>storey</em> above for conference facilities – and open to the public are considered to be indoor public space.</td>
</tr>
<tr>
<td>12.1</td>
<td>The maximum incentive <em>floor area ratio</em> for this item is 2.0.</td>
</tr>
<tr>
<td>12.2</td>
<td><strong>Incentive Calculation:</strong>&lt;br&gt;Where a <em>Hotel development</em> provides:&lt;br&gt;(a) Indoor public hotel space that is conference facility space, the Incentive Ratio is 1:18; and&lt;br&gt;(b) For all other indoor hotel public spaces, the Incentive Ratio is 1:10.&lt;br&gt;&lt;br&gt;<strong>Method:</strong>&lt;br&gt;Incentive <em>gross floor area</em> (square metres) = <em>gross floor area</em> of the amenity space provided (square metres) multiplied by 10.0 or 18.0 for conference facilities.</td>
</tr>
</tbody>
</table>
| 12.3    | **Requirements:**<br>An indoor public hotel space includes the following:<br>(a) a design as a distinct space within the *building* that does not contain a guest reception area or administration offices; and
<table>
<thead>
<tr>
<th>Item No.</th>
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</tr>
</thead>
<tbody>
<tr>
<td>12.3 cont’d</td>
<td>(b) where the space is not a conference facility, public accessibility through a public access agreement during normal operating hours.</td>
</tr>
<tr>
<td>13.0</td>
<td>DISTRICT ENERGY CONNECTION ABILITY</td>
</tr>
<tr>
<td></td>
<td>District energy connection ability is the preservation of site areas from physical obstructions that would preclude or make unviable a connection to district energy infrastructure in the future.</td>
</tr>
<tr>
<td>13.1</td>
<td>The maximum incentive floor area ratio for this item is 1.0.</td>
</tr>
</tbody>
</table>
| 13.2 | Incentive Calculation:  
Where a development provides district energy connection ability the additional floor area ratio is 1.0. |
| 13.3 | Requirements:  
A district energy connection ability includes the following:  
(a) maintenance on the parcel until the development has been connected to and utilizes energy from district energy infrastructure;  
(b) demonstration of the ability of a building to connect to existing or proposed district energy infrastructure by providing:  
(i) space allocated for an energy transfer station at ground level or below (energy transfer station is defined as the mechanical interface between the district energy system and the building heating system located in the building - commonly known as a plate and frame heat exchanger and includes all heat transfer equipment, measurement equipment and control systems);  
(ii) a heat distribution system that can accommodate the primary heat source at ground level or below; and  
(iii) an easement with a minimum width of 4.0 metres registered on the certificate of title for the parcel for a thermal pipe from the property line to the building and through the building to the allocated energy transfer station location. |
PART 12: CENTRE CITY EAST VILLAGE DISTRICTS

Building Height
1217 The minimum building height is 9.0 metres.

Building Orientation
1218 The main public entrance to a building must face the property line shared with a street.

Ground Floor Height
1219 The minimum height of the ground floor of a building is 4.0 metres as measured vertically from the floor to the ceiling.

At Grade Units
1220 A use or 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.

Floor Plate Restrictions
1221 (1) In Centre City East Village Transition District:
   (a) each floor of a building located partially or wholly above 36.0 metres above grade has a maximum horizontal dimension of 60.0 metres within 6.0 metres of a property line shared with a street; and
   (b) each floor of a building located partially or wholly above 36.0 metres above grade has a maximum floor plate area of 930.0 square metres.

(2) In all other cases:
   (a) each floor of a building located partially or wholly above 25.0 metres above grade has a maximum horizontal dimension of 60.0 metres within 6.0 metres of a property line shared with a street; and
   (b) each floor of a building located partially or wholly above 36.0 metres above grade has a maximum floor plate area of 750.0 square metres.
Street Walls

1222 (1) Where the building height within 6.0 metres of a property line shared with a street is greater than 25.0 metres and equal to or less than 50.0 metres, the building must provide two of the following features, not including signs, to distinguish the base of the building from the rest of the building:

(a) building massing;
(b) façade articulation;
(c) textures;
(d) building materials; or
(e) a minimum horizontal separation of 2.0 metres from the façade of the podium which is shared with the street and portions of the building located above the podium.

(2) Where the building height within 6.0 metres of a property line shared with a street is greater than 50.0 metres, the building must provide:

(a) a minimum horizontal separation of 2.0 metres from the façade of the podium which is shared with the street and portions of the building located above the podium; and
(b) one of the following features, not including signs, to distinguish the base of the building from the rest of the building:

(i) building massing;
(ii) façade articulation;
(iii) textures; or
(iv) building materials.

(3) Unless otherwise referenced in subsection (4), the building features in subsection (1) or (2) must have:

(a) a minimum height of 9.0 metres from grade; and
(b) a maximum height of 18.0 metres from grade.

(4) Where the building is located in the Centre City East Village Transition District, the building features in subsection (1) or (2) must have:

(a) a minimum height of 9.0 metres from grade; and
(b) maximum height of 25.0 metres from grade.
(5) Notwithstanding subsection (1), (2), (3) and (4), the building may rise directly from grade without a horizontal separation from the façade of the building provided the façade of the building, or a portion of the façade of the building:

(a) does not exceed 20.0 metres in length; and

(b) is set back a minimum of 2.0 metres and a maximum of 6.0 metres from any property line shared with a street.

Building Separation

1223 (1) In the Centre City East Village Transition District:

(a) The façade of a building located above 25.0 metres from grade must provide a minimum horizontal separation of:

(i) 18.0 metres from the façade of any other building on the same parcel;

(ii) 9.0 metres from a property line shared with another parcel; and

(iii) 6.0 metres from a property line shared with a lane.

(2) In all other cases:

(a) The façade of a building located above 25.0 metres from grade must provide a minimum horizontal separation of:

(i) 24.0 metres from the façade of any other building on the same parcel;

(ii) 12.0 metres from a property line shared with another parcel; and

(iii) 9.0 metres from a property line shared with a lane.

(3) The façade of a building referenced in subsection (1) and (2) does not include balconies.

Building Setback

1224 (1) Unless otherwise referenced 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.
Vehicle Access
1225 Where the parcel shares a property line with a lane, all vehicle access to the parcel must be from the lane.

Parcel Access
1226 All developments must comply with the access requirements of the Controlled Street Bylaw.

General Landscaped Area Rules
1227 (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.

Low Water Irrigation System
1228 (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.
Specific Rules for Landscaped Areas

1229 (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 and garbage or recycling facilities must not be included in the calculation of a landscaped area.

(3) Landscaped area provided at grade or below 36.0 metres above grade may be credited towards the landscaped area requirement.

Additional Landscaping Requirements

1230 (1) 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.

(2) 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 (1); or

   (b) have a sidewalk connecting that public entrance to a public sidewalk.

(3) Every building on a parcel must have at least one sidewalk connecting the parking area to the public entrances of the building.

(4) Where a sidewalk provided in satisfaction of this section is next to a portion of a building, the sidewalk must extend along the entire length of that side of the building.

(5) Every sidewalk provided must:

   (a) be a hard surfaced landscaped area;

   (b) be a minimum width of 2.0 metres; and

   (c) have different surfacing than the surfacing of the parking areas on the parcel.

Planting Requirements

1231 (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.

(6) Landscaped areas may include Urban Agriculture.

Amenity Space

1232 (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 36.0 metres above grade.
Motor Vehicle Parking Stall Requirements

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

(a) for each Dwelling Unit or Live Work Unit is 0.75 stalls for resident parking;

(b) for each Dwelling Unit is 0.1 visitor parking stalls per unit; and

(c) for each Live Work Unit is 0.5 visitor parking stalls per unit.

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

(a) for an Office, when located on floors above the ground floor is:

(i) 1.0 stalls per 100.0 square metres of gross usable floor area; and

(ii) the cumulative number of stalls referenced in subsection (i) must be reduced by 0.75 stalls per 50.0 square metres of total gross usable floor area to a maximum reduction of 1.5 stalls;

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

(i) 1.0 motor vehicle parking stalls per 100.0 square metres of gross usable floor area; or

(ii) 0.0 motor vehicle parking stalls where:

(A) the building contains a Dwelling Unit, Hotel, Live Work Unit, or Office above the ground floor; or

(B) the use area of a use on the ground floor is 465.0 square metres or less; and

(c) for all other uses is the requirement referenced in Part 4.
(3) Except as otherwise provided in a district, for development on parcels greater than 0.4 hectares, the minimum motor vehicle parking stall requirement:

(a) for an Office, when located on floors above the ground floor, is:

(i) 1.0 stalls per 100.0 square metres of gross usable floor area; and

(ii) the cumulative number of stalls referenced in subsection (i) must be reduced by 0.75 stalls per 50.0 square metres of total gross usable floor area to a maximum reduction of 1.5 stalls;

(b) for a Retail and Consumer Service is 4.0 stalls per 100.0 square metres of total gross usable floor area when located on floors above the ground floor;

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

(i) 1.0 motor vehicle parking stalls per 100.0 square metres of gross usable floor area; or

(ii) 0.0 motor vehicle parking stalls where:

(A) the building contains a Dwelling Unit, Hotel, or Office above the ground floor; or

(B) the use area of a use on the ground floor is 465.0 square metres or less; and

(d) for all other uses is 3.5 stalls per 100.0 square metres of gross usable floor area.

Additional Motor Vehicle Parking Stall Requirements

1234 (1) Motor vehicle parking stalls and loading stalls must not be located between a building and a street.

(2) A Parking Lot – Grade may only be allowed for short-stay parking of not more than four consecutive hours.
Required Bicycle Parking Stalls

1236 (1) The minimum number of *bicycle parking stalls – class 1* for:

(a) each *Dwelling Unit* and *Live Work Unit* is:

(i) no requirement where the number of *units* is less than 20.0; and

(ii) 0.5 stalls per *unit* where the total number of *units* is 20.0 or more; and

(b) all other *uses* is the minimum requirement referenced in Part 4.

(2) There is no requirement for *bicycle parking stalls – class 2* for any *use*.

Sunlight Preservation

1237 (1) The following sunlight protection areas must not be placed in greater shadow by a *development* as measured on September 21, at the times and locations indicated for each area, than were already existing or approved on the date the *development permit* was applied for:

(a) The Riverbank as measured 20.0 metres wide throughout abutting the top of the south bank of the Bow River, from 10:00 a.m. to 4:00 p.m., Mountain Daylight Time; and

(b) Fort Calgary as measured from the road right of way abutting 6 Street SE to 40.0 metres into the park from 10:00 a.m. to 3:00 p.m. Mountain Daylight Time and as measured from the road right of way abutting 9 Avenue SE to 20.0 metres into the park from 10:00 a.m. to 4:00 p.m. Mountain Daylight Time.

Visibility Setback

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

Mechanical Screening

1239 Mechanical systems or equipment that are located outside of a *building* must be *screened*.

Garbage

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

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

Storage of Goods, Materials and Supplies

1242 All goods, materials and supplies associated with a use must be contained within a building.
Map 10: Centre City East Village Special Areas

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

Purpose

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

(a) an important transition between the higher **density** commercial and **Office uses** of the downtown core and the more residential character of East Village;

(b) a mix of **uses** within the transition zone between Downtown and East Village;

(c) **development** of higher **density** and larger **building** massing than the rest of the East Village Districts;

(d) a greater variety of **Office**, discretionary commercial, institutional and residential **uses**; and

(e) a **building** form that is **street** oriented at **grade**.

Permitted Uses

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

(a) **Accessory Residential Building**;

(b) **Home Based Child Care – Class 1**;

(c) **Home Occupation – Class 1**;

(d) **Park**;

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

(f) **Sign – Class A**; and

(g) **Utilities**.

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

(a) **Accessory Food Service**;

(b) **Accessory Liquor Service**;

(c) **Catering Service – Minor**;

(d) **Convenience Food Store**;

(e) **Financial Institution**;

(f) **Fitness Centre**;

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

(h) **Instructional Facility**;

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

Discretionary Uses

1245 (1) The following uses are discretionary uses in the Centre City East Village Transition District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) Parking Lot – Grade.

(2) Uses listed in subsection 1244(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Centre City East Village Transition District.

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

(a) Amusement Arcade;
(b) Artist’s Studio;
(c) Assisted Living;
(d) Billiard Parlour;
(e) Brewery, Winery and Distillery;
(e.1) Cannabis Counselling;
(e.2) Cannabis Store;
(f) Child Care Service;
(g) Cinema;
(h) Community Entrance Feature;
(i) Community Recreation Facility;
(j) Computer Games Facility;
(k) Conference and Event Facility;
(l) Counselling Service;
(m) Drinking Establishment – Large;
(n) Drinking Establishment – Medium;
(o) Drinking Establishment – Small;
(p) Dwelling Unit;
(q) Food Kiosk;
(q.1) Food Production;
(r) General Industrial – Light;
(s) Health Services Laboratory – With Clients;
(t) Home Occupation – Class 2;
(u) Hotel;
(v) Indoor Recreation Facility;
(v.1) Kennel;
(w) Library;
(x) Liquor Store;
(y) Live Work Unit;
(z) Market;
(aa) deleted
(bb) Medical Clinic;
(cc) deleted
(dd) Office;
(ee) Outdoor Café;
(ff) Parking Lot – Grade (temporary);
(gg) Parking Lot – Structure;
(hh) Performing Arts Centre;
(ii) Place of Worship – Small;
(jj) Post-secondary Learning Institution;
(kk) Residential Care;
(ll) Restaurant: Food Service Only – Large;
(mm) Restaurant: Food Service Only – Medium;
(nn) Restaurant: Licensed – Large;
(oo) Restaurant: Licensed – Medium;
(pp) Restaurant: Licensed – Small;
(pp.1) Restaurant: Neighbourhood;
(qq) School – Private;
(rr) School Authority – School;
(ss) Seasonal Sales Area;
(tt) Service Organization;
(uu) Sign – Class B;
(vv) Sign – Class C;
(ww) Sign – Class D;
(xx) Sign – Class E;
(yy) Social Organization;
(zz) Special Function – Class 2;
(aaa) Supermarket;

(aaa.1) Urban Agriculture;
(bbb) Utility Building; and
(ccc) Veterinary Clinic.

Rules

1246 In addition to the rules in this District, all uses in this District must comply with:

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

Density

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

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

(a) the gross floor area for the following uses must be excluded from the calculation to a maximum cumulative floor area ratio of 1.0:

(i) Child Care Service;
(ii) Community Recreation Facility;
(iii) Conference and Event Facility;
(iv) Indoor Recreation Facility;
(v) Library;
(vi) Museum;
(vii) Performing Arts Centre;
(viii) Place of Worship – Small;
(ix) Protective and Emergency Service;
(x) School – Private;
(xi) School Authority – School;
(xii) Service Organization;
(xiii) Social Organization; and
(xiv) Utilities; and

(b) the following must be excluded from the calculation of floor area ratio:

(i) the total gross floor area of a Post-secondary Learning Institution, to a maximum of 3.0 floor area ratio; and

(ii) the total gross floor area transferred from a designated Municipal Historic Resource pursuant to the Historical Resources Act to a maximum of 3.0 floor area ratio.

Use Area

1248 (1) Unless otherwise referenced in subsections (2), (3), (4) and (5), the maximum use area for uses on the ground floor of a building is 1200.0 square metres.

(2) The maximum use area for uses on the ground floor is 465.0 square metres for the following uses:

(a) Drinking Establishment – Large;
(b) Restaurant: Food Service Only – Large; and
(c) Restaurant: Licensed – Large.

(3) The maximum use area for uses on the ground floor of a building is 200.0 square metres for the following uses:

(a) Health Services Laboratory – With Clients; and
(b) Medical Clinic.

(4) There is no maximum use area requirement for the following uses:

(a) Supermarket; and
(b) Retail and Consumer Service.

(5) There is no maximum use area for uses located within buildings designated as a Municipal Historic Resource pursuant to the Historical Resources Act.

Motor Vehicle Parking Stalls

1249 (1) The following uses do not require motor vehicle parking stalls:

(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;
(k) Restaurant: Neighbourhood; and
(l) Performing Arts Centre.

(2) The minimum number of required motor vehicle parking stalls for Office is 1.0 stall per 150.0 square metres of gross usable floor area.

(3) For Dwelling Units or Live Work Units:
   (a) the minimum motor vehicle parking stall requirement is 0.5 stalls per unit;
   (b) the maximum motor vehicle parking stall that may be provided is 1.0 stalls per unit; and
   (c) the visitor parking stall requirement is 0.1 stall per unit.

(4) For all other uses is the requirement referenced in Part 4.

Restricted Parking Area

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

   (a) the relaxation is for uses other than Assisted Living, Dwelling Unit or Live Work Units, including associated visitor parking, and parking required for Hotel guest rooms;

   (b) an off-site transportation improvements in lieu of parking fee is paid, calculated at the rate per motor vehicle parking stall established by Council in effect at the time the payment is made; and

   (c) the rules in section 124 are met.
Short Stay Parking Stalls

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

(a) up to a total of 10.0 additional motor vehicle parking stalls where such stalls are:
   (i) located in a portion of the development approved for use as a parking area – short stay;
   (ii) included in a parking area which is operated as part of a scramble parking arrangement that is open to the public; and
   (iii) prominently signed at the street level indicating the availability and conditions of use of such stalls; or

(b) more than 10.0 additional motor vehicle parking stalls, to a maximum of 25.0 per cent of the number of stalls required in section 1249 or 125.0 stalls, whichever is less, where such stalls are:
   (i) located in a portion of the development approved for use as a parking area – short stay;
   (ii) identified through appropriate signage, as parking area – short stay stalls;
   (iii) prominently signed at the street level indicating the availability and conditions of use of such stalls; and
   (iv) adjacent to a road network that the Development Authority has determined is capable of handling the added vehicle movements associated with the additional stalls.

(2) When approving a development permit incorporating parking area – short stay stalls provided for in subsection (1)(b), the Development Authority must impose conditions, including, but not limited to, requiring the applicant to enter into a Special Development Agreement with The City which must include provision for:

(a) the mechanism by which the development will be managed to ensure the operation of stalls as parking area – short stay stalls available to the public, at minimum, from 7:00 a.m. until 11:00 p.m. Mountain Standard Time seven days a week; and

(b) an operating arrangement with the Calgary Parking Authority for the purpose of ensuring unrestricted public access to the stalls and establishing a mechanism to monitor and enforce the operation of the stalls as parking area – short stay.
Parking Stall Transfer from Municipal Historic Resource Sites

1252 (1) A *transferring parcel* within the Restricted Parking Area as identified in Map 13 may transfer to a *receiving parcel* in the Restricted Parking Area *motor vehicle parking stalls* which have not already been provided on the *transferring parcel*, where:

(a) the *transferring parcel* is designated as a Municipal Historic Resource pursuant to the *Historical Resources Act* by a Bylaw approved by *Council*;

(b) the additional stalls being transferred do not exceed 20.0 per cent of the number of stalls the *development* is allowed on the *receiving parcel* in Section 1249; and

(c) the additional stalls provided on the *receiving parcel* are adjacent to a road network that the *Development Authority* has determined is capable of handling the added vehicle movements associated with the additional stalls.

(2) A maximum of 100.0 per cent of the potential *motor vehicle parking stalls* available on the *transferring parcel*, as determined in Section 1252(4), may be transferred to a *receiving parcel*.

(3) *Motor vehicle parking stalls* transferred to a *receiving parcel* under this section must not be provided on the *transferring parcel*.

