Calgary

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

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

BYLAWS AMENDING THE TEXT OF BYLAW 1P2007

27P2021	June 21, 2021
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44P2022	July 26, 2022
34P2022	August 15, 2022
66P2022	December 20, 2022
56P2022	January 2, 2023
28P2023	May 16, 2023
34P2023	June 20, 2023
2H2023	June 20, 2023
65P2023	September 19, 2023
17P2024	April 9, 2024
21P2024	May 14, 2024
	Portions of this bylaw take effect on different dates, which are only consolidated once in force.
78P2024	October 8, 2024
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60P2025	September 10, 2025
61P2025	September 10, 2025
62P2025	September 10, 2025
63P2025	September 10, 2025
9P2026	August 2, 2026
25P2026	August 5, 2026
26P2026	August 5, 2026
34P2026	September 15, 2026
35P2026	September 15, 2026

NOTE:

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

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

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

> *The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted*
>
> *(a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and*
>
> *(b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,*
>
> *without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.*

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SECTION PAGE

BYLAW 1P2007

TABLE OF CONTENTS

PART 1: INTERPRETATION OF THIS BYLAW

Division 1: General Interpretation

1 Short Title 1
2 Repeal of Bylaw 2P80 and Coming into Force of Bylaw 1P2007 1
3 Content 1
4 Land Use Districts and Land Use District Maps 3
5 Interpreting the Land Use District Maps 3
6 Requirements of Other Legislation 3
7 Referenced Legislation 4
8 Forms of Words 5
9 Purpose Statements 6
10 Reference Aids 6
11 Validity of Provision 6
12 Rounding Numbers 6

Division 2: Definitions and Methods

13 General Definitions 7
14 Methods 28.3

PART 2: ADMINISTRATION

Division 1: Approving Authorities

15 Development Authority - Powers and Duties 29
15.1 Subdivision Authority – Powers and Duties 30

Division 2: Land Use Amendment and Direct Control Districts

16 Application for Land Use Amendment 31
17 The Application Review Process 31
18 Public Hearing 32
19 Reapplication 32
20 Direct Control Districts 32
21 Uses in Direct Control District 32
22 Reference to Other Bylaws in Direct Control Bylaws 34

Division 3: Development Permits

23 Requirement for a Development Permit 37
24 Conditions for Development Permit Exemptions 37
25 Exempt Developments 37
25.3 25.3 ..... *deleted*
..... 44.2
25.3 Exemption for Insulation Retrofit 44.7
26 Development Permit Application Requirements 44.7

SECTION **PAGE**

27 Notice Posting Requirement 44.7
27.1 Exemption for Acquisition of Land by The City 44.10

Division 4: Permitted Use Development Permit

28 Permitted Uses That Meet All Requirements 44.11
29 Notification of Decision for Permitted Use Application 45
30 Permitted Uses That Do Not Meet All Requirements 45
31 Test for a Relaxation..... 46
32 Use Area Relaxation..... 46
33 Conditions 46
34 Notification of Decision..... 46

Division 5: Discretionary Use Development Permit

35 Discretionary Use Development Permit Application 49
36 Discretionary Use That Does Not Comply 49
37 Development Authority's Decision..... 50
38 Conditions on Discretionary Use Development Permits..... 50
39 Notification of Decision for Discretionary Use Application..... 51

Division 6: General Provisions Relating to Development Permits

40 Applications the Development Authority Must Refuse..... 53
41 Applications That May Only Be Considered in a Direct Control District 54
41.1 Administrative Cancellation of an Application..... 55
42 Term of a Development Permit..... 55
43 Suspension or Cancellation of a Development Permit 55
44 Commencement of Development..... 56
45 Commencement of Construction..... 57
46 Reapplication for a Development Permit..... 58
47 Development Completion Permit 58
48 Appeals of Decisions on Development Permits 58.1

Division 7: Ensuring Compliance With This Bylaw

49 General Offences 59

SECTION **PAGE**

50 Violation Tickets and Penalties 59
51 Other Remedies 60
52 Specific Enforcement Relating to Signs 60

PART 3: RULES GOVERNING ALL DISTRICTS

Division 1: Public Realm Setbacks

53 Purpose 63
Required Setbacks 63

Division 2: Airport Vicinity Rules

54 Airport Vicinity Regulations 67

Division 3: Floodway, Flood Fringe and Overland Flow

55 Floodway, Flood Fringe and Overland Flow 69
56 Floodway Regulations 69
57 New Buildings and Alterations 69
58 Alterations to the Floodway and Riverbanks 69
59 Fringe and Overland Flow Area Regulations 70
60 Building Design in the Flood Fringe 70
61 Building Design in the Overland Flow Area 71

Division 4: Lighting Rules

62 Lighting Requirements 73
63 Shielding 73
64 Mounting of Fixtures 73
65 Height Limits 74
66 Canopy Lighting 74

Division 5: Signs

67 Purpose 75
68 Classification of Signs 75
69 Development Permits 75
70 Comprehensive Sign Program 75
71 Comprehensive Sign Program for Pedestrian Corridors 76
72 Development Authority's Discretion 76
73 Rules Governing All Signs 77
73.1 Rules Governing All Signs in the Stephen Avenue Mall Heritage Area 78
74 Rules Governing Signs containing Digital Displays 79
75 Maintenance of Signs 80
76 Parcels in Related Function 80
77 Rules Governing Class A Signs 80
78 Address Sign 81
79 Art Sign 81
80 Banner Sign 81
81 Construction Sign 82
82 Directional Sign 82

SECTION **PAGE**

83 Flag Sign 83
84 Gas Bar Sign 83
85 Pedestrian Sign 83
86 Real Estate Sign 84
87 Special Event Sign 84
88 Show Home Sign 84
89 Temporary Sign 85
90 Window Sign 87
91 Rules Governing Class B Signs 88
92 Designated Signable Area and Locations for Fascia Signs 88
93 Rules for Fascia Signs 90
94 Rules Governing Class C Signs 92
95 Rules for Freestanding Signs 92
96 Number of Freestanding Signs 92
97 Size and Height Restrictions for Freestanding Signs 93
98 Rules Governing Class D Signs 93
99 Rules for Canopy Signs 94
100 Rules for Signs under Canopies 95
101 Rules for Projecting Signs 95
102 Size Restrictions for Projecting Signs 95
103 Rules Governing Class E Signs 96
104 Digital Message Sign 96
105 Inflatable Sign 99
106 Painted Wall Sign 99
107 Roof Sign 100
108 Rotating Sign 100
109 Temporary Sign Markers 100
110 Rules Governing Class F Signs – Third Party Advertising Signs 101
111 Prohibited Locations For Third Party Advertising Signs 101
112 Siting of Third Party Advertising Signs 105
113 Height and Size of Third Party Advertising Signs 106
114 General Rules for Third Party Advertising Signs 107
115 Major Parks 108
115.1 Rules Governing Class G Signs – Digital Third Party Advertising Signs 111
115.2 Prohibited Locations for Digital Third Party Advertising Signs 111
115.3 Siting of Digital Third Party Advertising Signs 112.1
115.4 Height and Size of Digital Third Party Advertising Signs 112.3
115.5 General Rules for Digital Third Party Advertising Signs 112.3

Division 6: Requirements for Motor Vehicle Parking Stalls, Bicycle Parking Stalls and Loading Stalls

116 General Rules 113
117 Parking Stall Signage 113
118 Location of Parking and Loading Requirements 113
119 Use of Parking and Loading Stalls 113
120 Identification of Required Parking and Loading Stalls 114
121 Calculation of the Minimum Number of Required Parking and Loading Stalls. 114

SECTION **PAGE**

121.1 Required Motor Vehicle Parking Stalls for Calculating Barrier Free Parking Stalls 114.1
122 Standards for Motor Vehicle Parking Stalls 115
123 Loading Stalls 117
124 Relaxations of Parking and Loading Stall Requirements 119
124.1 Parking Stall Exemptions 120
125 Bicycle Parking Stalls 121
126 Motor Vehicle Pick-Up and Drop-Off Stalls 121
127 Cash-in-lieu: Kensington 10th Street NW Commercial Parking Area 121
128 Cash-in-lieu: 17th Avenue S. Commercial Parking Area 122
129 Cash-in-lieu: 4th Street SW Commercial Parking Area 122

Division 7: Requirements for Infrastructure Servicing

129.1 Infrastructure Requirements 130.1

PART 4: USES AND USE RULES

Division 1: General Provisions

130 Interpretation 131
131 Identification of Proposed Uses within a Development Permit Application 131
132 Commencement of Development for a Development Permit Authorizing Multiple Uses 132
133 Rules for All Uses 132
134 Uses Not Listed But Allowed in All Districts 132.1
134.1 Deemed Uses 132.1
134.2 Pop-up Uses 132.4
134.3 Interim Uses 132.6

Division 2: Defined Uses

135 Defined Terms 133
136 *deleted* *133*
137 *deleted* *133*
138 “Accessory Residential Building” 134
139 “Addiction Treatment” 134
140 “Adult Mini-Theatre” 135
141 “Amusement Arcade” 135
142 *deleted* *136*
143 *deleted* *136*
144 “Artist’s Studio” 136
145 “Asphalt, Aggregate and Concrete Plant” 136
146 “Assisted Living” 137
147 “Auction Market – Other Goods” 138
148 “Auction Market – Vehicles and Equipment” 138
149 “Auto Body and Paint Shop” 139
150 “Auto Service – Major” 140
151 “Auto Service – Minor” 141
152 *deleted* *142*
153 *deleted* *142*
153.1 “Backyard Suite” 142