(4) The number of *motor vehicle parking stalls* which may be transferred to a *receiving parcel* in accordance with subsection (1) is determined by:

(a) calculating the amount of *gross usable floor area* that could be built on the *transferring parcel* designated as Municipal Historic Resource at a *floor area ratio* of 7.0;

(b) using the *gross usable floor area* in subsection (a), calculate the potential number of *motor vehicle parking stalls* on the *transferring parcel* at a rate of 0.7 stalls per 100 square metres of *gross usable floor area*;

(c) using the potential number of *motor vehicle parking stalls* in subsection (b), apply one of the following percentages based on the categorization of the *transferring parcel* on the *City’s Inventory of Evaluated Historic Resources*;

   (i) City-Wide Historic Resource – 50.0 per cent;

   (ii) Community Historic Resource – 25.0 per cent; and

(d) subtracting from the resulting number of *motor vehicle parking stalls* in subsection (b) the number of *motor vehicle parking stalls* that currently exist on the *transferring parcel*. 
Division 3: Centre City East Village Integrated Residential District (CC-EIR)

Purpose

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

(a) a mixed use area that integrates residential uses with a broad range of commercial, cultural and entertainment uses;

(b) commercial uses located on the ground floor; and

(c) a building form that is street oriented at grade.

Permitted Uses

1254 (1) The following uses are permitted uses in the Centre City East Village Integrated Residential District:

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

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

(a) Accessory Food Service; 
(b) Accessory Liquor Service; 
(c) Convenience Food Store; 
(d) Financial Institution; 
(e) Fitness Centre; 
(f) Information and Service Provider; 
(g) Instructional Facility; 
(h) Museum; 
(i) Pet Care Service; 
(j) Power Generation Facility – Small; 
(k) Print Centre; 
(l) Radio and Television Studio;
(m) Restaurant: Food Service Only – Small;
(n) Retail and Consumer Service;
(o) Specialty Food Store; and
(p) Take Out Food Service.

Discretionary Uses

1255 (1) The following uses are discretionary uses in the Centre City East Village Integrated Residential District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) Parking Lot – Grade.

(2) Uses listed in subsection 1254(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Centre City East Village Integrated Residential District.

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

(a) Amusement Arcade;
(b) Artist's Studio;
(c) Assisted Living;
(d) Billiard Parlour;
(e) Brewery, Winery and Distillery;
(e.1) Cannabis Counselling;
(e.2) Cannabis Store;
(f) Child Care Service;
(g) Cinema;
(h) Community Entrance Feature;
(i) Community Recreation Facility;
(j) Conference and Event Facility;
(k) Counselling Service;
(l) Dinner Theatre;
(m) Drinking Establishment – Large;
(n) Drinking Establishment – Medium;
(o) Drinking Establishment – Small;
(p) Dwelling Unit;
(q) Food Kiosk;
(q.1) Food Production;
(r) Health Services Laboratory – With Clients;
(s) Home Occupation – Class 2;
(t) Hotel;
(u) Indoor Recreation Facility;
(v) Library;
(w) Liquor Store;
(x) Live Work Unit;
(y) Market; 42P2019
(z) Medical Clinic;
(aa) deleted 25P2018
(bb) Night Club;
(cc) Office;
(dd) Outdoor Café;
(ee) Parking Lot – Grade (Temporary);
(ff) Parking Lot – Structure;
(gg) Performing Arts Centre;
(hh) Place of Worship – Small;
(ii) Post-secondary Learning Institution;
(jj) Residential Care;
(kk) Restaurant: Food Service Only – Large;
(ll) Restaurant: Food Service Only – Medium;
(mm) Restaurant: Licensed – Large;
(nn) Restaurant: Licensed – Medium;
(oo) Restaurant: Licensed – Small;
(pp) Restaurant: Neighbourhood;
(qq) Seasonal Sales Area;
(rr) Service Organization;
(ss) School - Private;
(tt) School Authority – School;
(uu) Sign – Class B;
(vv) Sign – Class C;
(ww) Sign – Class D;
(xx) Sign – Class E;
(yy) Social Organization;
(zz) Special Function – Class 2;

(aaa) Supermarket;

(aaa.1) Urban Agriculture; and

(bbb) Utility Building.

Rules

1256 In addition to the rules in this District, all uses in this District must comply with:

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

Density

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

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

(a) the following uses must be excluded from the calculation to a maximum cumulative floor area ratio of 1.0:

(i) Child Care Service;
(ii) Community Recreation Facility;
(iii) Conference and Event Facility;
(iv) Indoor Recreation Facility;
(v) Library;
(vi) Museum;
(vii) Performing Arts Centre;
(viii) Place of Worship – Small;
(ix) Protective and Emergency Service;
(x) School – Private;
(xi) School Authority – School;
(xii) Service Organization;
(xiii) Social Organization; and
(xiv) Utilities; and
(b) the following must be excluded from the calculation of floor area ratio:

(i) the total gross floor area of a Post-secondary Learning Institution to a maximum of 3.0 floor area ratio; and

(ii) the total gross floor area transferred from a designated Municipal Historic Resource pursuant to the Historical Resources Act to a maximum of 3.0 floor area ratio.

Use Area

1258 (1) Unless otherwise referenced in subsection (2) and (3) the maximum use area for uses on the ground floor of a building is 465.0 square metres.

(2) The maximum use area for uses on the ground floor of a building is 200.0 square metres for the following uses:

(a) Health Services Laboratory – With Clients; and

(b) Medical Clinic.

(3) The maximum use area of a Night Club is 300.0 square metres where located on the ground floor of a building.
Division 4: Centre City East Village Mixed Use District (CC-EMU)

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

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

Permitted Uses
1260 (1) The following uses are permitted uses in the Centre City East Village Mixed Use District:

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

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

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

1261  (1) The following uses are discretionary uses in the Centre City East Village Mixed Use District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) Parking Lot – Grade.

(2) Uses listed in subsection 1260(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Centre City East Village Mixed Use District.

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

(a) Artist’s Studio;
(b) Assisted Living;
(c) Brewery, Winery and Distillery;
(c.1) Cannabis Counselling;
(c.2) Cannabis Store;
(d) Child Care Service;
(e) Community Entrance Feature;
(f) Community Recreation Facility;
(g) Counselling Service;
(h) Drinking Establishment – Medium;
(i) Drinking Establishment – Small;
(j) Dwelling Unit;
(j.1) Food Production;
(k) Home Occupation – Class 2;
(l) Hotel;
(m) Indoor Recreation Facility;
(m.1) Kennel;
(n) Liquor Store;
(o) Live Work Unit;
(p) Market;
(q) Medical Clinic;
(r) deleted
(s) Office;
(l) Outdoor Café;
(u) Place of Worship – Small;
(v) Post-secondary Learning Institution;
(w) Residential Care;
(x) Restaurant: Food Service Only – Medium;
(y) Restaurant: Licensed – Medium;
(z) Restaurant: Licensed – Small;
(aa) Restaurant: Neighbourhood;
(bb) School – Private;
(cc) School Authority – School;
(dd) Seasonal Sales Area;
(ee) Service Organization;
(ff) Sign – Class B;
(gg) Sign – Class C;
(hh) Sign – Class D;
(ii) Sign – Class E;
(jj) Social Organization;
(kk) Special Function – Class 2;
(kk.1) Urban Agriculture;  
(l) Utility Building; and
(mm) Veterinary Clinic.

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

(a) Restaurant: Food Service Only – Large; and
(b) Restaurant: Licensed – Large.

Rules
1262 In addition to the rules in this District, all uses in this District must comply with:

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

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

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

(a) the gross floor area for the following uses must be excluded from the calculation to a maximum cumulative floor area ratio of 1.0:

(i) Child Care Service;
(ii) Community Entrance Feature;
(iii) Community Recreation Facility;
(iv) Indoor Recreation Facility;
(v) Museum;
(vi) Place of Worship – Small;
(vii) Post-secondary Learning Institution;
(viii) Protective and Emergency Service;
(ix) School – Private;
(x) School Authority – School;
(xi) Service Organization;
(xii) Social Organization; and
(xiii) Utilities; and

(b) the total gross floor area transferred from a designated Municipal Historic Resource pursuant to the Historical Resources Act, must be excluded from the calculation of floor area ratio to a maximum of 3.0 floor area ratio.

Use Area

1264 (1) Unless otherwise referenced in subsection (2), the maximum use area for uses on the ground floor of a building is 465.0 square metres.

(2) The maximum use area for a Medical Clinic is 200.0 square metres where located on the ground floor of a building.
Division 5: Centre City East Village Primarily Residential District

(PCC-EPR)

**Purpose**

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

(a) a mainly residential area with a limited range of support commercial uses and local amenities;

(b) commercial uses that are developed as part of a comprehensive residential mixed use development; and

(c) a building form that is street oriented at grade.

**Permitted Uses**

1266 (1) The following uses are permitted uses in the Centre City East Village Primarily Residential District:

(a) Accessory Residential Building;

(b) Home Based Child Care – Class 1;

(c) Home Occupation – Class 1;

(d) Park;

(e) Protective and Emergency Service;

(f) Sign – Class A; and

(g) Utilities.

1266 (2) The following uses are permitted uses in the Centre City East Village Primarily Residential District if they are located within existing approved buildings:

(a) Accessory Food Service;

(b) Convenience Food Store;

(c) Financial Institution;

(d) Fitness Centre;

(e) Information and Service Provider;

(f) Pet Care Service;

(g) Power Generation Facility – Small;

(h) Print Centre;

(i) Restaurant: Food Service Only – Small;

(j) Retail and Consumer Service;
(k) Specialty Food Store; and
(l) Take Out Food Service.

Discretionary Uses

1267 (1) The following uses are discretionary uses in the Centre City East Village Primarily Residential District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) Parking Lot – Grade.

(2) Uses listed in subsection 1266(2) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Centre City East Village Primarily Residential District.

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

(a) Accessory Liquor Service;
(b) Artist's Studio;
(c) Assisted Living;
(c.1) Cannabis Counselling;
(c.2) Cannabis Store;
(d) Child Care Service;
(e) Community Entrance Feature;
(f) Community Recreation Facility;
(g) Counselling Service;
(h) Drinking Establishment – Small;
(i) Dwelling Unit;
(j) Food Kiosk;
(j.1) Food Production;
(k) Home Occupation – Class 2;
(l) Hotel;
(m) Indoor Recreation Facility;
(n) Instructional Facility;
(o) Liquor Store;
(p) Live Work Unit;
(q) Market;
(r) Medical Clinic;
(s) deleted
(t) Office;
Rules

1268 In addition to the rules in this District, all uses in this District must comply with:

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

Density

1269 (1) The maximum floor area ratio for development is 6.65.

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

(a) the gross floor area for the following uses must be excluded from the calculation to a maximum cumulative floor area ratio of 1.0:

(i) Child Care Service;
(ii) Community Recreation Facility;
(iii) Indoor Recreation Facility;
(iv) Place of Worship – Small;
(v) Protective and Emergency Service;
(vi) School – Private;
(vii) School Authority – School;
(viii) Service Organization;
(ix) Social Organization; and
(x) Utilities; and

(b) the total gross floor area transferred from a designated Municipal Historic Resource pursuant to the Historical Resources Act must be excluded from the calculation of floor area ratio to a maximum of 3.0 floor area ratio.

Use Area

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

(2) The maximum use area of a Medical Clinic is 200.0 square metres where located on the ground floor of a building.
Division 6: Centre City East Village River Residential District
(CC-ERR)

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

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

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

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

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

(a) Brewery, Winery and Distillery;
(b) Child Care Service;
(c) Community Recreation Facility;
(d) Dwelling Unit;
(d.1) Food Production;
(e) Home Occupation – Class 2;
(f) Hotel;
(g) Indoor Recreation Facility;
(h) Market;
(i) Outdoor Café;
(j) Power Generation Facility – Small;
(k) Restaurant: Food Service Only – Medium;
(l) Restaurant: Food Service Only – Small;
(m) Restaurant: Licensed – Medium;
(n) Restaurant: Licensed – Small;
(o) Restaurant: Neighbourhood;
(p) Retail and Consumer Service;
(q) Seasonal Sales Area;
(r) Sign – Class B;
(s) Sign – Class C;
(t) Sign – Class D;
(u) Sign – Class E;
(v) Social Organization;
(w) Special Function – Class 2; and
(x) Urban Agriculture.

Rules

1274 In addition to the rules in this District, all uses in this District must comply with:

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

Density

1275 (1) The maximum floor area ratio is 5.0.
(2) In this section, for the purpose of calculating floor area ratio:

(a) the following uses must be excluded from the calculation to a maximum cumulative floor area ratio of 1.0:

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

Use Area

1276 The maximum use area for uses on the ground floor of a building is 465.0 square metres.
Division 7: Centre City East Village Recreational District
(CC-ER)

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

(a) a multi-use plaza for informal and formal public activities;

(b) building design consistent with the form, character and aesthetic quality of the open space immediately adjacent to the Bow River;

(c) a small amount of low intensity commercial uses; and

(d) a range of low intensity, seasonal uses.

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

(a) Park;

(b) Protective and Emergency Service; and

(c) Utilities.

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

(a) Community Entrance Feature;

(b) Food Kiosk;

(c) Market;

(d) Outdoor Café;

(e) Power Generation Facility – Small;

(f) Restaurant: Food Service Only – Small;

(g) Restaurant: Licensed – Small;

(h) Sign – Class A;

(i) Sign – Class B;

(j) Sign – Class D;

(k) Sign – Class E;

(l) Special Function – Class 2;
(m) Take Out Food Service;

(m.1) Urban Agriculture; and

(n) Utility Building.

Rules

1280 In addition to the rules in this District, all uses in this District must comply with:

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

(b) the Rules Governing All Districts referenced in Part 3; and

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

Building Design

1281 The parcel located north of 7 Avenue S.E., south of 6 Avenue S.E. and between 4 Street S.E. and Riverfront Lane S.E. is allowed a maximum of one building with:

(a) a maximum gross floor area of 100.0 square metres; and

(b) a maximum building height of 10.0 metres, not to exceed one storey.

1282 deleted

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PART 13: COMMERCIAL RESIDENTIAL DISTRICTS

Division 1: General Rules for Commercial Residential Districts

General Landscaped Area Rules

1294 (1) Landscaped areas must be provided in accordance with a landscape plan approved by the Development Authority.

(2) A landscape plan for the entire development must be submitted as part of each development permit application, where changes are proposed to the building or parcel, and must show at least the following:

(a) the existing and proposed topography;
(b) the existing vegetation and indicate whether it is to be retained or removed;
(c) the layout of berms, open space systems, pedestrian circulation, retaining walls, screening, slope of the land, soft surfaced landscaped areas and hard surfaced landscaped areas;
(d) the types, species, sizes and numbers of plant material and the types of landscaped areas;
(e) details of the irrigation system;
(f) for landscaped areas using a low water irrigation system, the details of the system, including the extent of water delivery; and
(g) for landscaped areas with a building below, the following additional information must be provided:
   (i) the location of underlying slabs and abutting walls;
   (ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;
   (iii) depths of the growing medium for each planting area;
   (iv) the mature height and spread of all trees and shrubs; and
   (v) the means of irrigating the planting areas.

(3) The landscaped areas shown on the landscape plan, approved by the Development Authority must be maintained on the parcel for so long as the development exists.
PART 13 - DIVISION 1: GENERAL RULES

(4) All soft surfaced landscaped areas must be irrigated by an underground irrigation system, unless a low water irrigation system is provided.

Planting Requirements

1295 (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.

(2) Deciduous trees must have a minimum calliper of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum calliper of 75 millimetres at the time of planting.

(3) Coniferous trees must have a minimum height of 2.0 metres.

(4) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

(5) For landscaped areas with a building below, planting areas must have the following minimum soil depths:

(a) 1.2 metres for trees;
(b) 0.6 metres for shrubs; and
(c) 0.3 metres for all other planting areas.

(6) The soil depths referenced in subsection (5) must cover an area equal to the mature spread of the planting material.

(7) Landscaped areas may include Urban Agriculture.

Low Water Irrigation System

1296 (1) When a low water irrigation system is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.

(2) When a low water irrigation system is provided, trees and shrubs that have similar water consumption requirements must be grouped together.

Additional Landscaping Rules

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

(2) Every building on a parcel must have at least one sidewalk connecting the public entrance to a public sidewalk, or in the case where there is no public sidewalk, to the nearest street.
PART 13 - DIVISION 1: GENERAL RULES

(3) Where a **building** contains more than one **use**, every **use** that has an exterior **public entrance** must either:

(a) have a sidewalk connecting the **public entrance** to the sidewalk required by subsection (2); or

(b) have a sidewalk connecting that **public entrance** to a public sidewalk.

(4) Where a sidewalk provided in satisfaction of this section, is next to a portion of a **building**, the sidewalk must extend along the entire length of that side of the **building**.

(5) Every sidewalk provided must:

(a) be a **hard surfaced landscaped area**;

(b) be a minimum width of 2.0 metres;

(c) have different surfacing than the surfacing of the parking areas on the **parcel**; and

(d) be raised above the surface of the parking area when located in a parking area.

Residential Amenity Space

1298 (1) The required minimum **amenity space** is 5.0 square metres per **unit**.

(2) **Amenity space** may be provided as **common amenity space**, **private amenity space** or a combination of both.

(3) When the **private amenity space** provided is 5.0 square metres or less per **unit**, that specific area will be included to satisfy the **amenity space** requirement.

(4) When the **private amenity space** exceeds 5.0 square metres per **unit**, only 5.0 square metres per unit may be included to satisfy the **amenity space** requirement.

(5) **Private amenity space** must:

(a) be in the form of a **balcony**, **deck** or **patio**; and

(b) where the **private amenity space** is a **deck** or **patio** have no minimum dimensions of less than 2.0 metres.

(6) **Common amenity space**:

(a) may be provided as **common amenity space – indoors** and as **common amenity space – outdoors**;

(b) must be accessible from all the **units**;

(c) must have a contiguous area of not less than 50.0 square metres with no dimension less than 6.0 metres; and

(d) may be located at or above **grade**.
(7) A maximum of 50.0 per cent of the required amenity space may be provided as common amenity space – indoors.

(8) Common amenity space – outdoors must provide a balcony, deck or patio and at least one of the following as permanent features:
   
   (a) a barbeque; or
   
   (b) seating.

Garbage

1299 Garbage containers and waste material must be stored either:

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

Recycling Facilities

1300 Recycling facilities must be provided for every building.

Mechanical Screening

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

Visibility Setback

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

Sunlight Protection Areas

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

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

   (b) Barclay (3 Street SW) Mall as measured on the:

      (i) westerly 8.0 metres of the required right-of-way as stated in Part 3 Division 1 from 12:30 p.m. to 1:30 p.m. Mountain Daylight Time; and

      (ii) easterly 8.0 metres of the required right-of-way as stated in Part 3 Division 1 from 1:30 p.m. to 2:30 p.m. Mountain Daylight Time;
(c) Olympic Plaza as measured on those portions contained within Plan “A”, Block 52, Lots 1 to 38. OT from 12:00 p.m. to 2:00 p.m. Mountain Daylight Time;

(d) Century Gardens as measured on those portions contained within Plan 8050EJ, Block 46, Lots B to E; Plan A1, Block 46, Lots 27-40 and Plan A1, Block 46, OT from 12:00 p.m. to 2:00 p.m. Mountain Daylight Time;

(e) McDougall School as measured on the north half of the block bounded by 4 and 5 Avenues SW between 6 and 7 Streets SW from 12:00 p.m. to 2:00 p.m. Mountain Daylight Time;

(f) Courthouse Block as measured on the northerly 18.0 metres of the block bounded by 6 and 7 Avenues SW between 4 and 5 Street SW from 12:00 p.m. to 2:00 p.m. Mountain Daylight Time;

(g) Mewata Armoury as measured on the northerly 160.0 metres of the site on Plan 3445JK, Block 2 from 12:00 p.m. to 2:00 p.m. Mountain Daylight Time;

(h) The Riverbank (not including the Riverbank Promenade and between 3 and 7 Streets SW) as measured throughout the 20.0 metre wide area abutting the southern top of bank of the Bow River, from 10:00 a.m. to 4:00 p.m. Mountain Daylight Time; and

(i) The Riverbank Promenade (between 3 Street SW and Centre Street S.) as measured throughout the 9.0 metre wide area abutting the southern top of bank of the Bow River, from 10:00 a.m. to 4:00 p.m. Mountain Daylight Time.

Parcel Access

1304 All developments must comply with the access requirements of the Controlled Streets Bylaw.
Division 2: Commercial Residential District (CR20-C20/R20)

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

(a) *developments* that contribute to the Downtown’s role as the predominant destination for business, retail, entertainment and cultural activities in the City;

(b) a mix of commercial, residential and cultural *uses* within the Downtown;

(c) intensive high-rise, high-density *developments* where intensity is measured by *floor area ratio*;

(d) *developments* that are pedestrian-oriented at *grade* and provide a high quality public realm;

(e) *buildings* that incorporate a mix of *uses*;

(f) varying maximum base *density* with incentive *density* over and above base *density* to achieve commercial residential mixed use, public benefit and amenities within the same community;

(g) active, pedestrian focused *uses* on the ground floor and +15 *Skywalk System* level of *buildings*;

(h) *developments* that promote the preservation and reuse of historic resources.

(i) the connection of *buildings* to the +15 *Skywalk System*;

(j) improved and expanded public transportation; and

(k) *parcels* that are intended to transition *uses* and *building* forms to the surrounding neighbourhoods if they are located in the Transition Area as illustrated in Map 11.

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

(a) Park;

(b) Protective and Emergency Service;

(c) Sign – Class A;

(d) Sign – Class B;

(e) Sign – Class D; and

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

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

(3) The following uses are permitted uses except if they are located on the second floor of an existing approved building that contains an existing or approved +15 Skywalk System walkway:

   (a) Catering Service – Minor;
   (b) Counselling Service;
   (c) Fitness Centre;
   (d) Health Services Laboratory – With Clients;
(e) Medical Clinic;
(f) Power Generation Facility – Small;
(g) Radio and Television Studio; and
(h) Service Organization.

Discretionary Uses

1307 (1) Uses listed in subsections 1306 (2) and (3) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the CR20-C20/R20 District.

(2) Uses listed in subsection 1306 (3) are discretionary uses in the CR20-C20/R20 District if they are located on the second floor of an existing approved building that contains an existing or approved +15 Skywalk System walkway.

(3) The following uses are discretionary uses in the CR20-C20/R20 District:

(a) Addiction Treatment;
(b) Assisted Living;
(c) Amusement Arcade;
(d) Auction Market – Other Goods;
(d.1) Brewery, Winery and Distillery;
(d.2) Cannabis Counselling;
(d.3) Cannabis Store;
(e) Child Care Service;
(f) Cinema;
(g) Community Recreational Facility;
(h) Conference and Event Facility;
(i) Custodial Care;
(j) Cultural Support;
(k) Drinking Establishment – Medium;
(l) Drinking Establishment – Small;
(m) Dwelling Unit;
(m.1) Food Production;
(n) Health Services Laboratory – Without Clients;
(o) Home Occupation – Class 2;
(p) Hotel;
(q) Indoor Recreation Facility;
(r) Instructional Facility;
(r.1) Kennel;
(s) Liquor Store;
(t) Live Work Unit;
(u) Market;
(u.1) deleted
(v) Night Club;
(w) Outdoor Café;
(x) Outdoor Recreation Area;
(y) Park Maintenance Facility – Small;
(z) Parking Lot – Structure;
(aa) Pawn Shop;
(aa.1) Payday Loan;
(bb) Performing Arts Centre;
(cc) Place of Worship – Medium;
(dd) Place of Worship – Small;
(ee) Post-Secondary Learning Institution;
(ff) Restaurant: Licensed – Large;
(gg) Restaurant: Licensed – Medium;
(hh) Residential Care;
(ii) School – Private;
(jj) School Authority – School;
(kk) School Authority Purpose – Major;
(ll) Sign – Class C;
(mm) Sign – Class E;
(nn) Sign – Class F;
(oo) Social Organization;
(pp) Special Function – Class 2;
(pp.1) Urban Agriculture;
(qq) Utility Building;
(rr) Vehicle Rental – Major;
(ss) Vehicle Rental – Minor; and
(tt) Vehicle Sales – Minor.

(4) The following uses are additional discretionary uses in the CR20-C20/R20 District if they were legally existing prior to the parcel being designated CR20-C20/R20:
(a) Parking Lot – Grade; and
(b) Place of Worship – Large.

Transition Area

The following uses are additional discretionary uses in the CR20-C20/R20 District except where located in the Transition Area as illustrated in Map 11:

(a) Drinking Establishment – Large; and
(b) Sign – Class G.

Rules

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

(a) the General Rules for Centre City Downtown Districts referenced in Part 13, Division 1;
(b) the Rules Governing All Districts referenced in Part 3; and
(c) the applicable Uses and Use Rules referenced in Part 4.

Floor Area Ratio

The maximum floor area ratio:

(a) is 3.0; and
may be increased in accordance with the incentive provisions contained in Part 13, Division 3.

Sunlight Preservation Density Transfer
1311 (1) **Parcels** containing a **building** that is affected by the Sunlight Protection Areas rules of section 1303 are deemed, for the purpose of establishing the amount of transferable **density** only, to have a **floor area ratio** equal to the amount that they would have achieved through the provision of incentive amenity items required or approved by the **Development Authority** had those sunlight protection rules not existed.

(2) The difference between the **gross floor area** existing on a **parcel** after completion of a new **development** that includes all required or approved incentive amenity items contained in Table 8 and the potential **gross floor area** of the **parcel** may be transferred to other **parcels** in this district.

(3) The **density** transfer provision of item 8.15 of Table 8 is available only to receiving **parcels** in this district where the redevelopment of the transferring **parcel** has been completed and the requirements of this Bylaw, including the satisfaction of any incentive **density** item requirements contained in Table 8 and the sunlight protection standards of section 1303 have been provided to the satisfaction of the **Development Authority**.

Building Height
1312 There is no maximum **building height**.

Residential Window Separation from the Property Line
1313 (1) Windows for **Assisted Living**, **Dwelling Units** or **Live Work Units**, where they are located in the Transition Area as illustrated on Map 11, must provide a horizontal separation of:

(a) 9.0 metres from a **property line** shared with another **parcel**; and

(b) 6.0 metres from a **property line** shared with a **lane**.

(2) In all other cases windows for **Assisted Living**, **Dwelling Units** or **Live Work Units** must provide a horizontal separation of:

(a) 7.5 metres from a **property line** shared with another **parcel**; and

(b) 4.5 metres from a **property line** shared with a **lane**.

Floor Plate Restrictions
1314 (1) Each floor of a **building** located partially or wholly above 36.0 metres above **grade** and containing **Assisted Living**, **Dwelling Units**, **Hotel**
suites or Live Work Units has a maximum horizontal dimension of 44.0 metres where they are located in the Transition Area as illustrated on Map 11.

(2) In all other cases each floor of a building located partially or wholly above 36.0 metres above grade and containing Assisted Living, Dwelling Units, Hotel suites or Live Work Units has a maximum floor plate area of 930.0 square metres.

Ground Floor Height
1315 The minimum height of the ground floor of a building is 4.5 metres as measured vertically from the floor to the ceiling.

Use Area
1316 (1) Unless otherwise referenced in this section, the maximum use area for uses on the ground floor of a building is 1200.0 square metres.

(2) For a Retail and Consumer Service, Supermarket, or a Supermarket combined with any other use, the maximum use area on the ground floor of a building is 3000.0 square metres.

(3) The following uses do not have a maximum use area:
   (a) Cinema;
   (b) Conference and Event Facility;
   (c) Dinner Theatre;
   (d) Hotel;
   (e) Library;
   (f) Museum;
   (g) Parking Lot - Structure;
   (h) Performing Arts Centre;
   (i) Protective and Emergency Service; and
   (j) Utility Building.

(4) Where parcels are located in the Transition Area as illustrated on Map 11, the maximum use area of a:
   (a) Night Club is 300.0 square metres; and
(b) **Financial Institution** where located on the ground floor of a building is 465.0 square metres.

**Office Gross Floor Area and Location**

1317 (1) Where a building is located on one or more parcels where the cumulative parcel area is greater than 1812.0 square metres, the cumulative gross floor area of Office uses on the ground floor of a building must not exceed the greater of:

(a) 50.0 per cent of the of the gross floor area of the ground floor; or

(b) 550.0 square metres.

(2) Where a parcel shares a property line with the following streets, an Office may only be located on the ground floor of a building where another use is located between the Office and the shared property line:

(a) Centre Street S between 3 Avenue S and 8 Avenue S;

(b) 3 Street SW (Barclay Mall) between 3 Avenue SW and 8 Avenue SW;

(c) 7 Avenue SW between Centre Street S and 4 Street SW; and

(d) Stephen Avenue Mall Retail Area as identified on Map 11.

**Location of Uses within Buildings**

1318 (1) The following uses must not be located on the ground floor of a building:

(a) **Counselling Service**;

(b) **Custodial Care**;

(c) **Dwelling Unit**; and

(d) **Health Services Laboratory – Without Clients**.

(2) **Financial Institution** and **Office** may only be located on the ground floor of a building where located in the Stephen Avenue Mall Retail Area as illustrated on Map 12 where:

(a) a bank or office was approved prior to the effective date of this bylaw; and

(b) the building is listed on the City inventory of evaluated historic resources or is designated as a Municipal Historic Resource pursuant to the **Historical Resources Act**.

(3) The following uses must not be located on the second floor where the building is connected to the +15 Skywalk System and where there is no other use located between these uses and the +15 Skywalk System:
(a) Addiction Treatment;
(b) Assisted Living;
(c) Counselling Service;
(d) Custodial Care;
(e) Dwelling Unit;
(f) Health Services Laboratory – Without Clients;
(g) Live Work Unit;
(h) Office;
(i) Place of Worship – Medium;
(j) Residential Care;
(k) School – Private;
(l) School Authority – School; and
(m) Social Organization.

(4) The uses listed in the Residential Group of Schedule A to this Bylaw, with the exception of a Hotel, may only share a hallway with any other use in the Residential Group of Schedule A to this Bylaw.

(5) Only those uses listed in the Residential Group of Schedule A to this Bylaw, with the exception of Hotel uses, may share an area of a parking structure with any other use in the Residential Group of Schedule A to this Bylaw.

Use Activities

1319 All activities associated with a Vehicle Rental – Major, Vehicle Rental – Minor and Vehicle Sales – Minor, with the exception of vehicle pick-up and drop-off activities, must be contained within a building.

Lobbies at Grade

1320 (1) With the exception of public amenity items in Part 13, Division 3, Table 8, all common corridors, lobbies and entranceways on the ground floor of a building must not be greater than:

(a) 35.0 per cent of the gross floor area of the ground floor where:

(i) the development is located on one or more parcels where the cumulative parcel area is greater than 1812.0 square metres; and

(ii) the development is located on a parcel that shares a property line with any of the following streets:
(A) 3 Street SW (Barclay Mall) between 3 Avenue SW and 8 Avenue SW;

(B) Centre Street S between 3 Avenue S and 8 Avenue S; or

(C) 7 Avenue SW between Centre Street S and 4 Street SW; and

(b) 70.0 per cent of the gross floor area of the ground floor in all other cases.

(2) Where a building is located within the Stephen Avenue Mall Retail Area, as identified on Map 12, the maximum width of entranceways and lobbies providing access to uses above the ground floor is the greater of:

(a) 15.0 per cent of the length of property line shared with 8 Avenue SW; and

(b) 10.0 metres.

Map 12: Stephen Avenue Mall Retail Area
Street Walls
1321 (1) Where the building height within 6.0 metres of a property line shared with a street is greater than 36.0 metres, the building must provide two of the following features, not including signs, to distinguish the base of the building from the rest of the building:

(a) building massing;
(b) façade articulation;
(c) textures;
(d) building materials; or
(e) a minimum horizontal separation of 3.0 metres from the façade of the podium which is shared with the street and portions of the building located above the podium.

(2) The building features in subsection (1) must have:

(a) a minimum height of 9.0 metres from grade; and
(b) a maximum height of 24.0 metres from grade.

Stephen Avenue Mall – Building Orientation
1322 Except for entranceways and vestibules, the maximum building setback from 8 Avenue SW between 4 Street SW and MacLeod Trail SE is 0.0 metres.

Stephen Avenue Mall – Building Design
1323 Buildings within the Stephen Avenue Mall heritage area must:

(a) retain the heritage character of existing buildings; and
(b) respect the existing heritage character of the area in new buildings or additions to existing buildings through the use of compatible materials and architectural features.

Landscaping
1324 Except for motor vehicle access, motor vehicle parking stalls, loading stall and garbage facilities, exterior horizontal surfaces of a building must be landscaped areas where:

(a) the building contains Assisted Living, Dwelling Units or Live Work Units located above the horizontal surface; and
(b) the horizontal surface is less than or equal to 36.0 metres above grade and greater than 5.6 square metres in area.
Motor Vehicle Parking Stalls

1325 (1) The minimum number of motor vehicle parking stalls established in this section must not be exceeded except where additional stalls are being provided in accordance with sections 1327 and 1328.

(2) For Assisted Living, Custodial Care, and Residential Care the minimum number of required motor vehicle parking stalls is the requirement referenced in Part 4.

(3) For Dwelling Units or Live Work Units:
(a) the minimum motor vehicle parking stall requirement is 0.5 stalls per unit;
(b) the maximum number of motor vehicle parking stalls that may be provided is:
   (i) 1.0 stalls per unit where the unit’s gross floor area is less than or equal to 125.0 square metres; and
   (ii) 2.0 stalls per unit where the unit’s gross floor area is greater than 125.0 square metres; and
(c) the visitor parking stall requirement is 0.1 stalls per unit.

(4) For a Hotel, the minimum number of required motor vehicle parking stalls is 1.0 per 3.0 guest rooms.

(5) The following uses require a parking study to determine the required minimum number of motor vehicle parking stalls, bicycle parking stalls – class 1 and bicycle parking stalls – class 2:
   (a) Conference and Event Facility;
   (b) Indoor Recreation Facility;
   (c) Library;
   (d) Museum;
   (e) Performing Arts Centre;
   (f) Post-secondary Learning Institution.

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(6) Except for Office, uses located on the ground floor or second floor of a building do not require motor vehicle parking stalls.

(7) For all other uses, the minimum number of required motor vehicle parking stalls is 0.7 per 100.0 square metres of gross usable floor area.
Restricted Parking Area

1326  (1) Unless otherwise referenced in 1325(3) or subsection (2), the minimum and maximum required number of motor vehicle parking stalls for developments located within the Restricted Parking Area illustrated on Map 13 is the minimum number of motor vehicle parking stalls required in section 1325.

(2) The maximum number of motor vehicle parking stalls for sites upon which an existing stand-alone parking structure exists, and which existed on October 10, 1984, is the greater of:

(a) the number of motor vehicle parking stalls provided on October 10, 1984, or

(b) the number of motor vehicle parking stalls in subsection (1).

(3) The development authority may consider a relaxation of the minimum number of required motor vehicle parking stalls for developments within the Restricted Parking Area illustrated on Map 13, of up 50 per cent only where:

(a) an off-site transportation improvements in lieu of parking fee is paid, calculated at the rate per motor vehicle parking stall established by Council in effect at the time the payment is made; and

(b) the rules in section 124 are met.

(4) deleted

(5) Motor vehicle parking stalls provided in accordance with sections 1327 and 1328 are not subject to the Restricted Parking Area rules.
PART 13 - DIVISION 2: COMMERCIAL RESIDENTIAL DISTRICT (CR20-C20/R20)

Map 13: Restricted Parking Area Boundaries

Short Stay Parking Stalls

1327 (1) The number of motor vehicle parking stalls required in sections 1325 or 1326 may be increased to provide parking area – short stay stalls under one of the following options when the parcel is located in a Short Stay Parking Area identified in Map 14:

(a) up to a total of 10.0 additional motor vehicle parking stalls where such stalls are:
   (i) located in a portion of the development approved for use as a parking area – short stay;
   (ii) included in a parking area which is operated as part of a scramble parking arrangement that is open to the public; and
   (iii) prominently signed at the street level indicating the availability and conditions of use of such stalls; or

(b) more than 10.0 additional motor vehicle parking stalls, to a maximum of 25.0 per cent of the number of stalls required in section 1325 or 125.0 stalls, whichever is less, where such stalls are:
   (i) located in a portion of the development approved for use as a parking area – short stay;
   (ii) identified through appropriate signage, as parking area - short stay stalls;
   (iii) prominently signed at the street level indicating the availability and conditions of use of such stalls; and
(iv) adjacent to a road network that the Development Authority has determined is capable of handling the added vehicle movements associated with the additional stalls.

(2) When approving a development permit incorporating parking area – short stay stalls provided for in subsection (1)(b), the Development Authority must impose conditions, including, but not limited to, requiring the applicant to enter into a Special Development Agreement with The City of Calgary which must include provision for the mechanism by which the development will be managed to ensure the operation of stalls as parking area - short stay stalls available to the public, at minimum, from 7.00 a.m. until 11:00 p.m. Mountain Standard Time seven days a week.

Map 14: Short Stay Parking Areas

Parking Stall Transfer from a Municipal Historic Resource

1328 (1) A transferring parcel within the Restricted Parking Area as identified in Map 13 may transfer to a receiving parcel in the Restricted Parking Area motor vehicle parking stalls which have not already been provided on the transferring parcel, where:

(a) the transferring parcel is designated as a Municipal Historic Resources pursuant to the Historical Resources Act;

(b) the additional motor vehicle parking stalls being transferred do not exceed 20.0 per cent of the number of motor vehicle parking stalls of the development on the receiving parcel in section 1325; and
(c) the additional stalls provided on the receiving parcel are adjacent to a road network that the Development Authority has determined is capable of handling the added vehicle movements associated with the additional stalls.

(2) The number of motor vehicle parking stalls which may be transferred to a receiving parcel in accordance with subsection (1) is determined by:

(a) calculating the amount of gross floor area that could be built on the transferring parcel designated as a Municipal Historic Resource pursuant to the Municipal Historic Resources Act at a floor area ratio of 7.0;

(b) using the gross floor area in subsection (a), calculate the potential number of motor vehicle parking stalls on the transferring parcel at a rate of 0.7 stalls per 100 square metres of gross usable floor area;

(c) using the potential number of motor vehicle parking stalls in subsection (b), apply one of the following percentages based on the categorization of the transferring parcel on the City’s Inventory of Evaluated Historic Resources;

(i) City-Wide Historic Resource – 50.0 per cent; or
(ii) Community Historic Resource – 25.0 per cent; and

(d) subtracting from the resulting number of motor vehicle parking stalls in subsection (c) the number of motor vehicle parking stalls that currently exist on the transferring parcel.

(3) Motor vehicle parking stalls transferred to a receiving parcel under this section must not be provided on the transferring parcel.

(4) The transfer of motor vehicle parking stalls to a receiving parcel under this section must be registered as a caveat on the Certificate of Title of the transferring parcel.

Location of Motor Vehicle Parking Stalls

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

Bicycle Parking Stall Requirements

(1) Unless otherwise referenced in this section, the minimum number of required bicycle parking stalls – class 1 and class 2 is the requirement referenced in Part 4.

(2) For an Office, the minimum number of required:
(a) **bicycle parking stalls - class 1** is 2.0 per 1000.0 square metres of _gross usable floor area_; and

(b) **bicycle parking stalls - class 2** is 2.0 per 1000.0 square metres of _gross usable floor area._

(3) For a **Dwelling Unit** or **Live Work Unit**, the minimum number of **bicycle parking stalls – class 1** is 1.0 per unit for developments with greater than 20.0 units.

(4) Where **bicycle parking stalls – class 1** are required for an **Office** in a proposed **building**, the following amenities must be provided:

(a) lockers at a ratio of 1.0 per 4.0 **bicycle parking stalls – class 1**; and

(b) where a minimum of 25.0 **bicycle parking stalls – class 1** are required:

(i) private change rooms at a minimum of 0.4 square metres per required **bicycle parking stalls – class 1** or 20.0 square metres, whichever is greater;

(ii) showers at a minimum of 0.4 square metres per required **bicycle parking stalls – class 1** or 20.0 square metres, whichever is greater; and

(iii) an unobstructed area for bicycle maintenance which must:

   (A) be a minimum of 6.0 square metres; and

   (B) have no minimum dimensions less than 2.0 metres.