SECTION **PAGE**

154 "Bed and Breakfast" 143
155 *deleted*..... *144*
155.1 "Beverage Container Quick Drop Facility"..... 145
156 "Billiard Parlour"..... 146
156.1 "Brewery, Winery and Distillery 146
157 *deleted*..... *148*
158 *deleted*..... *148*
158.1 "Building Supply Centre" 148
159 "Bulk Fuel Sales Depot" 149
160 "Campground" 149
160.1 *deleted*..... *150*
160.2 "Cannabis Facility"..... 151
160.3 "Cannabis Store" 152
161 "Car Wash – Multi Vehicle" 154
162 "Car Wash – Single Vehicle"..... 154
163 "Catering Service – Major" 155
164 "Catering Service – Minor" 155
165 "Child Care Service" 156
166 "Cinema"..... 156
167 "Columbarium"..... 157
168 "Community Entrance Feature" 157
169 "Community Recreation Facility" 158
170 "Computer Games Facility" 159
170.1 "Conference and Event Facility" 159
170.2 "Contextual Semi-detached Dwelling" 160
171 "Contextual Single Detached Dwelling"..... 160
172 *deleted*..... *161*
173 *deleted*..... *161*
174 "Convenience Food Store" 161
175 "Cottage Housing Cluster " 161
176 *deleted*..... *162*
177 "Crematorium" 162
177.1 "Cultural Support" 163
178 "Custodial Care" 163
179 "Custodial Quarters" 164
180 "Dinner Theatre" 165
181 "Distribution Centre" 165
182 "Drinking Establishment – Large" 166
183 "Drinking Establishment – Medium" 167
184 "Drinking Establishment – Small" 168
185 "Drive Through" 169
186 "Dry-cleaning and Fabric Care Plant"..... 170
187 "Duplex Dwelling" 171
188 "Dwelling Unit" 171
189 "Emergency Shelter" 171
190 *deleted*..... *172*
191 "Extensive Agriculture" 173
192 "Fertilizer Plant" 173
193 "Financial Institution" 174
194 "Firing Range" 174

SECTION **PAGE**

195 "Fitness Centre" 175
195.1 "Fleet Service" 175
196 *deleted* *176*
197 *deleted* *176*
198 "Food Kiosk" 176
198.1 "Food Production" 176.1
199 "Freight Yard" 176.2
200 "Funeral Home" 177
201 "Gaming Establishment – Bingo" 177
202 "Gaming Establishment – Casino" 178
203 "Gas Bar" 179
203.1 "General Industrial – Heavy" 180
203.2 "General Industrial – Light" 181
203.3 "General Industrial – Medium" 182
203.4 "Hazardous Waste Management Facility" 183
204 "Health Care Service" 184
205 "Health Services Laboratory – Without Clients" 184
206 "Hide Processing Plant" 185
206.1 "Home Based Child Care – Class 1" 185
206.2 *deleted* *185*
207 "Home Occupation – Class 1" 186
208 "Home Occupation – Class 2" 187
208.1 "Hospital" 188
209 "Hotel" 188.1
210 *deleted* *188.2*
211 "Indoor Recreation Facility" 189
212 *deleted* *189*
213 *deleted* *189*
214 *deleted* *189*
215 *deleted* *189*
216 "Information and Service Provider" 189
217 "Instructional Facility" 190
217.1 "Intensive Agriculture" 191
218 *deleted* *191*
218.1 "Inter-City Bus Terminal" 191
219 "Jail" 192
220 "Kennel" 192
220.1 "Landfill" 193
221 "Large Vehicle and Equipment Sales" 193
222 "Large Vehicle Service" 194
223 "Large Vehicle Wash" 194
224 "Library" 195
225 "Liquor Store" 195
226 "Live Work Unit" 196
227 "Manufactured Home" 201
228 "Manufactured Home Park" 201
229 *deleted* *202*
230 *deleted* *202*
231 *deleted* *202*
232 *deleted* *202*

SECTION **PAGE**

232.1 *deleted* ... *202*
233 *deleted* ... *203*
233.1 *deleted* ... *203*
233.2 *deleted* ... *204*
234 *deleted* ... *204*
235 *deleted* ... *204*
236 "Motion Picture Filming Location" ... 205
237 "Motion Picture Production Facility" ... 206
238 "Motorized Recreation" ... 206
239 "Multi-Residential Development" ... 207
240 "Multi-Residential Development – Minor" ... 207
241 "Municipal Works Depot" ... 208
242 "Museum" ... 209
243 "Natural Area" ... 210
244 "Natural Resource Extraction" ... 210
245 "Night Club" ... 211
246 "Office" ... 212
247 "Outdoor Café" ... 212
248 "Outdoor Recreation Area" ... 213
249 "Park" ... 221
250 "Park Maintenance Facility – Large" ... 221
251 "Park Maintenance Facility – Small" ... 222
252 "Parking Lot – Grade" ... 222
252.1 Parking Lot - Grade (temporary) ... 223
253 "Parking Lot – Structure" ... 223
254 "Pawn Shop" ... 223
254.1 "Payday Loan" ... 224
255 "Performing Arts Centre" ... 225
256 *deleted* ... *225*
257 "Pet Care Service" ... 225
258 *deleted* ... *225*
259 "Pits and Quarries" ... 225
260 "Place of Worship – Large" ... 226
261 "Place of Worship – Medium" ... 227
262 "Place of Worship – Small" ... 228
263 "Post-secondary Learning Institution" ... 229
264 "Power Generation Facility – Large" ... 229
265 "Power Generation Facility – Medium" ... 230
266 "Power Generation Facility – Small" ... 230
267 "Print Centre" ... 231
268 "Printing, Publishing and Distributing" ... 231
269 *deleted* ... *232*
270 "Protective and Emergency Service" ... 232
270.1 "Public Transit System" ... 232
271 "Race Track" ... 233
272 "Radio and Television Studio" ... 233
273 "Recreational Vehicle Sales" ... 234
274 "Recreational Vehicle Service" ... 234
274.1 "Recyclable Construction Material Collection Depot (temporary)" ... 235
274.2 "Recyclable Material Drop-Off Depot" ... 236

SECTION **PAGE**

275 *deleted* ... *236.1*
276 "Refinery" ... 236.1
277 "Residential Care" ... 236.1
278 "Restaurant: Food Service Only" ... 236.2
279 *deleted* ... *237*
280 *deleted* ... *238*
281 "Restaurant: Licensed" ... 238
282 *deleted* ... *239*
283 *deleted* ... *240*
283.1 *deleted* ... *241*
284 "Restored Building Products Sales Yard" ... 241
285 "Retail Garden Centre" ... 242
286 *deleted* ... *242*
286.1 "Retail and Consumer Service" ... 242
287 "Rowhouse Building" ... 244
288 "Salvage Processing – Heat and Chemicals" ... 245
288.1 "Salvage Yard" ... 245
289 "Sawmill" ... 246
290 "School – Private" ... 247
291 "School Authority – School" ... 247
292 "School Authority Purpose – Major" ... 248
293 "School Authority Purpose – Minor" ... 249
294 "Seasonal Sales Area" ... 250
295 "Secondary Suite" ... 250
295.1 deleted ... 251
295.2 deleted ... 251
296 "Self Storage Facility" ... 251
297 "Semi-detached Dwelling" ... 251
298 "Service Organization" ... 252
299 "Sign – Class A" ... 252
300 "Sign – Class B" ... 254
301 "Sign – Class C" ... 254
302 "Sign – Class D" ... 255
303 "Sign – Class E" ... 255
304 "Sign – Class F" ... 256
304.1 "Sign – Class G" ... 256
305 "Single Detached Dwelling" ... 256
306 "Slaughter House" ... 257
307 "Social Organization" ... 257
308 "Special Function – Class 1" ... 258
309 "Special Function – Class 2" ... 259
309.1 "Specialized Industrial" ... 260
310 "Specialty Food Store" ... 260
311 "Spectator Sports Facility" ... 261
312 "Stock Yard" ... 262
313 "Storage Yard" ... 262
314 "Supermarket" ... 263
315 *deleted* ... *267*
316 "Temporary Residential Sales Centre" ... 267

SECTION **PAGE**

317 "Temporary Shelter" 268
318 "Tire Recycling" 268
319 "Townhouse" 268
320 "Tree Farm" 269
320.1 "Urban Agriculture" 269
321 "Utilities" 270
321.1 "Utilities – Linear" 270
322 "Utility Building" 270
323 "Vehicle Rental – Major" 271
324 "Vehicle Rental – Minor" 271
325 "Vehicle Sales – Major" 272
326 "Vehicle Sales – Minor" 272
327 *deleted* *273*
328 *deleted* *274*
329 *deleted* *275*
329.1 "Vehicle Storage" 275
330 "Veterinary Clinic" 275
331 *deleted* *276*
332 *deleted* *276*
332.1 "Waste Storage Site" 276
333 *deleted* 276
333.1 "Wind Energy Conversion System – Type 1" 277
333.2 "Wind Energy Conversion System – Type 2" 277