Location of Bicycle Parking Stalls

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

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

Incentive Density Calculation Method

1332 (1) The floor area ratio of the Commercial Residential District (CR20-C20/R20) may be increased in accordance with the incentive provisions of this Division to a maximum total of 20.0 floor area ratio.

(2) The amount of additional gross floor area achieved by providing the requirements of the public amenity items in Table 8 are calculated as a floor area ratio, an Incentive Ratio or an Incentive Rate.

(3) An Incentive Rate indicates that the amount of additional gross floor area will be calculated by dividing the cost of the provided public amenity item in Table 8, or the amount of contribution to a fund, by the respective Incentive Rate as established by Council where the following Incentive Rates apply:
   (a) Incentive Rate 1 is $296.00 per square metre;
   (b) Incentive Rate 2 is $242.00 per square metre;
   (c) Incentive Rate 3 is $194.00 per square metre; and
   (d) Incentive Rate 4 is $43.00 per square metre.

(4) Public amenity items that must or may be provided to achieve additional gross floor area are shown in Table 7.

(5) Unless otherwise specified in this Part, a public amenity item for which additional gross floor area has been achieved must be maintained on the parcel for so long as the development exists.

(6) The Development Authority must determine whether a proposed amenity item is appropriate for the development.

(7) Where a parcel contains a building designated as a Municipal Historic Resource pursuant to the Historical Resources Act by a Bylaw approved by Council:
   (a) the maximum floor area ratio is the floor area ratio that exists at the time of designation;
   (b) for the purpose of calculating incentive floor area ratio only, the difference between the maximum floor area ratio of a building designated as a Municipal Historic Resource and a floor area ratio of 10.0 may be transferred to another parcel in accordance with the incentive provisions contained in Table 8, item 8.13;
   (c) the floor area ratio may be increased by up to additional 2.0 floor area ratio to a total of 12.0 where retention costs, which include costs for repair, restoration and improvement of the
historic building as approved by the Development Authority, are incurred; and

(d) the transferable floor area ratio achieved through retention costs is transferred as gross floor area and calculated by dividing the retention costs by Incentive Rate 3.

(8) Where a building is legally existing or approved prior to the parcel being designated CR20-C20/R20 the floor area ratio of the building is deemed to conform to the minimum and maximum requirements of this Bylaw.
Table 7: Summary of Incentive Provisions

<table>
<thead>
<tr>
<th>Type of use</th>
<th>Parcel area requirement</th>
<th>Max. floor area ratio</th>
<th>Additional incentive floor area ratio</th>
<th>Max. possible floor area ratio</th>
<th>Public amenity items that must be provided</th>
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<tr>
<td>Assisted Living, Dwelling Units, Live Work Units</td>
<td>none</td>
<td>3.0</td>
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<td>17.0</td>
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<td>Hotel*</td>
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<td>17.0</td>
<td>20.0</td>
<td>Table 8 item 8.0.4(a), (b) and (c); and Combination of the public amenities in Table 8 items 8.1 to 8.28.</td>
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<td>All other uses</td>
<td>Less than 1812.0 square metres</td>
<td>3.0</td>
<td>6.0</td>
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<td>Greater than or equal to 1812.0 square metres to a maximum of 3020.0 square metres</td>
<td>3.0</td>
<td>A floor area ratio of 6.0 decreasing proportionately to a floor area ratio of 4.0 as the area of the parcel increases to a maximum area of 3020.0 square metres</td>
<td>7.0 to 9.0</td>
<td>Table 8 item 8.0.4(a), (b) and (c).</td>
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<td>17.0</td>
<td>20.0</td>
<td>Table 8 item 8.0.4(a), (b) and (c); and Combination of the public amenities in Table 8 items 8.1 to 8.28.</td>
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<td></td>
<td>Greater than 3020.0 square metres</td>
<td>3.0</td>
<td>4.0</td>
<td>7.0</td>
<td>Table 8 item 8.0.4(a), (b) and (c).</td>
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* Additional floor area ratio achieved through provision of public amenity items must only be used for this use.
Table 8: Public Amenity Items

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<th>Overview</th>
<th>Description</th>
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<tr>
<td>8.0</td>
<td>On-Site Pedestrian Amenities</td>
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<tr>
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<td>Contribution to Central Business District Improvement Fund Rate 2</td>
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<td>Public Open Space</td>
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<td>8.3</td>
<td>Indoor Park</td>
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<td>Urban Grove</td>
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<td>8.5</td>
<td>Public Art – On Site</td>
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<td>8.6</td>
<td>Public Art – Contribution to Public Art Fund</td>
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<td>Green Building Features</td>
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<td>District Energy Connection Ability</td>
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<td>8.7.6</td>
<td>On-site Cogeneration Facility</td>
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<td>8.7.7</td>
<td>Electric Vehicle Charging Stations</td>
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<td>8.7.8</td>
<td>Additional Bicycle Parking Stalls</td>
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<td>8.8</td>
<td>Bicycle Station</td>
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<td>8.9</td>
<td>Transit Enhancements</td>
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<td>Cultural Support Space</td>
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<td>Community Support Facilities</td>
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<td>Heritage Density Transfer</td>
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<td>Historic Resource Retention</td>
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<td>Density Transfer for Sunlight Preservation</td>
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<td>Density Transfer for Adaptive Reuse</td>
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<td>Design for Universal Accessibility</td>
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<td>Dwelling Unit Mix</td>
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<td>Innovative Public Amenity</td>
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<td>Exceptional Design</td>
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<td>8.23</td>
<td>+15 Skywalk System Bridge</td>
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<td>8.24</td>
<td>+15 Skywalk System Feature Access</td>
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<td><strong>ON-SITE PEDESTRIAN AMENITIES</strong></td>
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On-site pedestrian amenities are spaces at *grade* and at the +15 Skywalk System level intended and designed to enable pedestrian movement. These amenities entail additional pedestrian space at *grade* and provisions for the connection to, and implementation of +15 Skywalk System walkways through the development. The diagram in 8.0.5 illustrates a potential implementation of the requirements of 8.0.4.

8.0.1 The maximum incentive floor area ratio for this item is:

(a) a floor area ratio of 12.0 for any use listed in the Residential Group of Schedule A of this Bylaw, with the exception of Hotel where all requirements of 8.0.4 are met; and

(b) a floor area ratio of 4.0 for all other uses where the requirements of item 8.0.4 are met.

8.0.2 Incentive calculation is as follows:

Where a development provides on-site pedestrian amenities:

(a) the additional floor area ratio is 12.0 where all requirements of items 8.0.4 are met and the use is in the Residential Group of Schedule A of this Bylaw, with the exception of Hotel; and

(b) the additional floor area ratio is 4.0 for all other uses where all requirements of 8.0.4 are met.

8.0.3 The minimum floor area ratio that must be achieved prior to use of this item is none.

8.0.4 Requirements:

On-site pedestrian amenities include the following:

(a) at grade pedestrian circulation – public sidewalk setback area where:

   (i) the portion of a parcel adjacent to a street must be a hard surface landscaped area and:

      (A) where it is part of an arcade must provide, an unobstructed depth of a minimum of 3.5 metres that does not contain structural elements of a building between grade and the bottom of the storey above; and

      (B) where it is not part of an arcade, must not contain structural elements of a building between grade and the bottom of the storey above for a minimum depth of 2.2 metres;

(b) at grade pedestrian circulation provided within a triangular area formed on a corner parcel by the two property lines, as determined by Table 1, Road Rights-of-Way, and a straight line which intersects them 7.5 metres from where they meet which:
(i) must not contain any **buildings** within 3.0 metres from where they meet;

(ii) may only contain pillars and structural supports in areas which are greater than 3.0 metres of where they meet; and

(iii) must be a minimum height of 4.6 metres measured vertically from grade;

(c) **+15 Skywalk System** provisions where:

(i) **+15 Skywalk System** elements for potential connection to the **+15 Skywalk System** on the **parcel** and to adjoining **parcels**:

(A) **+15 Skywalk System walkway** with an unobstructed width of 4.5 metres oriented in a manner that provides the greatest opportunity for connection to, and extension of, the **+15 Skywalk System**, as shown on a plan approved by the **Development Authority**;

(B) structural supports, at locations indicated on a plan approved by the **Development Authority**, that would allow for possible expansion of the **+15 Skywalk System** by way of a **+15 Skywalk System bridge** which must be incorporated into the overall structure and design of the **building**; and

(C) vertical movement opportunities between **grade** and the second **storey** within a **building**, which must include:

(I) a publicly accessible elevator; and

(II) either a pair of escalators or a staircase with a minimum unobstructed width of 2.0 metres; and

(ii) a financial contribution to the **+15 Skywalk System Fund** in accordance with the **+15 Policy**.
8.0.5

Diagram: (not to scale)

Section

No Arcade

Storey above

Min. depth: 2.2m

Building

No Arcade

Pedestrian Amenity

Arcade

Min. depth: 3.5m

Building

Row Table Property Line

7.5m

3.0m

2.2m

No structures within 3.0m of corner

Downtown Corner Circulation Triangle:
only pillars and structural supports within 7.5m of corner,
min. height 4.6m

Plan View

+15 Skywalk System
Provisions

Sidewalk

Elevator

Escalator / Stairs

Bridge Supports

4.5m

+15 Skywalk System Walkway

Row Table Property Line

3.5m
### 8.1 CONTRIBUTION TO CENTRAL BUSINESS DISTRICT IMPROVEMENT FUND RATE 2

Financial contributions to a dedicated fund to be used to support off-site public realm improvements in the CR20-C20/R20 district. Off site public realm improvements include, but are not limited to, improvements to public sidewalks, squares and parks and the acquisition of land for public squares and parks.

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

**8.1.2** Incentive calculation:

Where a *development* provides a contribution to the *Central Business District Improvement Fund Rate 2* the applicable Incentive Rate is Incentive Rate 2.

**Method**

(a) where a *development* contains

(i) a total *gross floor area of uses* listed in the Residential Group of Schedule A of this Bylaw that is equal to or greater than 2.0 *floor area ratio*; and

(ii) a *gross floor area of uses* listed in the Residential Group of Schedule A of this Bylaw that is equal to or greater than 2.0 *floor area ratio*, no contribution to this item is required;

(b) in all other cases the incentive *gross floor area* (square metres) = contribution amount ($) divided by Incentive Rate 2 ($).

**8.1.3** The minimum *floor area ratio* that must be achieved prior to use of this item is 7.0.

**8.1.4** Requirements:

A contribution must be made to the *Central Business District Improvement Fund* for the *development*.

### 8.2 PUBLIC OPEN SPACE

A public open space is a landscaped, publicly accessible, pedestrian space that is open to the sky and is located at *grade*. It may be soft or hard landscaped. The diagram in 8.2.5 illustrates a potential implementation of the requirements of 8.2.4.

**8.2.1** The maximum incentive *floor area ratio* for this item is 4.0.

**8.2.2** Incentive calculation:

Where a *development* provides a public open space the Incentive Ratio is 1:5.

**Method:**

Incentive *gross floor area* (square metres) = *area* of the public open space provided (square metres) multiplied by 5.0.
8.2.3 Minimum Floor Area Ratio Requirement:

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

(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.

8.2.4 Requirements:

A public open space includes the following:

(a) a location at grade or within 0.45 metres above or below grade;

(b) a location adjacent to, and accessible from, a public sidewalk;

(c) where the public open space shares a perimeter with a public sidewalk, hard surfaced landscaped area for a minimum of 40.0 per cent of that perimeter to enable direct pedestrian access from the sidewalk;

(d) a building along a minimum of 70.0 per cent of one side of its perimeter;

(e) a minimum contiguous area of the lesser of 10.0 per cent of the cumulative parcel area or:

   (i) 250.0 square metres for sites greater than or equal to 1812.0 square metres in area; or

   (ii) 150.0 square metres for sites of less than 1812.0 square metres in area;

(f) a depth that is not greater than 3.0 times the street frontage;

(g) a maximum combined width of all entranceways to Office of the greater of:

   (i) 25.0 per cent of the building frontages forming the public square’s perimeter; and

   (ii) 15.0 metres;

(h) where mechanical systems or equipment are located inside the perimeter of the public open space, they must be screened and their surface areas are not included in the area calculation of the public open space;

(i) public seating as individual fixed seats or bench seating;

(j) hard surfaced areas that exceed any minimum standards for hard surfaced landscaped areas as established in this Bylaw;

(k) a maximum cumulative total of 50.0 per cent of the area of the public square used as an Outdoor Café;

(l) where an Outdoor Café is enclosed by a fence, a fence design that can be removed; and

(m) ensured public access 24 hours a day, seven days a week through a public access agreement.
8.3 INDOOR PARK

An indoor park is a publicly accessible, primarily glazed space containing plants that grow year round. An indoor park can either be fully integrated into the building or it can protrude, or be separate from, the building. The diagram in 8.3.5 illustrates a potential implementation of the requirements of 8.3.4.

8.3.1 The maximum incentive floor area ratio for this item is 4.5.

8.3.2 Incentive calculation:

Where a development provides an indoor park:

(a) the Incentive Ratio is 1:10 for indoor park areas with building above; and

(b) the Incentive Ratio is 1:15 for indoor park areas with no building above.

Method:

(a) incentive gross floor area (square metres) = gross floor area of the amenity space provided where there is building above (square metres) multiplied by 10.0;

(b) incentive gross floor area (square metres) = gross floor area of the amenity space provided where there is no building above (square metres) multiplied by 15.0.
### 8.3.3 Minimum Floor Area Ratio Requirement:

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

(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.

### 8.3.4 Requirements:

An indoor park includes the following:

(a) a public access agreement for the hours of operation defined in the +15 Policy;

(b) a minimum width of 9.0 metres;

(c) a minimum horizontal depth of: 4.0 metres where there is building above; and 5.0 metres where there is no building above;

(d) a minimum vertical clearance between floor and roof or ceiling of:
   
   - (i) 4.0 metres where there is building above;
   
   - (ii) 5.0 metres where there is no building above and the roof or ceiling is glazed; or

   - (iii) 8.0 metres where there is no building above and the roof or ceiling is not glazed;

(e) Where there is building above, a vertical clearance that is equal to or greater than 60.0 per cent of the horizontal depth of the indoor park space;

(f) where there is building above, a minimum contiguous area of 100.0 square metres, excluding access ways to elevators and +15 Skywalk System walkways;

(g) a maximum depth of non-glazed roof areas of 8.0 metres;

(h) exterior walls that are clear glazed or consist primarily of windows except where the walls abut another parcel and where they contain structural elements of the building;

(i) a design as a distinct space within the building that is separate from a lobby;

(j) where at grade level it:
   
   - (i) is visible from the public sidewalk;
   
   - (ii) has a public entrance;

   - (iii) does not contain a +15 Skywalk System walkway greater than 4.5 metres in width where the +15 Skywalk System walkway covers a portion of the indoor park;
(k) where at the +15 Skywalk System level it:

(i) is visible from the +15 Skywalk System walkway;
(ii) has direct access to +15 Skywalk System walkway;
(iii) contains for the entire length where it abuts a +15 Skywalk System walkway either glazed walls, with direct access between the +15 Skywalk System walkway and the indoor park at least every 9.0 metres, or a completely open area without barriers;

(l) a minimum of 25.0 per cent of the gross floor area that is soft surfaced landscaped area;

(m) public seating as individual fixed seats or bench seating; and

(n) a maximum of 20.0 per cent of the gross floor area that is dedicated to seating for a use within the Eating and Drinking Group in Schedule A to this Bylaw.

8.3.5 Diagram: (not to scale)

Indoor Park

Plan View

Section

Indoor Park with no building above

Building

Max. width = 4.5m
+15 Skywalk inside Indoor Park

Min. height 5.0m
Glazed roof

Non-glazed roof

Max. depth = 8m

Glazed roof

Min. height 5.0m

Glazing

Max. 20% of area dedicated to seating for a use

Public entrance when at grade

Min. width 9.0m

+15 Skywalk glazing with access every 9m or open to Indoor Park

Min. landscaped area = 25%

Public seating

Glazing/Windows

Adjoining Building

Adjoining Building

Glazing

Glazed roof

Non-glazed roof

Max. width = 4.5m
+15 Skywalk inside Indoor Park

Min. height 5.0m

Glazed roof

Min. height 8.0m

Glazing

Min. height 5.0m

Glazing

Indoor Park with no building above

Building
### 8.4 URBAN GROVE

An urban grove is a cohesive planting area accommodating at least 10 trees, for an average 25-year life span for each tree. The purpose of the urban grove is to contribute to greening the city by providing cohesive groups of trees in the streetscape. The diagram in 8.4.5 illustrates a potential implementation of the requirements of 8.4.4.

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

#### 8.4.2 Incentive calculation:

Where a development provides an urban grove the Incentive Ratio is 1:8.

**Method:**

Incentive gross floor area (square metres) = area of the amenity space provided (square metres) multiplied by 8.0.

#### 8.4.3 Minimum Floor Area Ratio Requirement:

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

(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.

#### 8.4.4 Requirements:

An urban grove includes the following:

(a) a location visible from the public sidewalk or an on-site pedestrian space;

(b) a minimum of 10.0 trees, 60.0 per cent of which are to be of the same species;

(c) trees of a species capable of healthy growth in Calgary that must conform to the standards of the Canadian Nursery Landscape Association;

(d) trees with an average 25-year life span;

(e) 9.0 square metres of planting area for each tree planted;

(f) a maximum of 25.0 per cent coniferous trees of all trees provided;

(g) a minimum calliper size of 85.0 millimetres at the time of planting for deciduous trees;

(h) a minimum height of 3.0 metres at the time of planting for coniferous trees;

(i) a location within 0.45 metres above the grade of the adjoining public sidewalk where the urban grove is provided in a raised bed; and

(j) an underground irrigation system.
8.5 PUBLIC ART – ON SITE

Public art is publicly accessible art of any kind that is permanently suspended, attached to a wall or other surface, or otherwise integrated into a development. It is privately owned and must be an original piece of art in any style, expression, genre or media, created by a recognized artist.

8.5.1 The maximum incentive floor area ratio for this item is a cumulative total of 1.5 for items 8.5 and 8.6.

8.5.2 Incentive calculation:

Where a development provides public art – on site the Incentive Rate is Incentive Rate 1.

Method:

Incentive gross floor area (square metres) = value of the artwork ($) divided by Incentive Rate 1 ($).

Where a development provides both items 8.5 and 8.6, the total additional gross floor area is the sum of items 8.5 and 8.6 and must not exceed 1.5 floor area ratio.

8.5.3 Minimum Floor Area Ratio Requirement:

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

(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.
8.5.4 Requirements:
Public art – on site includes the following:
(a) artwork, the minimum value of which must be:
   (i) $200000.00 for sites equal to or greater than 1812.0 square metres in area; or
   (ii) $50000.00 for sites of less than 1812.0 square metres in area;
(b) the work of a recognized artist, i.e. created by a practitioner in the visual arts;
(c) a location in a publicly accessible area; and
(d) a minimum of 75.0 per cent of the artwork located either:
   (i) outdoors, at grade and visible from the public sidewalk;
   (ii) on the building’s exterior and visible from the public sidewalk; or
   (iii) in the +15 Skywalk System walkway or in an indoor park and visible from the publicly accessible landscaped areas or the public sidewalk at all times.

8.6 PUBLIC ART – CONTRIBUTION TO PUBLIC ART FUND
Public art – contribution to public art fund is a financial contribution to a civic fund with the purpose of providing art on public land in the CR20-C20/R20 District.

8.6.1 The maximum incentive floor area ratio for this item is a cumulative total of 1.5 for items 8.5 and 8.6.

8.6.2 Incentive calculation:
Where a development provides a contribution to the public art fund the Incentive Rate is Incentive Rate 2.
Method:
Incentive gross floor area (square metres) = value of the contribution to the public art fund ($) divided by Incentive Rate 2 ($).