SECTION **PAGE**

PART 5: LOW DENSITY RESIDENTIAL DISTRICTS

Division 1: General Rules for Low Density Residential Land Use Districts

334 Projections Into Setback Areas 279
335 Length of Portions of a Building in Setback Areas 279
336 Projections Into Front Setback Area 279
337 Projections Into Side Setback Area 280
338 Projections Into Rear Setback Area 281
338.1 Patios 282
339 Decks 282
339.1 Porches 283
340 Balconies 283
341 Driveways 283
342 Retaining Walls 285
343 Fences 285
343.1 Solar Collectors 285
343.2 Skateboard and Sports Ramps 286
344 Objects Prohibited or Restricted 286
345 Accessory Residential Building 287
346 Restrictions on Use of Accessory Residential Building 288
346.1 General Landscaping Rules for the Developed Areas 288.1
347 Contextual Single Detached Dwelling 289
347.1 Contextual Semi-detached Dwelling 291
347.2 *deleted* *292.1*
347.3 Permitted use Rowhouse Building 292.2
349 Roof Equipment Projection 292.3
350 Private Maintenance Easements 292.3
351 Secondary Suite 292.3
351.1 *deleted* *292.4*
352 Backyard Suite 292.4
353 Secondary Suite – Outdoor Private Amenity Space 292.6
354 Accessory Suite – Density 292.6
355 Secondary Suite – Entry and Stairways 292.6
356 Secondary Suite – Building Height 292.6
357 Parcels Deemed Conforming 292.6
358 Dwellings Deemed Conforming 292.7
359 Personal Sales 292.8
360 Building Height 292.8
361 Building Height on a Corner Parcel 292.9
362 *deleted* *292.10*
363 Approved Building Grade Plans 292.10
364 Gated Access 292.10
365 Exempt Additions 292.10
365.1 Cottage Housing Cluster 292.11
365.2 School Portables 293

SECTION **PAGE**

Division 2: Residential – Contextual Large Parcel One Dwelling (R-C1L) (R-C1Ls) District

366 Purpose 294
367 Permitted Uses 294
368 Discretionary Uses 294
369 Permitted and Discretionary Uses for Parcels Designated R-C1Ls 295
370 Rules 295
371 Number of Main Residential Buildings on a Parcel 295
372 Parcel Width 295
373 Parcel Depth 295
374 Parcel Area 295
375 Parcel Coverage 296
376 *deleted* *296*
377 Building Setback Areas 296
378 Building Setback from Front Property Line 296
379 Building Setback from Side Property Line 296
380 Building Setback from Rear Property Line 297
381 Building Height 297
382 *deleted* *297*
383 *deleted* *297*

Division 3: Residential – Contextual One Dwelling (R-C1) (R-C1s) District

384 Purpose 299
385 Permitted Uses 299
386 Discretionary Uses 299
387 Permitted and Discretionary Uses for Parcels Designated R-C1s 301
388 Rules 301
389 Number of Main Residential Buildings on a Parcel 301
390 Parcel Width 301
391 Parcel Depth 302
392 Parcel Area 302
393 Parcel Coverage 302
394 *deleted* *302*
395 Building Setback Areas 302
396 Building Setback from Front Property Line 302
397 Building Setback from Side Property Line 302
398 Building Setback from Rear Property Line 303
399 Building Height 303
400 *deleted* *304*
401 *deleted* *304*
402 *deleted* *304*
403 *deleted* *304*

SECTION **PAGE**

Division 4: Residential – Contextual Narrow Parcel One Dwelling (R-C1N) District

404 Purpose 307
405 Permitted Uses 307
406 Discretionary Uses 307
407 Rules 308
408 Number of Main Residential Buildings on a Parcel 308
409 Parcel Width 308
410 Parcel Depth 309
411 Parcel Area 309
412 Parcel Coverage 309
413 *deleted* *309*
414 Building Setback Areas 309
415 Building Setback from Front Property Line 309
416 Building Setback from Side Property Line 310
417 Building Setback from Rear Property Line 311
418 Building Height 311
419 *deleted* *311*
420 *deleted* *311*
421 *deleted* *311*
422 *deleted* *311*
423 Motor Vehicle Parking Stalls 311

Division 5: Residential – Contextual One / Two Dwelling (R-C2) District

424 Purpose 314
425 Permitted Uses 314
426 Discretionary Uses 314
427 Rules 316
428 Number of Main Residential Buildings on a Parcel 316
429 Parcel Width 316
430 Parcel Depth 317
431 Parcel 317
432 Parcel Coverage 317
433 *deleted* *317*
434 Building Setback Areas 318
435 Building Setback from Front Property Line 318
436 Building Setback from Side Property Line 318
437 Building Setback from Rear Property Line 319
438 Building Height 319
439 *deleted* *320*
440 *deleted* *320*
441 *deleted* *320*
442 *deleted* *320*
443 Motor Vehicle Parking Stalls 320

SECTION **PAGE**

Division 6: Residential – One Dwelling (R-1) (R-1s) District

444 Purpose 324
445 Permitted Uses 324
446 Discretionary Uses 324
447 Permitted and Discretionary Uses for Parcels Designated R-1s 325
448 Rules 325
449 Number of Main Residential Buildings on a Parcel 325
450 Parcel Width 325
451 Parcel Depth 325
452 Parcel Area 325
453 Parcel Coverage 326
454 Building Setback Areas 326
455 Building Setback from Front Property Line 326
456 Building Setback from Side Property Line 326
457 Building Setback from Rear Property Line 327
458 Building Height 327

Division 7: Residential – Narrow Parcel One Dwelling (R-1N) District

459 Purpose 328
460 Permitted Uses 328
461 Discretionary Uses 328
462 Rules 329
463 Number of Main Residential Buildings on a Parcel 329
464 Parcel Width 329
465 Parcel Depth 330
466 Parcel Area 330
467 Parcel Coverage 330
468 Building Setback Areas 330
469 Building Setback from Front Property Line 330
470 Building Setback from Side Property Line 330
471 Building Setback from Rear Property Line 331
472 Building Height 331
473 Motor Vehicle Parking Stalls 332

Division 8: Residential – One / Two Dwelling (R-2) District

474 Purpose 333
475 Permitted Uses 333
476 Discretionary Uses 333
477 Rules 334
478 Number of Main Residential Buildings on a Parcel 334
479 Parcel Width 334
480 Parcel Depth 335
481 Parcel Area 335
482 Parcel Coverage 335
483 Building Setback Areas 335
484 Building Setback from Front Property Line 336
485 Building Setback from Side Property Line 336
486 Building Setback from Rear Property Line 337
487 Building Height 337

SECTION **PAGE**

488 Motor Vehicle Parking Stalls ... 337
404 338
489 Purpose ... 340
490 Permitted Uses ... 340
491 Discretionary Uses ... 340
492 Rules ... 341
493 Density ... 341
494 Parcel Width ... 342
495 Parcel Depth ... 342
496 Parcel Area ... 342
497 Parcel Coverage ... 343
498 Building Setback Areas ... 343
499 Building Setback from Front Property Line ... 343
500 Building Setback from Side Property Line ... 343
501 Building Setback from Rear Property Line ... 344
502 Building Height ... 344
503 Garbage ... 344
504 Recycling Facilities ... 345
505 Motor Vehicle Parking Stalls ... 345

Division 10: Residential – Manufactured Home (R-MH) District

506 Purpose ... 347
507 Permitted Uses ... 347
508 Discretionary Uses ... 347
509 Rules ... 348
510 Density ... 348
511 Parcel Width ... 348
512 Parcel Frontage ... 348
513 Parcel Area ... 348
514 Parcel Coverage ... 348
515 Building Setback Areas ... 348
516 Building Setbacks from a Property Line ... 348
517 Projections into Setback Areas ... 349
518 Building Height ... 349
519 Outdoor Private Amenity Space ... 349
520 Manufactured Home Installation ... 349
521 Accessory Residential Building ... 349
522 Manufactured Home Park ... 349
523 Garbage ... 350
524 Recycling Facilities ... 351

Division 11: Residential – Grade-Oriented Infill (R-CG) (R-CGex) District

525 Purpose ... 353
526 Permitted Uses ... 353
527 Discretionary Uses ... 354
527.1 Permitted and Discretionary Uses for Parcels Designated R-CGex ... i
528 Rules ... i
529 Density ... i

SECTION **PAGE**

530 Number of Main Residential Buildings on a Parcel i
531 Parcel Width i
532 Facade Width 355
533 At Grade Orientation of Units 355
534 Parcel Coverage 355
535 Building Depth and Separation..... 355
536 Building Setback Areas 356
537 Building Setback from Front Property Line..... 356
538 Block Face Requirements 356
539 Building Setback from Side Property Line..... 356
540 Building Setback from Rear Property Line 357
540.1 Fences for Rowhouse Buildings..... 357
541 Building Height 358
542 Landscaping Requirements..... 358
542.1 Landscape Plan Requirements 358.1
542.2 Planting Requirements..... 358.2
543 Amenity Space 358.3
544 Balconies..... 358.3
545 *deleted*..... *358.4*
546 Motor Vehicle Parking Stall 358.4
546 Bicycle Parking Stalls..... 358.5
546 Waste, Recycling and Organics 358.5

Division 12: Residential – Low Density Mixed Housing (R-G) (R-Gm) District

547 Purpose..... 358.6
547.1 Permitted Uses..... 358.6
547.2 Discretionary Uses 358.7
547.3 Permitted and Discretionary Uses for Parcels Designated R-Gm..... 358.7
547.4 Rules 358.8
547.5 Number of Main Residential Buildings on a Parcel 358.8
547.6 Parcel Width..... 358.8
547.7 Parcel Area..... 358.8
547.8 Parcel Coverage..... 358.8
547.9 Building Setback Areas 358.9
547.10 Building Setback from Front Property Line..... 358.9
547.11 Building Setback from Side Property Line..... 358.9
547.12 Building Setback from Rear Property Line 358.10
547.13 Building Height 358.11
547.14 Outdoor Private Amenity Space 358.11
547.15 Balconies..... 358.12
547.16 Driveways..... 358.12

SECTION **PAGE**

PART 6: MULTI-RESIDENTIAL DISTRICTS

Division 1: General Rules for Multi-Residential Land Use Districts

549 Projections Into Setback Areas 359
550 General Landscaped Area Rules 359
551 Specific Rules for Landscaped Areas..... 361
552 Planting Requirements 362
553 Landscaped Area Reductions – Multi-Residential Development..... 363
554 Street-Oriented Multi-Residential Landscaping Option 363
555 Enhanced Landscaping Option 363
556 Low Water Landscaping Option 363
557 Amenity Space 367
558 Motor Vehicle Parking Stall Requirements 368
559 Bicycle Parking Stall Requirements in Multi-Residential Development..... 369
560 Reduction for Transit Supportive Multi-Residential Development 369
561 Parking Maximums Close to LRT Stations 369
562 Minimum Motor Vehicle Parking Stall Requirements for Commercial Multi-Residential Uses 371
563 Accessory Residential Buildings 371
564 Objects Prohibited or Restricted..... 372
565 Driveway Length and Parking Areas 373
566 Garbage 374
567 Recycling Facilities..... 374
568 Mechanical Screening 374
569 Visibility Setback 374
570 Retaining Walls..... 375
571 Fences..... 375
571.1 Solar Collectors 375
571.2 Skateboard and Sports Ramps 376
572 Gated Access 377
573 Single Detached, Semi-Detached, Duplex Dwellings, Secondary Suites and Backyard Suites..... 377
574 Parcel Access..... 377
575 Commercial Multi-Residential Uses 377
575.1 School Portables 377

Division 2: Multi-Residential – Contextual Grade-Oriented (M-CG) (M-CGd#) District

576 Purpose 379
577 Permitted Uses..... 379
578 Discretionary Uses 380
579 Rules 381
580 Density 382
581 At Grade Orientation of Units 382
582 Setback Area 382
583 Building Setbacks..... 382
584 Landscaping 383

SECTION **PAGE**

585 Building Height and Cross Section 383

Division 3: Multi-Residential – Contextual Low Profile (M-C1) (M-C1d#) District

586 Purpose 387
587 Permitted Uses 387
588 Discretionary Uses 388
589 Rules 389
590 Density 390
591 Setback Area 390
592 Building Setbacks 390
593 Landscaping 391
594 Building Height and Cross Section 391

Division 4: Multi-Residential – Contextual Medium Profile (M-C2) (M-C2f#d#) District

595 Purpose 395
596 Permitted Uses 395
597 Discretionary Uses 396
598 Rules 398
599 Floor Area Ratio 398
600 Density 398
601 Setback Area 398
602 Building Setbacks 398
603 Landscaping 399
604 Building Height and Cross Section 399

Division 5: Multi-Residential – At Grade Housing (M-G) (M-Gd#) District

605 Purpose 403
606 Permitted Uses 403
607 Discretionary Uses 404
608 Rules 404
609 Density 405
610 Building Form 405
611 Setback Area 405
612 Building Setbacks 405
613 Landscaping 406
614 Building Height 406
615 Amenity Space 406

Division 6: Multi-Residential – Low Profile (M-1) (M-1d#) District

616 Purpose 407
617 Permitted Uses 407
618 Discretionary Uses 408
619 Rules 408
620 Density 409

SECTION **PAGE**

621 Setback Area 409
622 Building Setbacks 409
623 Landscaping 410
624 Building Height 410

Division 7: Multi-Residential – Medium Profile (M-2) (M-2f#d#) District

625 Purpose 413
626 Permitted Uses 413
627 Discretionary Uses 414
628 Rules 415
629 Floor Area Ratio 415
630 Density 415
631 Setback Area 415
632 Building Setbacks 415
633 Landscaping 416
634 Building Height 416

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

635 Purpose 419
636 Permitted Uses 419
637 Discretionary Uses 420
638 Rules 421
639 Floor Area Ratio 421
640 Density 421
641 Setback Area 422
642 Building Setbacks 422
643 Landscaping 422
644 Building Height 422
645 Rules for Commercial Multi-Residential Uses 423

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

646 Purpose 425
647 Permitted Uses 425
648 Discretionary Uses 426
649 Rules 427
650 Maximum Floor Area Ratio 427
651 Density 427
652 Setback Area 428
653 Building Setbacks 428
654 Landscaping 428
655 Building Height 429
656 Rules for Commercial Multi-Residential Uses 429

SECTION **PAGE**

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

657 Purpose 431
658 Permitted Uses 431
659 Discretionary Uses 432
660 Rules 433
661 Floor Area Ratio 433
662 Density 433
663 Setback Area 434
664 Building Setbacks 434
665 Landscaping 434
666 Building Height 434
667 Rules for Commercial Multi-Residential Uses 435

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

668 Purpose 437
669 Permitted Uses 437
670 Discretionary Uses 438
671 Rules 439
672 Density 439
673 Setback Area 440
674 Building Setbacks 440
675 Landscaping 440
676 Building Height 440
677 Rules for Commercial Multi-Residential Uses 442

Division 12: Multi-Residential – Medium Profile Support Commercial (M-X2) (M-X2f#d#) District

678 Purpose 443
679 Permitted Uses 444
680 Discretionary Uses 444
681 Rules 445
682 Floor Area Ratio 446
683 Density 446
684 Setback Areas 446
685 Building Setbacks 446
686 Landscaping 446
687 Building Height 447
688 Rules for Commercial Multi-Residential Uses 449

PART 7: COMMERCIAL DISTRICTS

Division 1: General Rules for Commercial Land Use Districts

689 Projections Into Setback Areas 451
690 General Landscaped Area Rules 451
691 Planting Requirements 452
692 Low Water Irrigation System 452

SECTION **PAGE**

693 Additional Landscaping Requirements 452
694 Landscaping for Large Parking Area 453
700 Minimum Required Motor Vehicle Parking Stalls 453.2
695 Visibility Setback 454
696 Mechanical Screening 454
697 Garbage 455
698 Recycling Facilities 455
699 Screening 455
669.1 Solar Collectors 455
699.2 Wind Energy Conservation System 455
700 Parcel Access 456.1

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

701 Purpose 457
702 Permitted Uses 457
703 Discretionary Uses 458
704 Rules 459
705 Parcel Area 460
706 Floor Area Ratio 460
707 Building Height 460
708 Building Location and Orientation 460
709 Building Façade 460
710 Vehicle Access 460
711 Use Area 461
712 Location of Uses within Buildings 461
713 Front Setback Area 461
714 Rear Setback Area 461
715 Side Setback Area 462
716 Landscaping In Setback Areas 462
717 Minimum Required Motor Vehicle Parking Stalls 463
718 Exclusive Use of Motor Vehicle Parking Stalls 465
719 Required Bicycle Parking Stalls 465
720 Exclusive Use of Bicycle Parking Stalls 465

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

721 Purpose 467
722 Permitted Uses 467
723 Discretionary Uses 468
724 Rules 470
725 Parcel Area 470
726 Floor Area Ratio 470
727 Building Height 470
728 Use Area 470
729 Location of Uses within Buildings 471
730 Front Setback Area 471
731 Rear Setback Area 471

SECTION **PAGE**

732 Side Setback Area 472
733 Landscaping In Setback Areas 472
734 Minimum Required Motor Vehicle Parking Stalls 473
735 Exclusive Use of Motor Vehicle Parking Stalls 474
736 Required Bicycle Parking Stalls 474
737 Exclusive Use of Bicycle Parking Stalls 474

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

738 Purpose 475
739 Permitted Uses 475
740 Discretionary Uses 477
741 Rules 479
742 Parcel Area 479
743 Floor Area Ratio 479
744 Building Height 479
745 Building Orientation 479
746 Use Area 479
747 Rules for Location of Uses within Buildings 480
748 Front Setback Area 480
749 Rear Setback Area 480
750 Side Setback Area 481
751 Landscaping In Setback Areas 481
752 Minimum Required Motor Vehicle Parking Stalls 482
753 Reductions of Minimum Motor Vehicle Parking Requirement 483
754 Exclusive Use of Motor Vehicle Parking Stalls 483
755 Required Bicycle Parking Stalls 483
756 Exclusive Use of Bicycle Parking Stalls 484

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

757 Purpose 485
758 Permitted Uses 485
759 Discretionary Uses 487
760 Rules 489
761 Parcel Area 490
762 Floor Area Ratio 490
763 Building Height 490
764 Use Area 490
765 Location of Uses within Buildings 490
766 Front Setback Area 490
767 Rear Setback Area 490
768 Side Setback Area 491
769 Landscaping In Setback Areas 491
770 Minimum Required Motor Vehicle Parking Stalls 492
771 Reductions of Minimum Motor Vehicle Parking Requirement 492
772 Excess Motor Vehicle Parking Stalls 493
773 Exclusive Use of Motor Vehicle Parking Stalls 493