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

8.7 GREEN BUILDING FEATURES
Green building features are physical components of a building that contribute to improving the local environment adjacent to the building. Improvements focus on enhancing air quality, reducing stormwater runoff, and improving the visual environment.

8.7.0(a) The maximum incentive floor area ratio for items 8.7.1 to 8.7.8 is a cumulative total of 2.5 for any combination of items 8.7.1 to 8.7.8.
<table>
<thead>
<tr>
<th>8.7.0(b)</th>
<th>Incentive calculation:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>See incentive items 8.7.1 - 8.7.8.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8.7.0(c)</th>
<th>Minimum Floor Area Ratio Requirement:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(i) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of items 8.7.1 to 8.7.8 is: 7.0; and</td>
</tr>
<tr>
<td></td>
<td>(ii) in all other cases the minimum floor area ratio that must be achieved prior to use of items 8.7.1 to 8.7.8 is: 8.0.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8.7.1</th>
<th>ENVIRONMENTAL ROOF</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>An environmental roof is a roof that is designed to retain stormwater on site or to contain plants.</td>
</tr>
</tbody>
</table>

| 8.7.1(a) | The maximum incentive floor area ratio for this item is 0.7. |

<table>
<thead>
<tr>
<th>8.7.1(b)</th>
<th>Incentive calculation:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Where a development provides an environmental roof the Incentive Ratio is 1:5.</td>
</tr>
<tr>
<td></td>
<td>Method:</td>
</tr>
<tr>
<td></td>
<td>Incentive gross floor area (square metres) = surface area of environmental roof (square metres) multiplied by 5.0.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8.7.1(c)</th>
<th>Minimum Floor Area Ratio Requirement:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(i) for a development containing a Hotel in either the development permit where the development permit is not phased or the first phase of the development permit, where the development permit is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</td>
</tr>
<tr>
<td></td>
<td>(ii) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</td>
</tr>
</tbody>
</table>
8.7.1 Requirements:

An environmental roof includes the following:

(i) roof area that is:

(I) permanently planted with vegetation and equipped with a growing medium and irrigation systems; or

(II) equipped with water collection and/or filtration systems designed to collect rainwater for reuse or to minimize stormwater runoff; and

(ii) walkways necessary for maintenance with a maximum width of 1.0 metre.

8.7.2 GREEN WALL

A green wall is an indoor vertical, soft surfaced landscaped area. The diagram in 8.7.2(e) illustrates a potential implementation of the requirements of 8.7.2(d).

8.7.2(a) The maximum incentive floor area ratio for this item is 1.0.

8.7.2(b) Incentive Calculation:

Where a development provides a green wall the Incentive Ratio is 1:5 based on the vertical surface area of the green wall.

Method:

Incentive gross floor area (square metres) = vertical surface area (square metres) multiplied by 5.0.

8.7.2(c) Minimum Floor Area Ratio Requirement:

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

(ii) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.

8.7.2(d) Requirements:

A green wall includes the following:

(i) a minimum vertical surface area of 20.0 square metres;

(ii) a minimum of 80.0 per cent of its vertical surface area covered by vegetation;

(iii) a location indoors and at-grade and/or at the +15 Skywalk System level;

(iv) where located at-grade level, it fronts on to and is visible from the public sidewalk, grade level open space or on-site pedestrian space; and

(v) where located at the +15 Skywalk System level, it fronts on to and is visible from the +15 Skywalk System.
### 8.7.3 BIORETENTION STRUCTURE

A bioretention structure is a structural framework that is inserted into the soil that transfers loads from the surface through the soil layers. The purpose of the structure is to retain and filter stormwater on site, to support evapotranspiration of retained stormwater and provide uncompacted planting soil for trees. The diagram in 8.7.3(e) illustrates a potential implementation of the requirements of 8.7.3(d).

#### 8.7.3(a) The maximum incentive floor area ratio for this item is 1.5.

#### 8.7.3(b) Incentive calculation:

Where a **development** provides a bioretention structure 0.1 **floor area ratio** for every 100.0 square metres of installed bioretention structure.

#### 8.7.3(c) Minimum Floor Area Ratio Requirement:

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

A bioretention structure includes the following:

(i) a minimum area of:
   (I) 250.0 square metres for sites equal to or greater than 1812.0 square metres in area; or
   (II) 150.0 square metres for sites of less than 1812.0 square metres in area;

(ii) a structural grid with a minimum depth of 0.4 metres to transfer surface loads through the soil layers;

(iii) installation in a location greater than 0.75 metres horizontal distance from a street;

(iv) a design to retain stormwater and either:
   (I) slowly discharge it into the municipal storm sewer system; or
   (II) re-use it on site; and
   (III) prevent seepage into groundwater below;

(v) a design to accommodate municipal utility and infrastructure systems;

(vi) a location not above the first storey;

(vii) a location within 0.5 metres of the grade of the adjoining public sidewalk where installed in planters or raised beds; and

(viii) where they occupy the same area, no application in combination with incentive item 8.7.1.

8.7.3(e) **Diagram:** (not to scale)

[Diagram showing bioretention structure with labels: Min. area: - 250.0 m² for sites equal or greater than 1812.0m² area - 150.0 m² for sites less than 1812.0m² area]
### 8.7.4 DISTRICT ENERGY CONNECTION ABILITY

District energy connection ability is the preservation of site areas from physical obstructions that would preclude or make unviable a connection to district energy infrastructure in the future. The diagram in 8.7.4(e) illustrates a potential implementation of the requirements of 8.7.4(d).

#### 8.7.4(a) The maximum incentive floor area ratio for this item is 0.5.

#### 8.7.4(b) Incentive calculation:

Where a development provides district energy connection ability the additional floor area ratio is 0.5.

#### 8.7.4(c) Minimum Floor Area Ratio Requirement:

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

#### 8.7.4(d) Requirements:

A district energy connection ability includes the following:

- (i) maintenance on the parcel until the development has been connected to and utilizes energy from district energy infrastructure;
- (ii) demonstration of the ability of a building to connect to existing or proposed district energy infrastructure by providing:
  - (I) space allocated for an energy transfer station at ground level or below (energy transfer station is defined as the mechanical interface between the district energy system and the building heating system located in the building - commonly known as a plate and frame heat exchanger and includes all heat transfer equipment, measurement equipment and control systems);
  - (II) a heat distribution system that can accommodate the primary heat source at ground level or below; and
  - (III) an easement with a minimum width of 4.0 metres registered on the certificate of title for the parcel for a thermal pipe from the property line to the building and through the building to the allocated energy transfer station location; and
- (iii) no application in combination with incentive items 8.7.5 and 8.7.6.
8.7.5 DISTRICT ENERGY SYSTEM CONNECTION

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

8.7.5(a) The maximum incentive *floor area ratio* for this item is 2.5.

8.7.5(b) Incentive calculation:

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

(i) the additional *floor area ratio* for the connection to *district energy* infrastructure is 0.5;

(ii) the additional *floor area ratio* for every *storey* of the *building* for the first 25 *storeys* above *grade* is 0.05; and

(iii) the additional *floor area ratio* for every *storey* of the *building* above 25 *storeys* above *grade* is 0.025.

8.7.5(c) Minimum *Floor Area Ratio* Requirement:

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

(ii) in all other cases the minimum *floor area ratio* that must be achieved prior to use of this item is: 8.0.
8.7.5(d) **Requirements:**

A district energy system connection includes the following:

(i) connecting the building to a district energy system and use of the thermal energy from the district energy system in the building;

(ii) connection infrastructure that includes:

   (I) space allocated for an energy transfer station at ground level or below; (energy transfer station is defined as the mechanical interface between the district energy system and the building heating system located in the building - commonly known as a plate and frame heat exchanger and includes all heat transfer equipment, measurement equipment and control systems).

   (II) a heat distribution system that can accommodate the primary heat source at ground level or below; and

   (III) an easement with a minimum width of 4.0 metres registered on the certificate of title for the parcel for a thermal pipe from the property line to the building and through the building to the allocated energy transfer station location; and

(iii) no application in combination with incentive item 8.7.4 or 8.7.6.

8.7.5(e) **Diagram:** (not to scale)
### 8.7.6 ON-SITE COGENERATION FACILITY

An on-site cogeneration facility is equipping a building with combined heat and power or combined heat, power and cooling machinery to serve the building.

#### 8.7.6(a)

The maximum incentive **floor area ratio** for this item is **2.0**.

#### 8.7.6(b)

**Incentive calculation:**

Where a development provides an on site cogeneration facility:

(i) the additional **floor area ratio** for the connection to district energy infrastructure is **0.5**;

(ii) the additional **floor area ratio** for every storey of the building for the first 25 storeys above grade is **0.05**; and

(iii) the additional **floor area ratio** for every storey of the building above 25 storeys above grade is **0.025**.

#### 8.7.6(c)

**Minimum Floor Area Ratio Requirement:**

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

(ii) in all other cases the minimum **floor area ratio** that must be achieved prior to use of this item is: **8.0**.

#### 8.7.6(d)

**Requirements:**

- An on-site cogeneration facility includes:
  - (i) a combined heat and power, cogeneration or trigeneration system in the building;
  - (ii) a design to utilize thermal energy resulting from electricity production to heat and/or cool the building;
  - (iii) high-efficiency cogeneration, meaning an energy efficiency level of 80.0 per cent or greater; and
  - (iv) an easement with a minimum width of 4.0 metres registered on the certificate of title for the parcel for a thermal pipe from the property line to the building and through the building to the allocated energy transfer station location; and
  - (v) no application in combination with incentive item 8.7.4 or 8.7.5.

### 8.7.7 ELECTRIC VEHICLE CHARGING STATIONS

Electric vehicle charging stations are purpose built, electrical outlets located in, or adjacent to, selected motor vehicle parking stalls designed to provide battery recharging ability to electric vehicles using the stalls.

#### 8.7.7(a)

The maximum incentive **floor area ratio** for this item is **1.0**.
### 8.7.7(b) Incentive calculation:

Where a *development* provides electric vehicle charging stations the Incentive Rate is Incentive Rate 1.

**Method:**

Incentive *gross floor area* (square metres) = cost of installed charging stations ($) divided by Incentive Rate 1 ($).

---

### 8.7.7(c) Minimum Floor Area Ratio Requirement:

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

(ii) in all other cases the minimum *floor area ratio* that must be achieved prior to use of this item is: 8.0.

---

### 8.7.7(d) Requirements:

An electric vehicle charging station includes the following:

(i) 1.0 battery charging unit with a minimum 220.0 Volt capacity or fast charging ability for each *motor vehicle parking stall*; and

(ii) signage indicating which *motor vehicle parking stalls* are equipped with charging stations.

---

### 8.7.8 ADDITIONAL BICYCLE PARKING STALLS

Additional bicycle parking stalls is the provision of supplementary *bicycle parking stalls – class 1* and associated change room facilities in addition to the minimum required *bicycle parking stalls – class 1* of the *development*. The additional *bicycle parking stalls – class 1* and associated facilities provided may be integrated into the stalls and facilities required by the *development* with no physical separation.

### 8.7.8(a) The maximum incentive *floor area ratio* for this item is 1.0.

### 8.7.8(b) Incentive calculation:

Where a *development* provides additional bicycle parking stalls the Incentive Ratio is 1:7.5.

**Method:**

Incentive *gross floor area* (square metres) = *gross floor area* provided for *bicycle parking stalls – class 1* and change rooms (square metres) multiplied by 7.5.
8.7.8(c) Minimum *Floor Area Ratio* Requirement:

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

(ii) in all other cases the minimum *floor area ratio* that must be achieved prior to use of this item is: 8.0.

8.7.8(d) Requirements:

Additional bicycle parking stalls include the following:

(i) *bicycle parking stalls – class 1* located either within the *building* or in a separate structure on the site;

(ii) a change room located either within the *building* or in a separate structure on the site with a minimum area of 20.0 square metres that contains:

(I) 1.0 locker for every 4.0 *bicycle parking stalls – class 1*;

(II) 1.0 shower for every 4.0 *bicycle parking stalls – class 1*; and

(III) 1.0 grooming station consisting of wash basin, mirror and electrical outlet for every 4.0 *bicycle parking stalls – class 1*; and

(iii) an area of 0.4 square metres for each locker and 0.4 square metres for each shower;

(iv) use only by the tenants of the *development*; and

(v) a location together with the minimum required *bicycle parking stalls – class 1*.

8.8 BICYCLE STATION

A bicycle station is a facility which provides secure bicycle parking for public use either on a long-term basis or on a short-term, on-demand basis. It provides facilities to its users that include showers, lockers, toilets and grooming stations and may also contain space for retail and service activities.

A bicycle station does not replace the required *bicycle parking stalls* of the *use*, but is instead intended for use by third parties outside of the *development*. The diagram in 8.8.5 illustrates a potential implementation of the requirements of 8.8.4.

8.8.1 The maximum incentive *floor area ratio* for this item is 2.0.

8.8.2 Incentive calculation:

Where a *development* provides a bicycle station the Incentive Ratio is 1:7.5.

Method:

Incentive *gross floor area* (square metres) = *gross floor area* provided for the bicycle station (square metres) multiplied by 7.5.
Minimum **Floor Area Ratio** Requirement:

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

(b) in all other cases the minimum *floor area ratio* that must be achieved prior to use of this item is: 8.0.

### Requirements:

A bicycle station includes the following:

(a) *bicycle parking stalls – class 1* that are not required *bicycle parking stalls – class 1* located either within the *building* or in a separate structure on the site;

(b) a change room located either within the *building* or in a separate structure on the site containing a minimum of the following facilities:

   (i) 1.0 shower for every 10.0 *bicycle parking stalls – class 1* greater than the minimum requirement for the first 200.0 *bicycle parking stalls – class 1*; and

   (ii) 1.0 grooming station consisting of wash basin, mirror and electrical outlet for every 10.0 *bicycle parking stalls – class 1* greater than the minimum requirement for the first 200.0 *bicycle parking stalls – class 1*; and

   (iii) 1.0 toilet for every 25.0 *bicycle parking stalls – class 1* greater than the minimum requirement for the first 100.0 *bicycle parking stalls – class 1*; and

   (iv) 1.0 locker for every 4.0 bicycle *bicycle parking stalls – class 1*;

(c) use by the public and no reservation for the sole use of the tenants of the *development*;

(d) for calculation purposes an area of 0.4 square metres for each locker and 0.4 square metres for each shower;

(e) a bicycle repair space of at minimum 2.0 metres by 3.0 metres in dimension;

(f) where retail and service uses are contained within the Bicycle Station their floor areas are included in the incentive *gross floor area*;

(g) where located in a parkade:

   (i) is on the closest parkade level to *grade* and physically separated from the *motor vehicle parking stalls*;

   (ii) no access provided only by stairs;

   (iii) bicycle lanes in parkade ramps where these are shared with motor vehicles.
8.8.5  **Diagram:** (not to scale)

8.9 **TRANSIT ENHANCEMENTS**

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

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

8.9.2 **Incentive calculation:**

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

**Method:**

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

8.9.3 **Minimum Floor Area Ratio Requirement:**

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

(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.
8.9.4 Requirements:

A transit enhancement includes the following:
(a) a location on the parcel and adjacent to, and accessible from, a public sidewalk;
(b) construction to a standard approved by the Development Authority;
(c) public access during transit operating hours;
(d) climate controlled from October to May; and
(e) exterior walls that consist primarily of windows that are clear glazed except where the walls abut a building and where they contain structural elements of the building.

8.10 ACTIVE ARTS SPACE

Active arts space is publicly accessible, internal space that provides accommodation for one of the various branches of creative activity concerned with the production of imaginative designs, sounds or ideas. Active arts space is intended for activities that require public accessibility, e.g. performances, exhibitions.

8.10.1 The maximum incentive floor area ratio for this item is 4.0.

8.10.2 Incentive calculation:

Where a development provides active arts space the Incentive Rate is Incentive Rate 1.

Method:

Incentive gross floor area (square metres) = cost of active arts space ($) plus the capitalized, future operating costs* (not including taxes) divided by Incentive Rate 1 ($).

* Future operating costs are calculated by multiplying $3,324.68 m² by the amount of active arts space provided in square metres (this is the Net Present Value of operating costs based on $20 per square foot, a 2% cost escalation, a 6% discount rate, and a 25 year period)

8.10.3 Minimum Floor Area Ratio Requirement:

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

Active arts space includes the following:

(a) a location:
   (i) at grade or at the +15 Skywalk System level;
   (ii) fronting on to, with direct access to and visible from the public sidewalk, grade level open space, +15 Skywalk System or on-site pedestrian areas;

(b) entranceways and lobbies that are clear glazed where they abut a public sidewalk at grade or the +15 Skywalk System;

(c) public access through a public access agreement for the hours of operation defined in the +15 Policy;

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

(viii) the lease will define the nature of the uses or tenants that are deemed eligible to occupy the space. Eligible activities will include artist studios, exhibition space, performing arts space and rehearsal spaces.

8.11 CULTURAL SUPPORT SPACE

Cultural support space is an internal space that provides accommodation for one of the various branches of creative activity concerned with the production of imaginative designs, sounds or ideas. Cultural support space is intended for activities that do not require public accessibility, e.g. administration, rehearsal space, storage.

8.11.1 The maximum incentive floor area ratio for this item is 4.0.

8.11.2 Incentive calculation:

Where a development provides cultural support space the Incentive Rate is Rate 1.

Method:

Incentive gross floor area (square metres) = cost of cultural support space ($) plus the capitalized, future operating costs* (not including taxes) divided by Incentive Rate 1 ($).

* Future operating costs are calculated by multiplying $3,324.68 m² by the amount of cultural support space provided in square metres (this is the Net Present Value of operating costs based on $20 per square foot, a 2% cost escalation, a 6% discount rate, and a 25 year period)

8.11.3 Minimum Floor Area Ratio Requirement:

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

(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.
8.11.4 Requirements:

A cultural support space includes the following:

(a) access to the tenant during the building’s normal office hours unless otherwise agreed upon in the lease agreement;

(b) a location above grade where the space is used for administration;

(c) an agreement establishing the conditions for a long-term lease for the cultural support space to be entered into by The City or its designated representative (“the tenant”) and the building owner, such lease to contain the following terms:

(i) a minimum term of 25.0 years;

(ii) a total rent of $11.0 per square metre per year, subject to (c)(iv);

(iii) subject to (c)(iv) and (v) the building owner will pay the normal building operating and capital costs attributable to the cultural support space including without limitation property taxes if applicable, security, maintenance, repair, cleaning, property management fees and related costs up to the amount per square metre that would normally be charged to office tenants in the building;

(iv) the tenant will be responsible for all extraordinary operating and capital costs that are attributable to the cultural support space, such as additional security costs associated with the use of the space, additional cleaning necessitated by use of the space, and maintenance and repair of the tenant’s fixtures and equipment. The City will provide appropriate security to ensure that the tenant pays its costs and does not permit any liens to be placed on the property;

(v) upon expiry of the lease, the owner may elect, at the owner’s sole and absolute discretion, to renew the lease on the same terms and conditions or to not renew the lease, in which case the tenant will vacate the space upon lease expiry;

(vi) if at any time during the term of the lease the space remains unoccupied or unused for 12 consecutive months the owner has the option of terminating the lease upon giving The City 30 days written notice, provided that the conditions of (c)(vii) are met;

(vii) that in the event of termination prior to the end of the 25-year term of the lease, The City will receive financial compensation for the space as calculated as the lesser of Incentive Rate 2 or the fair market value based on the gross floor area of the amenity space as estimated by an independent appraiser and, in addition, any portion of the unused, capitalized operating costs which were included in the original incentive gross floor area calculation; and

(viii) the lease will define the nature of the uses or tenants that are deemed eligible to occupy the space. Eligible activities will include administration and storage.
### COMMUNITY SUPPORT FACILITIES

Community support facilities are spaces allocated to specific *uses* that have been determined by The City to support community activity and functionality.