SECTION **PAGE**

774 Required Bicycle Parking Stalls 493
775 Exclusive Use of Bicycle Parking Stalls 494

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

776 Purpose 495
777 Permitted Uses 495
778 Discretionary Uses 497
779 Rules 499
780 Floor Area Ratio 499
781 Building Height 499
782 Building Orientation 499
783 Building Façade 499
784 Vehicle Access 499
785 Use Area 500
786 Location of Uses within Buildings 500
787 Front Setback Area 501
788 Rear Setback Area 501
789 Side Setback Area 502
790 Landscaping In Setback Areas 502
791 Minimum Required Motor Vehicle Parking Stalls 503
792 Excess Motor Vehicle Parking Stalls 505
793 Exclusive Use of Motor Vehicle Parking Stalls 506
794 Required Bicycle Parking Stalls 506.1
795 Exclusive Use of Bicycle Parking Stalls 506.1

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

796 Purpose 507
797 Permitted Uses 507
798 Discretionary Uses 509
799 Rules 511
800 Parcel Area 511
801 Floor Area Ratio 511
802 Building Height 512
803 Use Area 512
804 Location of Uses within Buildings 512
805 Front Setback Area 513
806 Rear Setback Area 513
807 Side Setback Area 513
808 Landscaping In Setback Areas 514
809 Minimum Required Motor Vehicle Parking Stalls 515
810 Reductions of Minimum Motor Vehicle Parking Requirement 516
811 Required Bicycle Parking Stalls 516
812 Exclusive Use of Bicycle Parking Stalls 517

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

SECTION **PAGE**

813 Purpose 519
814 Permitted Uses 519
815 Discretionary Uses 521
816 Rules 524
817 Parcel Area 524
818 Floor Area Ratio 524
819 Building Height 524
820 Use Area 524
821 Front Setback Area 524
822 Rear Setback Area 524
823 Side Setback Area 525
824 Landscaping In Setback Areas 525
825 Minimum Required Motor Vehicle Parking Stalls 526
826 Reductions of Minimum Motor Vehicle Parking Requirement 526
827 Required Bicycle Parking Stalls 527

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

828 Purpose 529
829 Permitted Uses 529
830 Discretionary Uses 531
831 Rules 532
832 Floor Area Ratio 532
833 Building Height 533
834 Use Area 533
835 Front Setback Area 533
836 Rear Setback Area 533
837 Side Setback Area 534
838 Landscaping In Setback Areas 534
839 Employee Area 535
840 Reductions of Minimum Motor Vehicle Parking Requirement 535
841 Excess Motor Vehicle Parking Stalls 535
842 Required Bicycle Parking Stalls 535

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

843 Purpose 537
844 Permitted Uses 537
845 Discretionary Uses 538
846 Rules 539
847 Parcel Area 540
848 Floor Area Ratio 540
849 Building Height 540
850 Buildings 540
851 Use Area 540
852 Building Entrance Features 540
853 Front Setback Area 541
854 Rear Setback Area 541
855 Side Setback Area 541

SECTION **PAGE**

856 Landscaping In Setback Areas 542
857 Minimum Required Motor Vehicle Parking Stalls 543
858 Excess Motor Vehicle Parking Stalls 543
859 Exclusive Use of Motor Vehicle Parking Stalls 543
860 Required Bicycle Parking Stalls 543

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

861 Purpose 545
862 Permitted Uses 545
863 Discretionary Uses 547
864 Rules 549
865 Parcel Area 549
866 Buildings 549
867 Floor Area Ratio 550
868 Building Height 550
869 Location of Uses within Buildings 550
870 Front Setback Area 550
871 Rear Setback Area 550
872 Side Setback Area 550
873 Landscaping In Setback Areas 551
874 Minimum Required Motor Vehicle Parking Stalls 551
875 Reductions of Minimum Motor Vehicle Parking Requirement 552
876 Excess Motor Vehicle Parking Stalls 552
877 Exclusive Use of Motor Vehicle Parking Stalls 552
878 Required Bicycle Parking Stalls 553
879 Exclusive Use of Bicycle Parking Stalls 553

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

880 Purpose 555
881 Permitted Uses 555
882 Discretionary Uses 557
883 Rules 559
884 Floor Area Ratio 559
885 Building Height 560
886 Transportation 560
887 Building Orientation and Design 560
888 Front Setback Area 560
889 Rear Setback Area 560
890 Side Setback Area 561
891 Landscaping In Setback Areas 562
892 Minimum Required Motor Vehicle Parking Stalls 562
893 Reductions of Minimum Motor Vehicle Parking Requirement 562
894 Excess Motor Vehicle Parking Stalls 563
895 Exclusive Use of Motor Vehicle Parking Stalls 563
896 Required Bicycle Parking Stalls 563

PART 8: INDUSTRIAL DISTRICTS

Division 1: General Rules for Industrial Land Use Districts

SECTION **PAGE**

897 Projections Into Setback Areas 565
898 General Landscaped Area Rules 565
899 Planting Requirements 566
900 Low Water Irrigation System 566
901 Visibility Setback 566
902 Mechanical Screening 566
903 Garbage 567
904 Fences 567
904.1 Solar Collectors 567
904.2 Display and Sales Area 567
904.3 Outdoor Product Display Area 568
904.4 Wind Energy Conversion System 568
905 Parcel Access 568.2

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

906 Purpose 569
907 Permitted Uses 569
908 Discretionary Uses 571
909 Rules 572
910 Building Size 572
911 Floor Area Ratio 572
912 Building Height 573
913 Building Setback 573
913.1 Storage of Goods, Materials and Supplies 573
914 Screening 573
915 Gross Floor Area for Offices and Administration Areas 573
915 Front Setback Area 574
916 Rear Setback Area 574
917 Side Setback Area 575
918 Landscaping In Setback Areas 575
919 Additional Landscaping Requirements 577
920 Employee Area 577
921 Outside Product Display Areas 577

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

922 Purpose 579
923 Permitted Uses 579
924 Discretionary Uses 580
925 Rules 582
926 Floor Area Ratio 582
927 Building Height 582
928 Use Area 582
928.1 Storage of Goods, Materials and Supplies 582
929 Front Setback Area 582
930 Rear Setback Area 583
931 Side Setback Area 583
932 Landscaping In Setback Areas 584
933 Additional Landscaping Requirements 585

SECTION **PAGE**

934 Landscaping for Large Parking Area 585
935 Employee Area 586
936 Reductions to Minimum Motor Vehicle Parking Stalls 587

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

937 Purpose 589
938 Permitted Uses 589
939 Discretionary Uses 590
940 Rules 591
941 Floor Area Ratio 591
942 Building Height 591
943 Activities and Objects Prohibited 592
944 Use Area 592
945 Storage of Goods, Materials and Supplies 592
946 Front Setback Area 592
947 Rear Setback Area 592
948 Side Setback Area 593
949 Landscaping In Setback Areas 593
950 Additional Landscaping Requirements 594
951 Employee Area 595
952 Screening 595

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

953 Purpose 597
954 Permitted Uses 597
955 Discretionary Uses 599
956 Rules 600
957 Parcel Location 600
958 Floor Area Ratio 600
959 Building Height 600
960 Use Area 600
961 Front Setback Area 601
962 Rear Setback Area 601
963 Side Setback Area 601
964 Landscaping In Setback Areas 602
965 Additional Landscaping Requirements 603
965.1 Storage of Goods, Materials and Supplies 603
966 Employee Area 604

Division 6: Industrial – Redevelopment (I-R) District

967 Purpose 605
968 Permitted Uses 605
969 Discretionary Uses 606
970 Rules 608
971 Building Size 608
972 Floor Area Ratio 608

SECTION **PAGE**

973 Building Height 608
973.1 Use area 608
974 Screening 608
974.1 Building Setback 608
975 Front Setback Area 608
976 Rear Setback Area 609
977 Side Setback Area 609
978 Landscaping In Setback Areas 610
979 Additional Landscaping Requirements 611
979.1 Storage of Goods, Materials and Supplies 612
980 Employee Area 612
981 Outside Product Display Areas 612

Division 7: Industrial - Outdoor (I-O) District

982 Purpose 613
983 Permitted Uses 613
984 Discretionary Uses 613
985 Rules 614
986 Parcel Area 614
897 Building Size 614
988 Building Height 614
989 Storage of Goods, Materials and Supplies 614
990 Front Setback Area 615
991 Rear Setback Area 615
992 Side Setback Area 615
993 Landscaping In Setback Areas 616
994 Fencing and Screening 617
995 Storm Water Management System 617
996 Garbage 617
997 Mechanical Screening 617
998 Minimum Motor Vehicle Parking Stalls 617

Division 8: Industrial – Heavy (I-H) District

999 Purpose 619
1000 Permitted Uses 619
1001 Discretionary Uses 620
1002 Rules 620
1003 Front Setback Area 620
1004 Rear Setback Area 620
1005 Side Setback Area 621
1006 Landscaping In Setback Areas 622
1007 Fencing and Screening 623
1008 Storm Water Management System 623
1009 Garbage 623
1010 Mechanical Screening 623
1011 Minimum Motor Vehicle Parking Stalls 623
1012 Required Bicycle Parking Stalls 623

PART 9: SPECIAL PURPOSE DISTRICTS

SECTION **PAGE**

Division 1: General Rules for Special Purpose Land Use Districts

1013 Projections into Setback Areas 625
1014 General Landscaped Area Rules 625
1015 Planting Requirements 626
1016 Low Water Irrigation System 627
1017 Visibility Setback 627
1018 Mechanical Screening 627
1019 Garbage 627
1019.1 Solar Collectors 627
1019.2 Wind Energy Conversion System 628
1020 Parcel Access 628.1
1020.1 School Portables 628.2

Division 2: Special Purpose – Urban Nature (S-UN) District

1021 Purpose 629
1022 Permitted Uses 629
1023 Discretionary Uses 629
1024 Rules 630

Division 3: Special Purpose – School, Park and Community Reserve (S-SPR) District

1025 Purpose 631
1026 Permitted Uses 631
1027 Discretionary Uses 631
1028 Rules 632
1029 Front, Rear and Side Setback Area 632
1030 Landscaping In Setback Areas 632
1031 Additional Landscaping Requirements 633
1032 Reductions to Minimum Required Motor Vehicle Parking Stalls 633
1032.1 School Portable Rules 633

Division 4: Special Purpose – Community Service (S-CS) District

1033 Purpose 635
1034 Permitted Uses 635
1035 Discretionary Uses 635
1036 Rules 636
1037 Front, Rear and Side Setback Area 636
1038 Landscaping In Setback Areas 636
1039 Additional Landscaping Requirements 637
1040 Reductions to Minimum Required Motor Vehicle Parking Stalls 637

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

1041 Purpose 639
1042 Permitted Uses 639
1043 Discretionary Uses 639
1044 Rules 641
1044.1 Retail and Consumer Service Restrictions 641

PAGE

1045 Use Area 641
1046 Front Setback Area 642
1047 Rear Setback Area 642
1048 Side Setback Area 642
1049 Landscaping In Setback Areas 642
1050 Additional Landscaping Requirements 643
1051 Landscaping for Large Parking Area 643
1052 Reductions to Minimum Required Motor Vehicles Parking Stalls 644

Division 6: Special Purpose – Community Institution (S-CI) District

1053 Purpose 645
1054 Permitted Uses 645
1055 Discretionary Uses 645
1056 Rules 647
1057 Building Height 647
1058 Front Setback Area 648
1059 Rear Setback Area 648
1060 Side Setback Area 648
1061 Landscaping In Setback Areas 648
1062 Landscaping Requirements for Assisted Living, Residential Care and Multi-Residential Development 649
1063 Additional Landscaping Requirements 649
1064 Landscaping for Large Parking Area 650
1065 Reductions to Minimum Required Motor Vehicle Parking Stalls 651

Division 7: Special Purpose – City and Regional Infrastructure (S-CRI) District

1066 Purpose 653
1067 Permitted Uses 653
1068 Discretionary Uses 654
1069 Rules 656
1070 Setback Area 656
1071 Landscaping In Setback Areas 656
1072 Employee Area 656.1
1073 Reductions to Minimum Required Motor Vehicle Parking Stalls 656.1
1073.1 Sign Class – F and Sign – Class G Rules 656.1

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

1074 Purpose 657
1075 Permitted Uses 657
1076 Discretionary Uses 657
1077 Rules 658
1078 Building Height 658
1078.1 Use Area 658
1079 Front Setback Area 658
1080 Rear Setback Area 659
1081 Side Setback Area 659

SECTION **PAGE**

1082 Landscaping In Setback Areas 659
1083 Employee Area 659
1084 Reductions to Minimum Required Motor Vehicle Parking Stalls 659

Division 9: Special Purpose – Future Urban Development (S-FUD) District

1085 Purpose 661
1086 Permitted Uses 661
1087 Discretionary Uses 661
1088 Rules 662
1089 Parcel Area 663
1090 Setback Areas 663
1091 Single Detached Dwellings and Manufactured Homes 663

Division 10: Special Purpose – Transportation and Utility Corridor (S-TUC) District

1092 Purpose 665
1093 Permitted Uses 665
1094 Discretionary Uses 666
1095 Rules 667
1095.1 Retail and Consumer Service Restrictions 667
1096 Development Permit Restrictions 668
1097 Projections into Setback Areas 668
1098 Setback Areas 668
1098.1 Specific Rules for Landscaped Areas 668
1098.2 Parcel Access 668

PART 10: DOWNTOWN

Purpose, General Rules and Districts - *deleted* *671*

PART 11: CENTRE CITY DISTRICTS

Division 1: General Rules for Centre City Multi-Residential High Rise Land Use Districts

1099 Projections Into Setback Areas 673
1100 General Landscaped Area Rules 673
1101 Specific Rules for Landscaped Areas 675
1102 Planting Requirements 675
1103 Landscaped Area Reductions – Multi-Residential Development 676
1104 Enhanced Landscaping Option 676
1105 Low Water Landscaping Option 677
1106 Amenity Space 679
1107 Motor Vehicle Parking Stall Requirements 680
1108 Bicycle Parking Stall Requirement 682
1109 Exclusive Use of Bicycle Parking Stalls 683
1110 Accessory Residential Buildings 683
1111 Objects Prohibited or Restricted 683
1112 Driveway Length and Parking Areas 684
1113 Vehicle Access 684

SECTION **PAGE**

1114 Uses At Grade 684
1115 Garbage 685
1116 Recycling Facilities 685
1117 Mechanical Screening 685
1118 Visibility Setback 685
1119 Retaining Walls 685
1120 Fences 685
1120.1 Single detached, Semi-Detached, Duplex Dwellings and Secondary Suites ... 685
1121 Parcel Access 686

Division 2: Centre City Multi-Residential High Rise District (CC-MH)

1122 Purpose 687
1123 Permitted Uses 687
1124 Discretionary Uses 688
1125 Rules 689
1126 Floor Area Ratio 689
1127 Setback Area 690
1128 Building Setbacks 690
1129 Floor Plate Restrictions 690
1130 Building Height 690
1131 Landscaping 690
1131.1 Parking 690

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

1132 Purpose 691
1133 Permitted Uses 691
1134 Discretionary Uses 692
1135 Rules 694
1136 Maximum Floor Area Ratio 694
1137 Setback Area 694
1138 Building Setbacks 695
1139 Floor Plate Restrictions 695
1140 Building Height 695
1141 Landscaping 695
1142 Use Area 695
1143 Location of Uses Within Buildings 696
1144 Hotel Uses 696.1
1144.1 Parking 696.1
1145 Use of Parking Areas 696.1

Division 4: General Rules for Centre City Commercial Land Use Districts

1146 Projections into Setback Areas 697
1147 General Landscaped Area Rules 697
1148 Planting Requirements 698
1149 Low Water Irrigation System 698

SECTION **PAGE**

1150 Additional Landscaping Requirements 698
1151 Residential Amenity Space 699
1152 Visibility Setback 700
1153 Mechanical Screening 700
1154 Garbage 700
1155 Recycling Facilities 700
1156 Screening 700
1157 Motor Vehicle Parking Stall Requirements 701
1158 Exclusive Use of Motor Vehicle Parking Stalls 703
1159 Required Bicycle Parking Stalls 703
1160 Exclusive Use of Bicycle Parking Stalls 704
1161 Parcel Access 704

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

1162 Purpose 705
1163 Permitted Uses 705
1164 Discretionary Uses 706
1165 Rules 709
1166 Floor Area Ratio 709
1167 Building Height 710
1168 Building Orientation 710
1169 Front Setback Area 710
1170 Rear Setback Area 711
1171 Side Setback Area 711
1172 Floor Plate Restrictions 712
1173 Landscaping 712
1174 Landscaping In Setback Areas 712
1175 Location of Uses within Buildings 713
1176 Use Area 714
1177 Motor Vehicle Parking Stall Requirements 715
1178 Supplies and Products 716

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

1179 Purpose 717
1180 Permitted Uses 717
1181 Discretionary Uses 718
1182 Rules 720
1183 Floor Area Ratio 721
1184 Building Height 721
1185 Building Orientation 721
1186 Building Façade 721
1187 Vehicle Access 722
1188 Use Area 722
1189 Location of Uses within Buildings 723
1190 Front Setback Area 723
1191 Rear Setback Area 724
1192 Side Setback Area 725
1193 Floor Plate Restrictions 725
1194 Landscaping In Setback Areas 725
1194.1 Parking 726

SECTION **PAGE**

Division 7: Rules Governing Centre City Bonus Overlays

1195 General ... 727
1196 Bonus Area Boundaries ... 727
1197 Bonus Area A ... 727
1198 Bonus Area B ... 728
1199 Bonus Area C ... 728
1200 Bonus Area D ... 728
1201 Bonus Area E ... 728
1201.1 Bonus Area F ... 728
1201.2 Bonus Area G ... 728
1201.3 Bonus Area H ... 728
1202 Heritage Density Transfer Increase ... 729
1202.1 Heritage Commercial Concentration Area Density Increase ... 729
1202.2 Transit Station Integration Density Increase ... 729.i
1203 *deleted* ... *729.i*
1204 *deleted* ... *729.i*
1205 Density Transfer Limitation ... 729.i
1206 *deleted* ... *729.i*
1207 *deleted* ... *729.i*
1208 deleted ... 729.i
1209 *deleted* ... *729.i*
1210 *deleted* ... *729.i*
1211 *deleted* ... *729.i*
1212 *deleted* ... *729.i*
1213 *deleted* ... *729.ii*
1214 *deleted* ... *729.ii*
1215 *deleted* ... *729.ii*
1216 *deleted* ... *730*
1216.1 Incentive Density Calculation Method ... 730

PART 12: CENTRE CITY EAST VILLAGE DISTRICTS

Division 1: General Rules for Centre City East Village Districts

1217 Building Height ... 733
1218 Building Orientation ... 733
1219 Ground Floor Height ... 733
1220 At Grade Units ... 733
1221 Floor Plate Restrictions ... 733
1222 Street Walls ... 734
1223 Building Separation ... 735
1224 Builidng Setback ... 735
1225 Vehicle Access ... 736
1226 Parcel Access ... 736
1227 General Landscaped Area Rules ... 736
1228 Low Water Irrigation System ... 736
1229 Specific Rules for Landscaped Areas ... 737
1230 Additional Landscaping Requirements ... 737
1231 Planting Requirements ... 737