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
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<td><strong>COMMUNITY SUPPORT FACILITIES</strong></td>
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<td><strong>8.12.1</strong></td>
<td>The maximum incentive floor area ratio for this item is 2.0.</td>
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<tr>
<td><strong>8.12.2</strong></td>
<td><strong>Incentive calculation:</strong></td>
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<td></td>
<td>Where a <em>development</em> provides community support facilities the Incentive Ratio is 1:1.</td>
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<tr>
<td><strong>Method:</strong></td>
<td></td>
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<td></td>
<td>Incentive <em>gross floor area</em> (square metres) = <em>gross floor area</em> provided for the community support facility (square metres) multiplied by 1.0.</td>
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<td><strong>8.12.3</strong></td>
<td><strong>Minimum Floor Area Ratio Requirement:</strong></td>
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<td></td>
<td>(a) for a <em>development</em> containing a <em>Hotel</em> in either the <em>development permit</em> where the <em>development permit</em> is not phased or the first phase of the <em>development permit</em>, where the <em>development permit</em> is phased, the minimum floor area ratio that must be achieved prior to use of this item is: 7.0; and</td>
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<td></td>
<td>(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.</td>
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<tr>
<td><strong>8.12.4</strong></td>
<td><strong>Requirements:</strong></td>
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<td></td>
<td>Community support facilities includes the following:</td>
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<td></td>
<td>(a) provision of space for one or more of the following <em>uses</em>:</td>
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<td></td>
<td>(i) Assisted Living;</td>
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<td>(ii) Child Care Service;</td>
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<td>(iii) Community Recreation Facility;</td>
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<td>(xvi) Residential Care;</td>
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<td>(xx) Service Organization;</td>
<td>(xxi) Social Organization; and</td>
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<tr>
<td>(xxii) Supermarket;</td>
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</tbody>
</table>

(b) the identification in floor plans of the proposed building of the space that is to be allocated to the community support facility; and

(c) the requirement for a development permit upon change of use.

### 8.13 HERITAGE DENSITY TRANSFER

Heritage density transfer is the transfer to a receiving parcel of floor area ratio that could have been achieved on a source parcel were it not for the development constraints imposed by the retention and preservation of a historic building and its designation as a Municipal Historic Resource.

#### 8.13.1 The maximum incentive floor area ratio for this item is 5.0.

#### 8.13.2 Incentive calculation:

Where a development provides a heritage density transfer the additional gross floor area is directly transferred in square metres.

**Method:**

The gross floor area is transferred as a square metre value to the receiving parcel and the transfer is registered as a caveat on the Certificate of Title of the source parcel(s).

#### 8.13.3 Minimum Floor Area Ratio Requirement:

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

(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.
8.13.4 Requirements:

A heritage density transfer includes:

(a) a transfer agreement that is registered on the Certificate of Title of the parcel(s) from which the density has been transferred;
(b) a land use redesignation of the parcel from which the density has been transferred to a Direct Control District in which the allowable maximum \textit{floor area ratio} remaining after the transfer is regulated;
(c) a land use redesignation of the receiving parcel to a Direct Control District in which the allowable maximum \textit{floor area ratio} achieved through the transfer is regulated;
(d) a maximum of 5.0 \textit{floor area ratio} of the receiving parcel, calculated in square metres that has been achieved through heritage density transfer;
(e) transfers only to receiving parcels located within the Commercial Residential district;
(f) transfers only from parcels where legal protection through designation as a Municipal Historic Resource has been completed; and
(g) only a one-time transfer from the parcel from which the density has been transferred to the receiving parcel with no further transfer possibility.

8.14 HISTORIC RESOURCE RETENTION

Historic resource retention is incentive \textit{gross floor area} for the retention, restoration and preservation of entire \textit{buildings}, or \textit{building} features of historic significance on the parcel of the development. Although all efforts should be undertaken to retain and preserve the entire \textit{building} on site, where it is impractical to do so the retention of individual \textit{building} features that are of historic significance also provides for this incentive density.

8.14.1 The maximum incentive \textit{floor area ratio} for this item is 5.0.

8.14.2 Incentive calculation:

Where a \textit{development} provides historic resource retention:

(a) the Incentive Rate for the retention of a \textit{building} feature is Incentive Rate 2; and
(b) the Incentive Rate for the retention of the entire historic \textit{building} is Incentive Rate 3.

Method:

Incentive \textit{gross floor area} (square metres) = marginal extra cost of retention of the historic resource ($) divided by Incentive Rate 2 ($) in the case of the retention of \textit{building} features or Incentive Rate 3 in the case of the retention of the entire \textit{building}.

Cost of retention includes costs for repair, restoration and improvement.
### 8.14.3 Minimum Floor Area Ratio Requirement:

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

(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.

### 8.14.4 Requirements:

Historic resource retention includes:

(a) where the building is listed on the Inventory of Evaluated Historic Resources;

(b) maintaining the historic resource or building feature in its approved location on the parcel or within the building where it is incorporated into a new building;

(c) an agreement between the Development Authority and the developer establishing the total cost of retention of the heritage resource prior to approval; and

(d) designation of the historic resource as a Municipal Historic Resource pursuant to the Historical Resources Act by a Bylaw approved by Council.

### 8.15 DENSITY TRANSFER FOR SUNLIGHT PRESERVATION

Density transfer for sunlight preservation is the transfer of that floor area ratio that could have been achieved on a parcel were it not for a development constraint imposed by rules protecting specific public spaces from being cast in shadow. The difference in density between the source development’s achievable floor area ratio and the potential floor area ratio assumed for the development had it not been constrained by sunlight protection aspects may be transferred to a receiving parcel to increase its floor area ratio.

#### 8.15.1 The maximum incentive floor area ratio for this item is 2.0.

#### 8.15.2 Incentive calculation:

Where a development provides a density transfer for sunlight preservation the additional gross floor area is directly transferred in square metres.

**Method:**

The gross floor area is transferred as a square metre value to the receiving parcel and the transfer is registered as a caveat on the Certificate of Title of the source parcel(s).
### 8.15.3 Minimum Floor Area Ratio Requirement:

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

(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.

### 8.15.4 Requirements:

A transfer for sunlight preservation includes the following:

(a) a transfer agreement that is registered on the Certificate of Title of the parcel(s) from which the density has been transferred;

(b) a land use redesignation of the parcel from which the density has been transferred to a Direct Control District in which the allowable maximum floor area ratio remaining after the transfer is regulated;

(c) a land use redesignation of the receiving parcel to a Direct Control District in which the allowable maximum floor area ratio achieved through the transfer is regulated;

(d) a maximum of 2.0 floor area ratio of the receiving parcel, calculated in square metres, achieved through density transfer for sunlight preservation; and

(e) compliance with section 1311.

### 8.16 DENSITY TRANSFER FOR ADAPTIVE REUSE

Density transfer for adaptive reuse is the transfer to a receiving parcel of floor area ratio that has been achieved by the adaptive reuse of buildings or significant portions of buildings on a source parcel as defined in 8.17.

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

### 8.16.2 Incentive calculation:

Where a development provides a density transfer for adaptive reuse the additional gross floor area is directly transferred in square metres.

**Method:**

The gross floor area is transferred as a square metre value to the receiving parcel and the transfer is registered as a caveat on the Certificate of Title of the source parcel(s).

### 8.16.3 Minimum Floor Area Ratio Requirement:

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

(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.
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### 8.16.4 Requirements:

A density transfer for the adaptive reuse includes:

1. **(a)** a transfer agreement that is registered on the Certificate of Title of the **parcel(s)** from which the density has been transferred;

2. **(b)** a land use redesignation of the **parcel** from which the density has been transferred to a Direct Control District in which the allowable maximum **floor area ratio** remaining after the transfer is regulated;

3. **(c)** a land use redesignation of the **receiving parcel** to a Direct Control District in which the allowable maximum **floor area ratio** achieved through the transfer is regulated;

4. **(d)** a maximum of 1.0 **floor area ratio** of the receiving **parcel**, calculated in square metres that has been achieved through density transfer for the adaptive reuse of **buildings**;

5. **(e)** transfers only to receiving **parcels** designated with the CR20-C20/R20 district; and

6. **(f)** transfers only from source **buildings** that have redeveloped in accordance with the requirements of item 8.17.

### 8.17 Adaptive Reuse

Adaptive reuse is the retention and reuse of an existing **building** or significant portions of the **building’s** structure on the **parcel**.

#### 8.17.1 The maximum incentive **floor area ratio for this item is** 2.0.

#### 8.17.2 Incentive calculation:

Where a **development** provides the requirements of 8.17.4 the Incentive Ratio is 1:2.0.

**Method:**

Incentive gross floor area (square metres) = gross floor area of the retained **building** (square metres) multiplied by 2.0.

#### 8.17.3 Minimum Floor Area Ratio Requirement:

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

2. **(b)** in all other cases the minimum **floor area ratio** that must be achieved prior to use of this item is: 8.0.
8.17.4 Requirements:

Adaptive reuse includes the following:

(a) the redevelopment of an existing building;
(b) the retention of 75.0 per cent of the gross floor area of the building; and
(c) proper removal of recyclable materials prior to demolition.

8.18 DESIGN FOR UNIVERSAL ACCESSIBILITY

Design for universal accessibility is the design of a unit to meet enhanced accessibility standards that exceed any minimum standards as established in this Bylaw.

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

8.18.2 Incentive calculation:

Where a development provides a unit designed for enhanced accessibility the Incentive Ratio is 1:1.5.

Method:

Incentive gross floor area (square metres) = gross floor area of units designed in accordance with enhanced accessibility standards (square metres) multiplied by 1.5.

8.18.3 Minimum Floor Area Ratio Requirement:

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

8.18.4 Requirements:

A design for universal accessibility includes the following:

(a) a smooth, unobstructed floor space of a minimum dimension of 1800.00 millimetres length and 1800.00 millimetres width in each kitchen, bathroom and hallway to enable the turning of a wheelchair or mobility device;
(b) hallways with a width greater than 1.0 metres and no changes in floor level;
(c) a bedroom, kitchen and a bathroom on the same floor as the entrance to the unit;
(d) a step-free entrance to the unit; and
(e) an accessible motor vehicle parking stall, with a minimum width of 4.0 metres, associated with each unit designed in accordance with these requirements.
### 8.19 Dwellings Unit Mix

Dwelling unit mix is the construction of units containing 3 or more bedrooms.

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8.19.1 The maximum incentive floor area ratio for this item is 2.0.

8.19.2 Incentive calculation:

Where a development provides units containing 3.0 or more rooms designed as bedrooms the Incentive Ratio is 1:2.0.

Method:

Incentive gross floor area (square metres) = gross floor area of units containing 3.0 or more bedrooms (square metres) multiplied by 2.0.

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8.19.3 Minimum Floor Area Ratio Requirement:

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

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8.19.4 Requirements:

A development with a dwelling unit mix includes the following:

- (a) the provision of units comprised of 3.0 or more bedrooms;
- (b) two bedrooms with 1.0 or more windows in each;
- (c) a natural source of light in each bedroom;
- (d) a minimum gross floor area of 9.0 square metres for each bedroom;
- (e) a separate living area separate from each bedroom in each unit; and
- (f) a minimum gross floor area of 100.0 square metres for each unit.

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### 8.20 Innovative Public Amenity

An innovative public amenity is a building feature that has not been considered under any of the other incentive items in this table, but which is determined by the Development Authority to provide a benefit to the public.

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8.20.1 The maximum incentive floor area ratio for this item is 1.0.
### 8.20.2 Incentive calculation:

Where a development provides an innovative amenity the Incentive Rate is Incentive Rate 1.

**Method:**

Incentive gross floor area (square metres) = cost of amenity ($) divided by Incentive Rate 1 ($).

### 8.20.3 Minimum Floor Area Ratio Requirement:

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

(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.

### 8.20.4 Requirements:

An innovative public amenity includes the following:

(a) a benefit to the community in which the density is being accommodated;

(b) no items or amenities that are achievable or required through other means, including the other incentive amenity items in this table;

(c) no standard features of a building;

(d) an amount of additional floor area ratio commensurate with the cost of the amenity item provided;

(e) where located at the +15 Skywalk System level, front on to, be visible from and have direct access to +15 Skywalk System; and

(f) the sole discretion of the Development Authority to determine whether the proposed amenity feature is considered an innovative public amenity.

### 8.21 EXCEPTIONAL DESIGN

Exceptional design is such that it incorporates architectural and urban design features and/or technologies that are deemed by the Development Authority to significantly enhance through visual and functional impacts the character of the urban environment.

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

### 8.21.2 Incentive calculation:

Where a development has been determined by the Development Authority to provide the requirements of 8.21.4, the additional floor area ratio is 1.0.
8.21.3 Minimum Floor Area Ratio Requirement:

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

(b) in all other cases the minimum floor area ratio that must be achieved prior to use of this item is: 8.0.

8.21.4 Requirements:

Exceptional design includes two or more of the following:

(a) building massing, orientation and façade design not commonly implemented in the CR20-C20/R20 District and that contributes to a memorable skyline and urban environment;

(b) building envelope designs employing materials or technology that have a positive effect on the public realm and are not commonly implemented in the CR20-C20/R20 District;

(c) a floor plan that is not typical of Office buildings in the CR20-C20/R20 District;

(d) improvements to the pedestrian environment in terms of sunlight penetration; and

(e) a positive contribution through architecture, urban design and uses to the vibrancy and activity of the pedestrian environment and the building’s interfaces with the public realm at grade.

8.22 INDOOR PUBLIC HOTEL SPACE

Indoor public hotel space is publicly accessible indoor space that can be used by Hotel guests, conference attendees and the general public without having to be guests of the Hotel or customers of a use within the building. Restaurant, lounge, café, retail and conference use areas, when located at grade and at the +15 Skywalk System level in the building – and one storey above for conference facilities – and open to the public are considered to be indoor public space.

8.22.1 The maximum incentive floor area ratio for this item is for this item 8.0.

8.22.2 Incentive Calculation:

Where a Hotel development provides:

(a) indoor public hotel space that is conference facility space the Incentive Ratio is: 1:18; and

(b) for all other indoor hotel public spaces the Incentive Ratio is 1:10.

Method:

Incentive gross floor area (square metres) = gross floor area of the amenity space provided (square metres) multiplied by 10.0 or 18.0 for conference facilities.
**8.22.4** The minimum *floor area ratio* that must be achieved prior to use of this item is 7.0

**8.22.5** Requirements:

An indoor public hotel space includes the following:

(a) a design as a distinct space within the *building* that does not contain a guest reception area or administration offices;

(b) where the space is not a conference facility, public accessibility through a public access agreement during normal operating hours; and

(c) where conference facilities are located at the *+15 Skywalk System* level, a location with direct access to *+15 Skywalk System*; and

(d) where the *building* meets the exceptional design criteria of item 8.21.

**8.23** *+15 Skywalk System Bridge*

The *+15 Skywalk System bridge* is the construction of a bridge in accordance with the +15 Policy. The diagram in 8.23.5 illustrates a potential implementation of the requirements of 8.23.4.

**8.23.1** The maximum incentive *floor area ratio* for this item is 1.0 *floor area ratio* for each *+15 Skywalk System bridge* and a maximum of 2.0 *floor area ratio* in total.

**8.23.2** Incentive calculation:

Where a *development* provides a *+15 Skywalk System bridge*:

(a) where more than 50.0 per cent of the floor area of the bridge is below a glazed roof, the floor area is calculated at a ratio of 1:22.5; and

(b) in all other cases the Incentive Ratio is 1:20.

**Method:**

Incentive *gross floor area* (square metres) = *gross floor area* of the bridge provided (square metres) multiplied by 20.0 or 22.5.

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

**8.23.4** Requirements:

A *+15 Skywalk System bridge* includes the following:

(a) a location within the boundaries of the *+15 Skywalk System* as identified in the +15 Policy and Centre City Plan and in locations approved by the *Development Authority*;

(b) a design in accordance with the +15 Policy;

(c) an environmentally controlled space; and

(d) construction simultaneously with the *development* and completion with the *development*. 
8.23.5 Diagram: (not to scale)

8.24 +15 SKYWALK SYSTEM FEATURE ACCESS

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

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

8.24.2 Incentive calculation:

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

Method:

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

8.24.3 The minimum floor area ratio that must be achieved prior to use of this item is 11.0.
**8.24.4 Requirements:**

A +15 Skywalk System feature access includes the following:

(a) a design in accordance with the +15 Policy;
(b) providing access between grade and the +15 Skywalk System level in both directions;
(c) minimum tread widths of:
   (i) 0.8 metres for an escalator; or
   (ii) 2.0 metres for a stair;
(d) a location directly visible and accessible from the public sidewalk;
(e) signage; and
(f) accessibility to the public in accordance with the +15 Policy.

**8.24.5 Diagram:** (not to scale)

**8.25 ACTIVE +15 SKYWALK SYSTEM WALKWAY**

A +15 Skywalk System walkway has enhanced design elements compared to the standard requirements of the +15 Policy. It is a positive contribution to the +15 Skywalk System through visible retail spaces and views of the city. The diagram in 8.25.5 illustrates a potential implementation of the requirements of 8.25.4.

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

**8.25.2 Incentive calculation:**

Where a development provides an active +15 Skywalk System walkway the Incentive Ratio is 1:4.

**Method:**

Incentive gross floor area (square metres) = gross floor area of the active +15 Skywalk System Walkway provided (square metres) multiplied by 4.0.

**8.25.3 The minimum floor area ratio that must be achieved prior to use of this item is 11.0.**
8.25.4 Requirements:

An active +15 Skywalk System Walkway includes the following:

(a) a design in accordance with the +15 Policy;
(b) either of the following along a minimum of 60.0 per cent of the +15 Skywalk System walkway (excluding elevator cores and sections containing structural elements of the building):
   (i) glazing with unobscured glass providing a view to the street;
   (ii) unobstructed views to external windows glazed with unobscured glass providing views to the adjacent streets, or
   (iii) unobstructed views to active retail or commercial uses; and

(c) a minimum of 50.0 per cent of the interior wall of the +15 Skywalk System walkway that is clear glazed with the exception of sections containing structural elements of the building.

8.25.5 Diagram: (no to scale)

8.26 CONTRIBUTION TO AFFORDABLE HOUSING FUND

Contribution to Affordable Housing Fund is a financial contribution to a civic fund to be used to support off-site development of affordable or non-market housing.

8.26.1 The maximum incentive floor area ratio for this item is 2.0.

8.26.2 Incentive calculation:

Where a development provides a contribution to a civic fund for affordable housing or non-market housing the Incentive Rate is Incentive Rate 3.

Method:

Incentive gross floor area (square metres) = contribution amount ($) divided by Incentive Rate 3 ($).

8.26.3 The minimum floor area ratio that must be achieved prior to use of this item is 11.0.
### 8.26.4 Requirements:

A Contribution to the Affordable Housing Fund includes:

(a) a financial contribution to a civic fund; and  
(b) achievement of an additional 8.0 *floor area ratio* through public amenity items 8.0 to 8.25, of which 1.0 *floor area ratio* must be a contribution to the **Central Business District Improvement Fund** at Incentive Rate 2 in accordance with item 8.1.

### 8.27 CONTRIBUTION TO CENTRAL BUSINESS DISTRICT IMPROVEMENT FUND RATE 3

Financial contributions to a dedicated fund to be used to support off-site public realm improvements in the CR20-C20/R20 District. Off site public realm improvements include, but are not limited to, improvements to public sidewalks, squares and parks and the acquisition of land for public squares and parks.

#### 8.27.1 The maximum incentive *floor area ratio* for this item is 4.0.

#### 8.27.2 Incentive calculation:

Where a *development* provides a contribution to the **Central Business District Improvement Fund** Rate 3 the Incentive Rate is Incentive Rate 3.

**Method:**

Incentive *gross floor area* (square metres) = contribution amount ($) divided by Incentive Rate 3 ($).

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

#### 8.27.4 Requirements:

A contribution to the **Central Business District Improvement Fund** Rate 3 includes the following:

(a) achievement of an additional 8.0 *floor area ratio* through public amenity items 8.0 to 8.26, of which 1.0 *floor area ratio* must be a contribution to the **Central Business District Improvement Fund** at Incentive Rate 2 in accordance with item 8.1.