SECTION **PAGE**

1232 Amenity Space 738
1233 Motor Vehicle Parking Stall Requirements 739
1234 Additional Motor Vehicle Parking Stall Requirements 740
1235 *deleted* *740*
1236 Required Bicycle Parking Stalls 741
1237 Sunlight Preservation 741
1238 Visibility Setback 741
1239 Mechanical Screening 741
1240 Garbage 741
1241 Recycling Facilities 742
1242 Storage of Goods, Materials and Supplies 742

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

1243 Purpose 745
1244 Permitted Uses 745
1245 Discretionary Uses 746
1246 Rules 748
1247 Density 748
1248 Use Area 749
1249 Motor Vehicle Parking Stalls 750
1250 Restricted Parking Area 751
1251 Short Stay Parking Stalls 751
1252 Parking Stall Transfer from Municipal Historic Resource Sites 752

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

1253 Purpose 755
1254 Permitted Uses 755
1255 Discretionary Uses 756
1256 Rules 758
1257 Density 758
1258 Use Area 759

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

1259 Purpose 761
1260 Permitted Uses 761
1261 Discretionary Uses 762
1262 Rules 764
1263 Density 764
1264 Use Area 765

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

1265 Purpose 767
1266 Permitted Uses 767
1267 Discretionary Uses 768
1268 Rules 769
1269 Density 769
1270 Use Area 770

SECTION **PAGE**

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

1271 Purpose ... 773
1272 Permitted Uses ... 773
1273 Discretionary Uses ... 773
1274 Rules ... 774
1275 Density ... 774
1276 Use Area ... 775

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

1277 Purpose ... 777
1278 Permitted Uses ... 777
1279 Discretionary Uses ... 777
1280 Rules ... 778
1281 Building Design ... 778
1281.1 Use Area ... 778
1281.2 Use Activities ... 778
1282 *deleted* ... *778*
1283 *deleted* ... *778*
1284 *deleted* ... *778*
1285 *deleted* ... *778.1*
1286 *deleted* ... *778.1*
1287 *deleted* ... *778.1*
1288 *deleted* ... *778.1*
1289 *deleted* ... *778.1*
1290 *deleted* ... *778.1*
1291 *deleted* ... *778.1*
1292 *deleted* ... *778.1*
1293 *deleted* ... *778.1*
1298 Residential Amenity Space ... 781
1299 Garbage ... 782
1300 Recycling Facilities ... 782
1301 Mechanical Screening ... 782
1302 Visibility Setback ... 782
1303 Sunlight Protection Areas ... 782
1304 ***Parcel*** Access ... 783

PART 14: MIXED USE DISTRICTS

Division 1: General Rules for Mixed Use Land Use Districts

1333 Purpose ... 851
1334 Projections Into Setback Areas ... 851
1335 Building Separation ... 852
1336 Window Separation ... 852
1337 Ground Floor Height ... 852
1338 Street Wall Stepback ... 852
1339 Building Orientation ... 853
1340 Rules for Façades Facing a Street ... 853

SECTION **PAGE**

1341 Rules for Dwelling Units Facing a Street ... 853
1342 Rules for Commercial Uses Facing a Street ... 853
1343 Internal Access to Uses ... 854
1344 General Landscaped Area Rules ... 854
1345 Low Water Irrigation System ... 855
1346 Planting Requirements ... 855
1347 Additional Landscaping Requirements ... 855
1348 Landscaping in Setback Areas ... 856
1349 Residential Amenity Space ... 856
1350 Motor Vehicle Parking Stall Requirements ... 857
1351 Excess Motor Vehicle Parking Stalls ... 858
1352 Reduction for Transit Supportive Development ... 858
1353 Required Bicycle Parking Stalls ... 858
1354 Reduction for Bicycle Supportive Development ... 859
1355 Vehicle Access ... 859
1356 Accessory Residential Building ... 859
1357 Objects Prohibited or Restricted ... 860
1358 Garbage ... 860
1359 Recycling Facilities ... 860
1360 Mechanical Screening ... 860
1361 Visibility Setback ... 860
1362 Fences ... 861
1363 Solar Collectors ... 861
1364 Parcel Access ... 861

Division 2: Mixed Use - General (MU-1f#h#d#) District

1365 Purpose ... 863
1366 Permitted Uses ... 863
1367 Discretionary Uses ... 864
1368 Rules ... 866
1369 Floor Area Ratio ... 866
1370 Density ... 866
1371 Building Height ... 867
1372 Use Area ... 868
1373 Façade Width for Uses Facing a Street ... 868
1374 Setback Area ... 868

Division 3: Mixed Use – Active Frontage (MU-2f#h#d#) District

1375 Purpose ... 871
1376 Permitted Uses ... 871
1377 Discretionary Uses ... 872
1378 Rules ... 874
1379 Floor Area Ratio ... 875
1380 Density ... 875
1381 Building Height ... 875
1382 Use Area ... 876
1383 Location of Uses Within Buildings ... 876
1384 Façade Width for Uses Facing a Street ... 877
1385 Setback Area ... 877

SECTION **PAGE**

PART 15: HOUSING DISTRICTS

Division 1: Housing – Grade Oriented (H-GO) District

1333 Purpose 881
1334 Permitted Uses 881
1335 Discretionary Uses 882
1336 Rules 882
1337 Floor Area Ratio 883
1338 At Grade Orientation of Units 883
1339 Parcel Coverage 883
1340 Building Depth and Separation 883
1341 Building Setback Areas 884
1341 Building Setback from Front Property Line 884
1342 Building Setback from Side Property Line 884
1343 Building Setback from Rear Property Line 885
1344 Projections Into Setback Areas 885
1345 Building Height 885
1346 Solar Collectors 886
1347 Accessory Residential Buildings 886
1348 Landscaping Requirements 887
1349 Residential Amenity Space 888
1350 Planting Requirements 888
1351 Amenity Space 889
1352 Retaining Walls 889
1353 Fences 889
1355 Visibility Setback 890
1356 Decks and Patios 890
1357 Balconies 890
1358 Motor Vehicle Parking Stalls 890
1359 Mobility Storage 890
1360 Bicycle Parking Stalls 890
1361 Driveway Length and Parking Areas 891
1362 Waste, Recycling and Organics 891

SECTION **PAGE**

SECTION **PAGE**

LIST OF SCHEDULES

Schedule A Groups of Uses 893
Schedule B Minimum and Specified Penalties 885

LIST OF MAPS, TABLES AND ILLUSTRATIONS

Maps

Map 1: *deleted* 2
Map 1.1: Stephen Avenue Mall Heritage Area 28
Map 2: Developed Area and Developing Area 16
Map 2.1 Centre City Enterprise Area 44.3
Map 2.2 *deleted* 44.5
Map 2.3 *deleted* 44.6
Map 2.4 *deleted* 44.7
Map 3: Major Parks 110
Map 3.1: Freight Rail Corridors 18.1
Map 4: *deleted* 127
Map 5: *deleted* 128
Map 6: *deleted* 129
Map 7: Parking Areas Map 370
Map 7.1: Commercial Parking Reduction Map 506.1
Map 8: Special Purpose Transportation and Utility Corridor Areas 669
Map 9: Bonus Area Boundaries 727
Map 10: *deleted* 743
Map 11: Transition Area 789
Map 12: Stephen Avenue Mall Retail Area 794
Map 13: Restricted Parking Area Boundaries 798
Map 14: Short Stay Parking Areas 799

Tables

Table 1: Road Rights-of-Way 63
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 97
Table 1.2: Minimum Motor Vehicle Parking Requirements for Calculating Required Barrier Free Parking Stalls 114.1
Table 2: Minimum Dimensions for Motor Vehicle Parking Stalls 115
Table 3: Low Water Trees 365
Table 4: Low Water Shrubs 366
Table 4.1: Minimum Required Motor Vehicle Parking Stalls 453.2
Table 5: Low Water Trees 677
Table 6: Low Water Shrubs 678
Table 6.1: Beltline Density Bonus Items 730
Table 7: Summary of Incentive Provisions 805
Table 8: Public Amenity Items 806

SECTION **PAGE**

Illustrations

Illustration 1: Building Height....292.8
Illustration 2: Building Height on a Corner Parcel....292.9
Illustration 3: Building Height and Cross Section in the Multi-Residential Contextual Grade Oriented (M-CG) District 384
Illustration 4: Building Height and Cross Section in the Multi-Residential Contextual Low Profile (M-C1) District....392
Illustration 5: Building Height and Cross Section in the Multi-Residential Contextual Medium Profile (M-C2) District....400
Illustration 6: Building Height in the Multi-Residential Low Profile (M-1) District....411
Illustration 7: Building Height in the Multi-Residential Medium Profile (M-2) District 417
Illustration 8: Building Height in the Multi-Residential – Low Profile Support Commercial (M-X1) District....441
Illustration 9: Building Height in Multi-Residential – Medium Profile Support Commercial (M-X2) District....448
Illustration 10: Building Height in the Mixed Use - General (MU-1) District....869
Illustration 11: Building Height in the Mixed Use - Active Frontage (MU-2) District....878

SECTION **PAGE**

BYLAW 1P2007

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

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

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

NOW THEREFORE THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS: *41P2009*

PART 1: INTERPRETATION OF THIS BYLAW

Division 1: General Interpretation

Short Title

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

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

2 **(1)** *The City of Calgary Land Use Bylaw*, 2P80, as amended, is hereby repealed and will cease to have effect on the day this Bylaw comes into force.