### 8.28 CONTRIBUTION TO CENTRAL BUSINESS DISTRICT IMPROVEMENT FUND RATE 4

Financial contributions to a dedicated fund to be used to support off-site public realm improvements in the central business district. Off site public realm improvements include, but are not limited to, improvements to public sidewalks, squares and parks and the acquisition of land for public squares and parks.

#### 8.28.1 The maximum incentive *floor area ratio* for this item is 3.0.
8.28.2 Incentive calculation:

Where a *development* provides a contribution to the *Central Business District Improvement Fund* Rate 4 the Incentive Rate is Incentive Rate 4.

**Method:**

Incentive *gross floor area* (square metres) = contribution amount ($) divided by the Incentive Rate 4 ($)

8.28.3 The minimum *floor area ratio* that must be achieved prior to use of this item is 15.0.

8.28.4 Requirements:

A contribution to the *Central Business District Improvement Fund* rate 4 includes the following:

(a) achievement of an additional 12.0 *floor area ratio* through public amenity items 8.0 to 8.26, of which 1.0 *floor area ratio* must be a contribution to the *Central Business District Improvement Fund* at Incentive Rate 2 in accordance with item 8.1.
PART 14: MIXED USE DISTRICTS

Division 1: General Rules for Mixed Use Land Use Districts

Purpose

The *mixed use districts* are intended to:

(a) be characterized by *buildings* typically between four and six *storeys* in height and generally not exceeding ten *storeys*;

(b) be characterized by street-oriented *building* design;

(c) be characterized by *buildings* that provide a defined street wall typically two to six *storeys* in height and proportional to the width of the *street*;

(d) have *building* façades with multiple *uses* and frequent entries at *grade* facing the commercial *street*;

(e) have significant proportions of transparent glazing on *building* façades for *street* facing *uses* located at *grade*;

(f) promote residential *development* designed to be compatible with active, street-oriented commercial *uses*; and

(g) achieve transition to lower scale residential *buildings* on *adjacent parcels* through *building* location, *building* massing and landscaping.

Projections Into Setback Areas

Unless otherwise referenced in subsections (3) (4), (5), (6), (7), (8) and (9) a *building* or air conditioning units must not be located in any *setback area*.

(1) Portions of a *building* located above the surface of the ground may project into a *setback area* only in accordance with the rules contained in this section.

(2) Portions of a *building* below the surface of the ground may extend without any limits into a *setback area*.

(3) *Patios* and wheelchair ramps may project without any limits into a *setback area*.

(4) *Eaves* may project a maximum of 0.6 metres, and *window wells* may project a maximum of 0.8 metres, into any *setback area*. 
(6) **Landings** not exceeding 2.5 square metres, ramps other than wheelchair ramps and unenclosed stairs may project into any **setback area**.

(7) Where a **parcel** shares a **property line** with another **parcel**, air conditioning units may project a maximum of 1.5 metres into the **setback area** at the shared **property line**.

(8) **Signs** may be located in any **setback area**, and where so located, must be in accordance with Part 3, Division 5.

**Building Separation**

1335 (1) Where the widest dimension of a **balcony** faces a **property line** shared with another **parcel**, the minimum setback of a **balcony** from the shared **property line** is 4.0 metres.

(2) The façade of a **building** located above 23.0 metres from **grade** must provide a minimum horizontal separation of:

(a) 11.0 metres from the façade of any other **building** on the same **parcel**;

(b) 5.5 metres from a **property line** shared with another **parcel**; and

(c) 3.0 metres from a **property line** shared with a **lane**.

**Window Separation**

1336 Each **unit** must have at least one window or door with a glazed area with a minimum dimension of 1.0 metre that provides an unobstructed outdoor view to a minimum depth of 6.0 metres measured perpendicular to the middle of the glazed area.

**Ground Floor Height**

1337 (1) Unless otherwise referenced in subsection (2), the minimum height of the ground floor of a **building** is 4.0 metres as measured vertically from the floor to the ceiling.

(2) For a **Dwelling Unit**, there is no minimum height of the ground floor of a **building**.

**Street Wall Stepback**

1338 Where the height of a **building** is greater than 23.0 metres measured from **grade**, the façade of the **building** within 6.0 metres of a **property line** shared with a **street** must have a horizontal separation from the portion of the façade closest to **grade** such that:

(a) the horizontal separation has a minimum depth of 2.0 metres; and
(b) the horizontal separation occurs between a minimum of 7.5 metres and a maximum of 23.0 metres measured from grade.

Building Orientation

1339 Units and individual uses located at grade with an exterior wall facing a street must provide:

(a) individual, separate, direct access to grade;
(b) an entrance that is visible from the street; and
(c) sidewalks that provide direct exterior access to the unit or the use.

Rules for Façades Facing a Street

1340 (1) The length of the building façade that faces the commercial street must be a minimum of 80.0 per cent of the length of the property line it faces.

(2) In calculating the length of the building façade, the depth of any required rear or side setback areas will not be included as part of the length of the property line.

(3) Lobbies or entrances for upper floor uses must not occupy more than 20% of the at grade façade facing a street. For laneless parcels, portions of façades dedicated to underground parking and loading entrances must not be included as part of the at grade façade for the purposes of this rule.

Rules for Dwelling Units Facing a Street

1341 (1) An entrance to an individual Dwelling Unit located at grade must be setback a minimum of 2.5 metres from a property line shared with a street.

(2) The minimum height of the main floor of any portion of a Dwelling Unit located less than 3.0 metres from a property line shared with a street is 0.6 metres above grade.

Rules for Commercial Uses Facing a Street

1342 (1) Unless otherwise referenced in subsection (2), the façade of a building located on the floor closest to grade and facing a street must provide windows with unobscured glass that:

(a) occupy a minimum of 65.0 per cent of the façade between a height of 0.6 metres and 2.4 metres; and
(b) where the entire area described in subsection (a) allows views of the indoor space.
PART 14 - DIVISION 1: GENERAL RULES

(2) Where the façade of a building contains a Dwelling Unit, that portion of the façade is not required to meet the requirements of subsection (1).

Internal Access to Uses

1343 The uses listed in the Residential Group of Schedule A to this Bylaw, with the exception of a Hotel, may only share an internal hallway with any other use in the Residential Group of Schedule A to this Bylaw, with the exception of a Hotel.

General Landscaped Area Rules

1344 (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 area and hard surfaced landscaped areas;
(d) the types, species, sizes and numbers of plant material and the types of hard surfaced landscaped areas;
(e) details of the irrigation system;
(f) for landscaped areas with the Low Water Landscaping Option details of the low water irrigation system, including extent of water delivery; and
(g) for landscaped areas with a building below, the following additional information must be provided:

(i) the location of underlying slabs and abutting walls;
(ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;
(iii) depths of the growing medium for each planting area;
(iv) the mature height and spread of all trees and shrubs;
and
(v) the means of irrigating the planting areas.

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

Low Water Irrigation System
1345 When a **low water irrigation system** is provided:

(a) only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area; and

(b) trees and shrubs that have similar water consumption requirements must be grouped together.

Planting Requirements
1346 (1) All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.

(2) Deciduous trees must have a minimum **calliper** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum **calliper** of 75 millimetres at the time of planting.

(3) Coniferous trees must have a minimum height of 2.0 metres and at least 50.0 per cent of the provided coniferous trees must be a minimum of 3.0 metres in height at the time of planting.

(4) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

(5) For **landscaped areas** with a **building** below, planting areas must have the following minimum soil depths:

(a) 1.2 metres for trees;

(b) 0.6 metres for shrubs; and

(c) 0.3 metres for all other planting areas.

(6) The soil depths referenced in subsection (5) must cover an area equal to the mature spread of the planting material.

(7) **Soft surfaced landscaped areas** may include **Urban Agriculture**.

Additional Landscaping Requirements
1347 (1) Unless otherwise referenced in a District, all 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) A public sidewalk must be located along the entire length of each **property line** shared with a **street**.
(3) Every building on a parcel must have at least one sidewalk connecting the public entrance to a public sidewalk.

(4) Where a building contains more than one use, every use that has an exterior public entrance must either:
   (a) have a sidewalk connecting the public entrance to the sidewalk required by subsection (3); or
   (b) have a sidewalk connecting that public entrance to a public sidewalk.

(5) Every building on a parcel must have at least one sidewalk connecting the parking area to the public entrances of the building.

(6) Every sidewalk provided must:
   (a) be a hard surfaced landscaped area;
   (b) be a minimum width of:
      (i) 0.9 metres for a sidewalk providing access to an individual unit;
      (ii) 1.5 metres for a sidewalk providing access to a shared residential entrance or more than one unit; or
      (iii) 2.0 metres in all other cases; and
   (c) have different surfacing than the surfacing of the parking areas on the parcel.

Landscaping in Setback Areas
1348 (1) Where a setback area shares a property line with another parcel designated as a residential district, the setback area:
   (a) must be landscaped with a soft surface landscaped area;
   (b) may include a sidewalk along the length of the building;
   (c) may include a patio; and
   (d) must provide a minimum of 1.0 trees and 2.0 shrubs for every 45.0 square metres.

(2) Where a setback area shares a property line with a lane, the portion of the setback area not required for access from the lane must be landscaped with a soft surface landscaped area and may include a sidewalk.

Residential Amenity Space
1349 (1) Amenity space may be provided as common amenity space, private amenity space or a combination of both.

(2) The required minimum amenity space is 5.0 square metres per unit.
(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 must 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; and
   (c) must have a contiguous area of not less than 50.0 square metres, with no dimension less than 6.0 metres.

(7) A minimum of 50.0 per cent of the required amenity space must be provided outdoors.

(8) Common amenity space – outdoors must provide a balcony, deck or patio and at least one of the following as permanent features:
   (a) a barbeque; or
   (b) seating.

Motor Vehicle Parking Stall Requirements

1350 The minimum number of motor vehicle parking stalls:
   (a) for each Dwelling Unit is:
      (i) 0.75 stalls per unit for resident parking; and
      (ii) 0.1 visitor parking stalls;
   (b) for each Live Work Unit is:
      (i) 0.5 stalls per unit for resident parking; and
      (ii) 0.5 visitor parking stalls; and
   (c) deleted
   (d) deleted
   (e) deleted
   (f) deleted
   (g) for all other uses is the minimum requirement referenced in Part 4.
Excess Motor Vehicle Parking Stalls

1351 Where the number of motor vehicle parking stalls provided for uses, not including Dwelling Units or Live Work Units, is in excess of 6.0 stalls per 100.0 square metres of gross usable floor area, those excess stalls must be located in either underground or structured parking.

Reduction for Transit Supportive Development

1352 The required number of motor vehicle parking stalls in section 1350 is reduced by 25.0 per cent when the use is located in a building located within 600.0 metres of an existing or approved capital funded LRT platform or within 150.0 metres of frequent bus service.

Required Bicycle Parking Stalls

1353 (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; and

(ii) 0.5 stalls per unit when the total number of units equals or exceeds 20; and

(b) all other uses is the minimum requirement referenced in Part 4.

(2) The minimum number of bicycle parking stalls – class 2 for:

(a) each Dwelling Unit and Live Work Unit is:

(i) 2.0 stalls for developments of 20 units or less; and

(ii) 0.1 stalls per unit for developments of more than 20 units; and

(b) all other uses is 5.0 per cent of the number of motor vehicle parking stalls.
Reduction for Bicycle Supportive Development

1354 The total number of motor vehicle parking stalls required by section 1350 for all of the units within the development is reduced by 0.25 motor vehicle parking stalls for each additional bicycle parking stall – class 1 provided in excess of the number of bicycle parking stalls – class 1 required in section 1353 to a maximum of 25 per cent of the total number of motor vehicle parking stalls required by section 1350 for all of the units within the development.

Vehicle Access

1355 (1) Unless otherwise referenced in subsections (2) and (3), where the parcel shares a rear property line or side property line with a public lane, all vehicle access to the parcel must be from the public lane.

(2) Where a parcel shares a rear or side property line with a public lane, but access from the public lane is not physically feasible due to elevation differences between the parcel and the public lane, vehicle access may be from a street.

(3) Motor vehicle parking stalls and loading stalls must not be located between a building and a street.

Accessory Residential Building

1356 (1) An Accessory Residential Building:

(a) may have an amenity space in the form of a deck or a patio; and

(b) must not be located between any building and a public street.

(2) The maximum gross floor area of an Accessory Residential Building is:

(a) 75.0 square metres, when approved for storage, garbage containers and recycling facilities; and

(b) 100.0 square metres, when approved and used as a private garage.

(3) The maximum height for an Accessory Residential Building is 5.0 metres measured from grade.
Objects Prohibited or Restricted

1357 (1) A *recreational vehicle* must not remain in an *actual front setback area* for longer than 24 hours.

(2) A trailer used for the transport of anything, including but not limited to, construction materials, household goods, livestock, off road vehicles, and waste, must not remain in an *actual front setback area*, except while engaged in loading or unloading.

(3) A *dilapidated vehicle* must not remain outside of a *building*.

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

Garbage

1358 (1) Garbage containers and waste material must be stored either:

(a) inside a *building*; or

(b) in a garbage container enclosure approved by the *Development Authority*.

(2) A garbage container enclosure must not be located between a *building* and a public *street*.

Recycling Facilities

1359 Recycling facilities must be provided for every *development* containing *Dwelling Units*.

Mechanical Screening

1360 Mechanical systems or equipment that are located outside of a *building* must be *screened*.

Visibility Setback

1361 Within a *corner visibility triangle*, *buildings*, *fences*, finished *grade* of a *parcel* and vegetation must not be located between 0.75 metres and 4.6 metres above the lowest elevation of the *street*.

Fences

1362 The height of a *fence* above *grade*, at any point along a *fence* line, must not exceed:

(a) 1.2 metres for that portion of the *fence* extending beyond the foremost portion of all *buildings* on the *parcel*;
(b) 2.0 metres for that portion of the fence that does not extend beyond the foremost portion of all buildings on the parcel; and

c) 2.5 metres to the highest point of a gateway, provided that the gateway does not exceed 2.5 metres in length.

Solar Collectors

1363  (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:

(a) may project a maximum of 2.0 metres from the surface of the roof; and

(b) must be located at least 1.0 metres from the edge of the roof.

(3) A solar collector mounted on a roof with a pitch of 4:12 or greater:

(a) may project a maximum of 1.3 metres from the surface of the roof; and

(b) must not extend beyond the outermost edge of the roof.

(4) A solar collector that is mounted on a wall:

(a) must be located a minimum of 2.4 metres above grade; and

(b) may project a maximum of 0.6 metres from the surface of that wall.

Parcel Access

1364  All developments must comply with the Controlled Streets Bylaw.
Division 2: Mixed Use - General (MU-1) District

Purpose

1365 (1) The Mixed Use – General District is intended to:

(a) be located along commercial streets where both residential uses and commercial uses are supported at grade facing the commercial street;

(b) accommodate a mix of residential and commercial uses in the same building or in multiple buildings throughout an area; and

(c) respond to local area context by establishing maximum building height for individual parcels.

(2) The Mixed Use – General District should only be located where a local area plan, or other policy, supports land use and development aligned with the purpose statements in subsection (1).

Permitted Uses

1366 (1) The following uses are permitted uses in the Mixed Use – General District:

(a) Accessory Residential Building;

(b) Home Based Child Care – Class 1;

(c) Home Occupation – Class 1;

(d) Park;

(e) Sign – Class A;

(f) Sign – Class B;

(g) Sign – Class D; and

(h) Utilities.

(2) The following uses are permitted uses in the Mixed Use – General District if they are located within an existing approved building:

(a) Accessory Food Service;

(b) Convenience Food Store;

(c) Fitness Centre;

(d) Information and Service Provider;

(e) Library;

(f) Pet Care Service;

(g) Power Generation Facility – Small;
(h) Print Centre;
(i) Protective and Emergency Service;
(j) Radio and Television Studio;
(k) Restaurant: Food Service Only – Small;
(l) Restaurant: Neighbourhood;
(m) Retail and Consumer Service;
(n) Specialty Food Store; and
(o) Take Out Food Service.

(3) The following uses are permitted uses in the Mixed Use – General District if they are located within an existing approved building and are not located on the ground floor:
(a) Artist's Studio;
(b) Catering Service – Minor;
(c) Counselling Service;
(d) Financial Institution;
(e) Health Services Laboratory – With Clients;
(f) Instructional Facility;
(g) Medical Clinic;
(h) Office;
(i) Service Organization; and
(j) Veterinary Clinic.

Discretionary Uses

1367 (1) Uses listed in subsections 1366(2) and (3) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Mixed Use – General District.

(2) Uses listed in subsection 1366(3) are discretionary uses in the Mixed Use – General District if they are located on the ground floor of an existing approved building.

(3) The following uses are discretionary uses in the Mixed Use – General District:
(a) Accessory Liquor Service;
(b) Addiction Treatment;
(c) Assisted Living;
(d) Brewery, Winery and Distillery;
(d.1) Cannabis Counselling;
(d.2) Cannabis Store; 26P2018

(e) Child Care Service;

(f) Community Recreation Facility;

(g) Computer Games Facility;

(h) Custodial Care;

(i) Drinking Establishment – Small;

(j) Dwelling Unit;

(j.1) Food Production; 49P2017

(k) Home Occupation – Class 2;

(l) Hotel;

(m) Indoor Recreation Facility;

(m.1) Kennel; 46P2019

(n) Liquor Store;

(o) Live Work Unit;

(p) Market; 25P2018, 42P2019

(q) deleted 25P2018

(r) Outdoor Café;

(s) Parking Lot – Structure;

(t) Place of Worship – Medium;

(u) Place of Worship – Small;

(v) Post-secondary Learning Institution;

(w) Residential Care;

(x) Restaurant: Food Service Only – Medium;

(y) Restaurant: Licensed – Medium;

(z) Restaurant: Licensed – Small;

(aa) Seasonal Sales Area;

(bb) Signs – Class C;

(cc) Signs – Class E;

(dd) Social Organization;

(ee) Special Function – Class 2;

(ff) Supermarket;

(ff.1) Urban Agriculture; 33P2019

(gg) Utility Building;
(hh) Vehicle Rental – Minor; and
(ii) Vehicle Sales – Minor.

Rules
1368 In addition to the rules in this District, all uses in this District must comply with:

(a) The General Rules for Mixed Use Districts referenced in Part 14, Division 1;
(b) The Rules Governing all Districts referenced in Part 3; and
(c) The applicable Uses and Use Rules referenced in Part 4.

Floor Area Ratio
1369 (1) Unless otherwise referenced in subsection (2), there is no maximum floor area ratio.

(2) The maximum floor area ratio for parcels designated MU-1 is the number following the letter “f” indicated on the Land Use District Maps.

Density
1370 (1) Unless otherwise referenced in subsection (2), there is no maximum density.

(2) The maximum density for parcels designated MU-1 is the number following the letter “d” indicated on the Land Use District Maps, expressed in units per hectare.

Building Height
1371 (1) Unless otherwise referenced in subsections (2), (3) and (4), the maximum building height is the number following the letter “h” when indicated on the Land Use District Maps.

(2) Where the parcel shares a side property line with a parcel designated as a low density residential district, M-CG or M-G District the maximum building height:

(a) is 11.0 metres measured from grade at the shared property line;
(b) increases at a 45 degree angle to a depth of 5.0 metres from the shared property line or to the number following the letter “h” indicated on the Land Use District Maps, whichever results in the lower building height; and
(c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from grade at a distance greater than 5.0 metres from the shared property line.
(3) Where the parcel shares a rear property line with a parcel designated as a low density residential district, M-CG or M-G District the maximum building height:

(a) is 7.5 metres measured from grade at the shared property line;

(b) increases at a 45 degree angle to a depth of 15.0 metres from the shared property line or to the number following the letter “h” indicated on the Land Use District Maps measured from grade, whichever results in the lower building height; and

(c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from grade at a distance greater than 15.0 metres from the shared property line.

(4) Where the parcel shares a property line with a lane that separates the parcel from a parcel designated as a low density residential district, M-CG or M-G District the maximum building height:

(a) is 7.5 metres measured from grade at the property line that the parcel designated as a low density residential district, M-CG or M-G District shares with the lane;

(b) increases at a 45 degree angle to a depth of 11.0 metres from the property line shared with the lane or to the number following the letter “h” indicated on the Land Use District Maps, whichever results in the lower building height measured from grade; and

(c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from grade at a distance greater than 11.0 metres from the property line shared with the lane.

Use Area

1372 The maximum use area of a Catering Service – Minor, or a Catering Service – Minor combined with any other use, is 300.0 square metres.
Façade Width for Uses Facing a Street

1373  (1) Unless otherwise referenced in subsections (2) and (3), the length of the building façade that faces a street containing an individual use on the floor closest to grade is a maximum of 15.0 metres.

(2) For an individual Drinking Establishment – Small, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Neighbourhood, Restaurant: Licensed – Medium, Restaurant: Licensed – Small, Retail and Consumer Service or Supermarket use located on the floor closest to grade, the length of the building façade that faces a street may be increased to 30.0 metres where all of the other uses that share the same façade meet the requirements of subsection (1).

(3) The length of the building façade that faces a street containing an individual Cannabis Counselling, Office or Payday Loan use on the floor closest to grade is a maximum of 9.0 metres.

Setback Area

1374  (1) Where a parcel shares a property line with a parcel designated as a low-density residential district, M-CG or M-G:

(a) the rear setback area must have a minimum depth of 6.0 metres;

(b) the side setback area must have a minimum depth of 3.0 metres;

(c) in all other cases there is no requirement for a setback area.

(2) Where a parcel shares a property line:

(a) with a street or LRT corridor there is no requirement for a setback area;

(b) with a lane that separates the parcel from a parcel designated as a residential district or mixed use district, the setback area must have a minimum depth of 7.5 metres measured from the property line that the adjacent parcel designated as a residential district or mixed use district shares with the lane; and

(c) a lane in all other cases, there is no requirement for a rear setback area.
(3) For the storey closest to grade, the maximum building setback from a property line shared with a street is 4.5 metres for 60 per cent of the length of the building façade that faces the street.

Illustration 10:
Building Height in the Mixed Use – General (MU-1) District

1371 (2) Building Height
Division 3: Mixed Use – Active Frontage (MU-2) District

Purpose

1375 (1) Mixed Use – Active Frontage is intended to:
   (a) be located along commercial *streets* where active commercial uses are required at *grade* to promote activity at the *street* level;
   (b) promote *developments* with storefronts along a continuous block face on the commercial *street*;
   (c) accommodate a mix of commercial and residential uses in the same *building*;
   (d) respond to local area context by establishing maximum *building height* for individual *parcels*.

1376 (2) The Mixed Use - Active Frontage District should only be located where a local area plan, or other policy, supports land use and development aligned with the purpose statements in subsections (1).

Permitted Uses

1376 (1) The following *uses* are *permitted uses* in the Mixed Use – Active Frontage District:
   (a) *Accessory Residential Building*;
   (b) *Home Based Child Care – Class 1*;
   (c) *Home Occupation – Class 1*;
   (d) *Park*;
   (e) *Sign – Class A*;
   (f) *Sign – Class B*;
   (g) *Sign – Class D*; and
   (h) *Utilities*.

1376 (2) The following *uses* are *permitted uses* in the Mixed Use – Active Frontage District if they are located within existing approved *buildings*:
   (a) *Accessory Food Service*;
   (b) *Convenience Food Store*;
   (c) *Fitness Centre*;
   (d) *Information and Service Provider*;
   (e) *Library*.
(f) Pet Care Service;
(g) Power Generation Facility – Small;
(h) Print Centre;
(i) Protective and Emergency Service;
(j) Radio and Television Studio;
(k) Restaurant: Food Service Only – Small;
(l) Restaurant: Neighbourhood;
(m) Retail and Consumer Service;
(n) Specialty Food Store; and
(o) Take Out Food Service.

(3) The following uses are permitted uses in the Mixed Use – Active Frontage if they are located within an existing approved building and are not located on the ground floor:

(a) Artist’s Studio;
(b) Catering Service – Minor;
(c) Counselling Service;
(d) Financial Institution;
(e) Health Services Laboratory – With Clients;
(f) Instructional Facility;
(g) Medical Clinic;
(h) Office;
(i) Service Organization; and
(j) Veterinary Clinic.

Discretionary Uses
1377 (1) Uses listed in subsections 1376(2) and (3) are discretionary uses if they are located in proposed buildings or proposed additions to existing buildings in the Mixed Use - Active Frontage District.

(2) Uses listed in subsection 1376(3) are discretionary uses in the Mixed Use – Active Frontage District if they are located on the ground floor of an existing approved building.
The following uses are discretionary uses in the Mixed Use – Active Frontage District:

(a) Accessory Liquor Service;
(b) Addiction Treatment;
(c) Amusement Arcade;
(d) Assisted Living;
(e) Billiard Parlour;
(f) Brewery, Winery and Distillery;
(f.1) Cannabis Counselling;
(f.2) Cannabis Store;
(g) Child Care Service;
(h) Cinema;
(i) Community Recreation Facility;
(j) Computer Games Facility;
(k) Conference and Event Facility;
(l) Custodial Care;
(m) Dinner Theatre;
(n) Drinking Establishment – Medium;
(o) Drinking Establishment – Small;
(p) Dwelling Unit;
(p) Dwelling Unit;
(p.1) Food Production;
(q) Home Occupation – Class 2;
(r) Hotel;
(s) Indoor Recreation Facility;
(s.1) Kennel;
(t) Liquor Store;
(u) Live Work Unit;
(v) Market;
(w) deleted
(x) Museum;
(y) Outdoor Café;
(z) Parking Lot – Structure;
(aa) Pawn Shop;
(bb) Payday Loan;
(cc) Performing Arts Centre;
(dd) Place of Worship – Medium;
(ee) Place of Worship – Small;
(ff) Post-secondary Learning Institution;
(gg) Residential Care;
(hh) Restaurant: Food Service Only – Medium;
(ii) Restaurant: Licensed – Medium;
(jj) Restaurant: Licensed – Small;
(kk) Seasonal Sales Area;
(ll) Signs – Class C;
(mm) Signs – Class E;
(nn) Social Organization;
(oo) Special Function – Class 2;
(pp) Supermarket;
(pp.1) Urban Agriculture;
(qq) Utility Building;
(rr) Vehicle Rental – Minor; and
(ss) Vehicle Sales – Minor.

Rules
1378 In addition to the rules in this District, all uses in this District must comply with:

(a) The General Rules for Mixed Use Districts referenced in Part 14, Division 1;
(b) The Rules Governing all Districts referenced in Part 3; and
(c) The applicable Uses and Use Rules referenced in Part 4.

Floor Area Ratio
1379 (1) Unless otherwise referenced in subsection (2), there is no maximum floor area ratio.

(2) The maximum floor area ratio for parcels designated MU-2 is the number following the letter “f” indicated on the Land Use District Maps.
Density
1380 (1) Unless otherwise referenced in subsection (2), there is no maximum density.

(2) The maximum density for parcels designated MU-2 is the number following the letter “d” indicated on the Land Use District Maps, expressed in units per hectare.

Building Height
1381 (1) Unless otherwise referenced in subsections (2), (3) and (4), the maximum building height is the number following the letter “h” when indicated on the Land Use District Maps.

(2) Where the parcel shares a side property line with a parcel designated as a low density residential district, M-CG or M-G District the maximum building height:

(a) is 11.0 metres measured from grade at the shared property line;

(b) increases at a 45 degree angle to a depth of 5.0 metres from the shared property line or to the number following the letter “h” indicated on the Land Use District Maps, whichever results in the lower building height; and

(c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from grade at a distance greater than 5.0 metres from the shared property line.

(3) Where the parcel shares a rear property line with a parcel designated as a low density residential district, M-CG or M-G District the maximum building height:

(a) is 7.5 metres measured from grade at the shared property line;

(b) increases at a 45 degree angle to a depth of 15.0 metres from the shared property line or to the number following the letter “h” indicated on the Land Use District Maps measured from grade, whichever results in the lower building height; and

(c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from grade at a distance greater than 15.0 metres from the shared property line.

(4) Where the parcel shares a property line with a lane that separates the parcel from a parcel designated as a low density residential district or M-CG District the maximum building height:
PART 14 - DIVISION 3: MU-2

(a) is 7.5 metres measured from grade at the property line that the parcel designated as a low density residential district, M-CG or M-G District shares with the lane;

(b) increases at a 45 degree angle to a depth of 11.0 metres from the property line shared with the lane or to the number following the letter “h” indicated on the Land Use District Maps, whichever results in the lower building height measured from grade; and

(c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from grade at a distance greater than 11.0 metres from the property line shared with the lane.

Use Area

The maximum use area of a Catering Service – Minor, or a Catering Service – Minor combined with any other use, is 300.0 square metres.

Location of Uses Within Buildings

The following uses must not be located on the ground floor of a building facing the commercial street:

(a) Addiction Treatment;

(b) Assisted Living;

(c) Catering Service – Minor;

(d) Counselling Service;

(e) Custodial Care;

(f) Dwelling Unit;

(g) Office;

(h) Place of Worship – Medium;

(i) Place of Worship – Small; and

(j) Residential Care.
Façade Width for Uses Facing a Street

1384 (1) Unless otherwise referenced in subsections (2) and (3), the length of the building façade that faces a street containing an individual use on the floor closest to grade is a maximum of 15.0 metres.

(2) For an individual Drinking Establishment – Medium, Drinking Establishment – Small, Restaurant: Food Service Only – Medium, Restaurant: Food Service Only – Small, Restaurant: Neighbourhood, Restaurant: Licensed – Medium, Restaurant: Licensed – Small, Retail and Consumer Service or Supermarket use located on the floor closest to grade, the length of the building façade that faces a street may be increased to 30.0 metres where all of the other uses that share the same façade meet the requirements of subsection (1).

(3) The length of the building façade that faces a street containing an individual Cannabis Counselling, Financial Institution, Medical Clinic, Office or Payday Loan use on the floor closest to grade is a maximum of 9.0 metres.

Setback Area

1385 (1) Where a parcel shares a property line with a parcel designated as a low-density residential district, M-CG or M-G:

(a) the rear setback area must have a minimum depth of 6.0 metres;

(b) the side setback area must have a minimum depth of 3.0 metres;

(c) in all other cases there is no requirement for a setback area.

(2) Where a parcel shares a property line:

(a) with a street or LRT corridor there is no requirement for a setback area;

(b) with a lane that separates the parcel from a parcel designated as a residential district or mixed use district, the setback area must have a minimum depth of 7.5 metres measured from the property line that the adjacent parcel designated as a residential district or mixed use district shares with the lane; and

(c) a lane in all other cases, there is no requirement for a rear setback area.
(3) For the storey closest to grade, the maximum building setback from a property line shared with a street is 4.5 metres for 60 per cent of the length of the building façade that faces the street.

Illustration 11:
Building Height in the Mixed Use – Active Frontage (MU-2) District
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
Cannabis Counselling
Child Care Service
Custodial Care
Funeral Home
Health Services Laboratory – With Clients
Hospital
Medical Clinic
Residential Care

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

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

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

GENERAL INDUSTRIAL GROUP
Asphalt, Aggregate and Concrete Plant
Brewery, Winery and Distillery
Cannabis Facility
Dry-cleaning and Fabric Care Plant
Food Production
General Industrial – Heavy
General Industrial – Light
General Industrial – Medium
Printing, Publishing and Distributing
Specialized Industrial

INDUSTRIAL SUPPORT GROUP
Artist’s Studio
Beverage Container Quick Drop Facility
Building Supply Centre
Health Services Laboratory – Without Clients
Motion Picture Production Facility
Recyclable Material Drop-Off Depot
Specialty Food Store

INFRASTRUCTURE GROUP
Airport
Cemetery
Crematorium
Military Base
Municipal Works Depot
Natural Area
Park
Parking Lot – Grade
Parking Lot – Grade (temporary)
Parking Lot – Structure
Park Maintenance Facility – Large
Park Maintenance Facility – Small
Power Generation Facility – Medium
Power Generation Facility – Small
Protective and Emergency Service
Public Transit System
Rail Line
Sewage Treatment Plant
Utilities
Utilities - Linear
Utility Building
Waste Disposal and Treatment Facility
Water Treatment Plant
Wind Energy Conversion System – Type 1
Wind Energy Conversion System – Type 2

OFFICE GROUP
Counselling Service
Office
Service Organization

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

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

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

Sign – Class B
Fascia Sign

Sign – Class C
Freestanding Sign

Sign – Class D
Canopy Sign
Projecting Sign

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

Sign – Class F
Third Party Advertising Sign

Sign – Class G
Digital Third Party Advertising Sign

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

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

TEACHING AND LEARNING GROUP
Instructional Facility
Post-secondary Learning Institution
School – Private
School Authority – School
School Authority Purpose – Major
School Authority Purpose – Minor
## SCHEDULE B

### Minimum and Specified Penalties

#### General Offences

<table>
<thead>
<tr>
<th>Section</th>
<th>Offence</th>
<th>Minimum Penalty First Offence</th>
<th>Specified Penalty First Offence</th>
</tr>
</thead>
<tbody>
<tr>
<td>47(1)</td>
<td>Occupy or commence use prior to DCP</td>
<td>$1500</td>
<td>$3000</td>
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<tr>
<td>47(5)</td>
<td>Fail to allow inspection / hinder Inspector</td>
<td>$1500</td>
<td>$3000</td>
</tr>
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<td>47(8)</td>
<td>Fail to retain DCP on premises</td>
<td>$200</td>
<td>$400</td>
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<tr>
<td>49(2)</td>
<td>Fail to obtain DP</td>
<td>$1500</td>
<td>$3000</td>
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<td></td>
<td>Fail to comply with DP / DP conditions</td>
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<td>$3000</td>
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</table>

#### Lighting Offences

<table>
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<tr>
<th>Section</th>
<th>Offence</th>
<th>Minimum Penalty First Offence</th>
<th>Specified Penalty First Offence</th>
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<td>63</td>
<td>Fail to shield</td>
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<td>65</td>
<td>Exceed mounting height</td>
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<tr>
<td>66</td>
<td>Fail to recess on canopy</td>
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<td>$200</td>
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</table>

#### Sign Offences

<table>
<thead>
<tr>
<th>Section</th>
<th>Offence</th>
<th>Minimum Penalty First Offence</th>
<th>Specified Penalty First Offence</th>
</tr>
</thead>
<tbody>
<tr>
<td>70, 71</td>
<td>Fail to comply with Comprehensive Sign Program</td>
<td>$500</td>
<td>$1000</td>
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<td>73(1)</td>
<td>Sign not located on a parcel</td>
<td>$100</td>
<td>$300</td>
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<td>73(2)</td>
<td>Display Third Party Advertising</td>
<td>$500</td>
<td>$1000</td>
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<tr>
<td>73(6)</td>
<td>Sign too close to curb</td>
<td>$100</td>
<td>$500</td>
</tr>
<tr>
<td>73(8)</td>
<td>Sign in corner visibility triangle</td>
<td>$100</td>
<td>$500</td>
</tr>
<tr>
<td>73(9)</td>
<td>Sign in required road rights-of-way setback</td>
<td>$100</td>
<td>$300</td>
</tr>
<tr>
<td>73(11)</td>
<td>Unauthorized projection over sidewalks or road rights-of-way</td>
<td>$100</td>
<td>$200</td>
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<tr>
<td>73(12)</td>
<td>Damage landscaping</td>
<td>$100</td>
<td>$500</td>
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<tr>
<td>75</td>
<td>Fail to maintain sign</td>
<td>$100</td>
<td>$200</td>
</tr>
<tr>
<td>78, 79,</td>
<td>Fail to comply with Rules for Sign – Class A</td>
<td>$100</td>
<td>$200</td>
</tr>
<tr>
<td>80, 81,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>82, 83,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>84, 85,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>86, 87,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>88, 90</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>89</td>
<td>Fail to comply with Rules for Temporary Signs</td>
<td>$200</td>
<td>$400</td>
</tr>
<tr>
<td>92, 93</td>
<td>Fail to comply with Rules for Fascia Signs</td>
<td>$200</td>
<td>$400</td>
</tr>
<tr>
<td>95, 96,</td>
<td>Fail to comply with Rules for Freestanding Signs</td>
<td>$200</td>
<td>$400</td>
</tr>
<tr>
<td>97</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>99, 100</td>
<td>Fail to comply with Rules for Canopy Signs</td>
<td>$200</td>
<td>$400</td>
</tr>
<tr>
<td>Section</td>
<td>Offence</td>
<td>Minimum Penalty First Offence</td>
<td>Specified Penalty First Offence</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>-------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>101, 102</td>
<td>Fail to comply with Rules for Projecting Signs</td>
<td>$200</td>
<td>$400</td>
</tr>
<tr>
<td>74, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115.1, 115.2, 115.3, 115.4 and 115.5</td>
<td>Fail to comply with Rules for Class E, Class F and Class G Signs and Rules for signs with Digital Displays</td>
<td>$500</td>
<td>$1000</td>
</tr>
<tr>
<td>117</td>
<td>Fail to identify stalls through signage</td>
<td>$500</td>
<td>$1000</td>
</tr>
<tr>
<td>119</td>
<td>Stalls used for Unauthorized Purpose</td>
<td>$500</td>
<td>$1000</td>
</tr>
<tr>
<td>122</td>
<td>Fail to comply with Parking Stall Standards</td>
<td>$500</td>
<td>$1000</td>
</tr>
<tr>
<td>123</td>
<td>Fail to comply with Loading Stall Standards</td>
<td>$500</td>
<td>$1000</td>
</tr>
<tr>
<td>125</td>
<td>Fail to comply with Bicycle Stall Standards</td>
<td>$500</td>
<td>$1000</td>
</tr>
<tr>
<td></td>
<td><strong>Use Rules Offences</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Part 4                      Fail to comply with Rules relating to Uses</td>
<td>$200</td>
<td>$400</td>
</tr>
<tr>
<td></td>
<td><strong>Residential Offences</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>341(4), 565(4), 1112(4), 1357(4)</td>
<td>Vehicle parked in front setback not on hard surface</td>
<td>$200</td>
<td>$400</td>
</tr>
<tr>
<td>342(1)</td>
<td>Retaining Wall Exceed Height</td>
<td>$500</td>
<td>$1000</td>
</tr>
<tr>
<td>342(2)</td>
<td>Retaining Wall not meet Separation Requirement</td>
<td>$500</td>
<td>$1000</td>
</tr>
<tr>
<td>343</td>
<td>Fail to comply with Fence Rules</td>
<td>$200</td>
<td>$400</td>
</tr>
<tr>
<td>344, 564, 1111, 1357</td>
<td>Have prohibited/restricted object</td>
<td>$200</td>
<td>$400</td>
</tr>
<tr>
<td>345, 346</td>
<td>Fail to comply with Accessory Building Rules</td>
<td>$200</td>
<td>$400</td>
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</table>
### Residential Offences cont’d

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Fine</th>
<th>Maximum Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>348</td>
<td>Fail to comply with Corner Visibility Rules</td>
<td>$200</td>
<td>$400</td>
</tr>
<tr>
<td>359</td>
<td>Fail to comply with Personal Sales Rules</td>
<td>$200</td>
<td>$400</td>
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</tbody>
</table>

### Commercial Offences

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Fine</th>
<th>Maximum Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>696</td>
<td>Fail to screen mechanical</td>
<td>$200</td>
<td>$1000</td>
</tr>
<tr>
<td>697</td>
<td>Fail to enclose garbage</td>
<td>$200</td>
<td>$1000</td>
</tr>
</tbody>
</table>

Schedule B has been amended by the following bylaws: 30P2011, 35P2011, 16P2018, 46P2019