(2) This Bylaw comes into force on the 1st day of June, 2008.

(3) Notwithstanding (2) above, the Municipal District of Rocky View No. 44 Land Use Bylaw, Bylaw C-4841-97, will apply to applications for a ***development permit*** received prior to June 1, 2008 and which are located in the lands annexed from the Municipal District of Rocky View No. 44 to the City of Calgary as described in Appendix A of Order in Council 333/2007. *13P2008*

Content

3 This Bylaw includes the:

(a) Schedules appended hereto;

(b) Land Use District Maps deposited with the City Clerk;

(c) Floodway/Flood Fringe Maps deposited with the City Clerk;

(d) Floodway/Floodplain Maps deposited with the City Clerk;

(e) Developed Area and Developing Area Maps deposited with the City Clerk;

(f) Parking Areas Map deposited with the City Clerk; *66P2022*

51P2008,66P2022

(g) Bonus Area Boundaries Map deposited with the City Clerk; and

66P2022

(h) Heritage Guideline Areas Maps deposited with the City Clerk

51P2008, 26P2010, 31P2011, 33P2013

Map 1: Application of Land Use Bylaw 1P2007
deleted

Land Use Districts and Land Use District Maps

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

(2) *deleted* *31P2009, 51P2008, 26P2010 33P2013*

(3) *deleted* *33P2013*

(4) *deleted* *33P2013*

(5) The Land Use District Maps, as may be amended by Bylaw from time to time, will be deposited with the City Clerk.

(6) In this Bylaw, a land use district may be referred to by its full name or abbreviation as referenced in the title of each District.

(7) Where this Bylaw refers to a rule or requirement relating to a ***parcel*** that is designated a particular land use district, it must be read to include a ***parcel*** that is designated Direct Control based on that land use district unless the Direct Control Bylaw indicates a contrary intent.

Interpreting the Land Use District Maps

5 **(1)** Despite the land use district shown on the Land Use District Maps, for the purpose of this Bylaw roads must only be used for:

(a) the passage of motorized and non-motorized vehicles;

(b) the passage of pedestrians;

(c) the placement of public and private utilities authorized by the ***City***; and

(d) activities pursuant to the Calgary Traffic Bylaw and Street Bylaw. *22P2016*

(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 *25P2018*

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:

44P2022

(a) the distance from a **Cannabis Store** to a ***building*** containing a **School – Private** or **School Authority – 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;

(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; and

44P2022

(c) there is no required separation distance from a **Cannabis Store** or a **Cannabis Facility** to a ***building*** containing a **Child Care Service**, whether or not such **Child Care Service** includes ***early childhood services***.

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, 20P2022

(1.1) *deleted*

44P2022

(1.2) "Alberta Waste Control Regulation" means the *Alberta Waste Control Regulation*, A/R 192/96.

(2) "Building Permit Bylaw" means the *Calgary Building Permit Bylaw*, 64M94.

(3) "Calgary International Airport Vicinity Protection Area Regulation" means the *Calgary International Airport Vicinity Protection Area Regulation*, A/R 318/79.

(4) "Calgary International Airport Zoning Regulations" means the *Regulations Respecting Calgary International Airport,* pursuant to the RSC, *Aeronautics Act*, 1985, c.A-2.

(5) "Calgary Traffic Bylaw" means *The Calgary Traffic Bylaw*, 26M96.

(6) "Controlled Streets Bylaw" means *The Controlled Streets Bylaw*, 12M80.

44P2022

(6.1) "Education Act" means the *Education Act*, S.A. 2012.

56P2017, 44P2022

(6.2) "Highways Development and Protection Act" means the *Highways Development and Protection Act,* S.A. 2004.

26P2010, 56P2017, 44P2022

(6.3) "Historical Resources Act", means the *Historical Resources Act*, R.S.A. 2000.

(7) "Licence Bylaw" means *The Business Licence Bylaw*, 32M98.

(8) *"Municipal Government Act"* means the *Municipal Government Act*, R.S.A. 2000, c.M-26.

(9) "Municipal Planning Commission Bylaw" means *The Calgary Planning Commission Bylaw*, 28P95.

(9.1) "Parks and Pathways Bylaw", means the *Parks and Pathways Bylaw*, 20M2003. *4P2012*

(9.2) "Plus 15 Policy" means the Plus 15 Policy, July 2021. *20P2022*

(10) *"Post-secondary Learning Act"* means the *Post-secondary Learning Act*, S.A. 2003, c.P-19.5.

(11) *"Provincial Offences Procedure Act"* means the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34.

(12) *"Safety Codes Act"* means the *Safety Codes Act*, R.S.A. 2000, c.S-1.

(13) "Safety Codes Permit Bylaw" means the Calgary Safety Codes Permit *Bylaw*, 39M2018." *44P2022* *9P2026*

(13.1) "Street Bylaw" means the *Street Bylaw*, *20M88*. *22P2016*

(14) *deleted* *27P2021*

(15) "Subdivision and Development Regulation" means the *Matters Related to Subdivision and Development Regulation,* A/R 84/2022. *44P2022*

(16) *"Surveys Act"* means the *Surveys Act*, R.S.A. 2000, c.S-26.

(17) "Transportation Bylaw" means *The City of Calgary Transportation System Bylaw*, 40M2009. *9P2012*

(18) "Waste Bylaw" means the *Waste Bylaw*, 4M2020. *44P2022*

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.

51P2008, 26P2010, 33P2013

(3) *deleted*

33P2013

(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) *deleted* *33P2013, 20P2022*

(1.2) *deleted* *33P2013, 20P2022*

(1.3) *deleted* *33P2013, 20P2022*

(1.4) *deleted* *33P2013, 20P2022*

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

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

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

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

(6) "***amenity space***" means a space designed for active or passive recreational use.

(7) "***ancillary structure***" means, with reference to ***building height***, an essential component, other than a ***sign*** or flag pole, that protrudes above the roof of a ***building*** and which is necessary for the functioning of a ***building*** including, but not limited to: *68P2008, 39P2010*

(a) an elevator housing;

(b) a mechanical penthouse;

(c) a chimney;

(d) ***solar collectors***;

(e) portions of a ***building*** or a structure used to provide ***screening*** of mechanical systems or equipment located outside of a ***building***; *38P2013*

38P2013

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

38P2013

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

27P2021

(7.1) "***Appeal Body***" means the board hearing a subdivision or ***development permit*** appeal in accordance with the *Municipal Government Act*.

67P2008, 41P2009

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

3P2010

(9) *deleted*

(10) "***average building reference points***" means the points:

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

(b) expressed as geodetic elevations.

(11) "***average contextual high point***" means:

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

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

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

16P2018

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

13P2008, 41P2009

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

(14) "***bare land unit***" means land described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provision of the *Surveys Act* respecting subdivision.

(15) "***basement***" means that portion of a ***building*** which is located below the first floor and is either partially or wholly below ***grade***.

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

(17) "***bicycle parking stall***" means an area approved as ***bicycle parking stall – class 1*** or ***bicycle parking stall – class 2*** that is equipped to store a bicycle and must include a device:

(a) specifically designed to park a bicycle;

(b) designed to allow a bicycle frame and both wheels to be secured; and

(c) designed to support the bicycle frame and both wheels; and

(d) that is anchored to a hard surface or fixed structure.

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

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

(19.1) ***"blade"*** means an element of a Wind Energy Conversion System rotor that extracts kinetic energy from the wind. *33P2013*

(19.2) ***"BRT station"*** means a station used for embarking and disembarking bus rapid transit passengers. *56P2022*

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

(21) *deleted* *3P2010*

(22) "***building coverage***" means the area of a ***parcel*** which is covered by a ***building*** excluding: *5P2013*

(a) portions of the ***building*** located entirely below ***grade***;

(b) portions of the ***building*** greater than 2.4 metres above ***grade*** and with a depth less than 1.0 metres, measured from the wall directly below;

(c) portions of eaves, roofs, pergolas and other similar elements with a depth less than 1.0 metres, measured from the wall directly below;

(d) ***patios***, and any covered or enclosed area located below; and

(e) ***decks***, ***landings***, uncovered stairs, and any external areas located below.

5P2013

(23) "***building depth***" means the distance from the ***front property line*** to the farthest portion of a ***main residential building*** excluding ***decks***, eaves, ***landings*** and ***patios***, determined by:

(a) establishing a line connecting the midpoint of the ***front property line*** and the midpoint of the ***rear property line***; then

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

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

13P2008
3P2010, 27P2011
3P2010, 56P2022

(24) ***"building height"*** means the height of a ***building***, excluding ***ancillary structures***, determined by measuring from ***grade***, except where otherwise referenced in a land use district or general rules applicable to a land use district.

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.

33P2013, 15P2016

(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 lin***e 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. *15P2016*

(29) "***City Manager***" means the Chief Administrative Officer of The City or the employee of The City who has been delegated the authority to exercise the powers, duties, and functions of the Chief Administrative Officer under this Bylaw. *20P2022*

(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.

(30.1) "***climate adaptation***" means actions, programs and tools intended to reduce negative impacts of ***climate change*** on built and natural infrastructure, the economy and people. *2H2022*

(30.2) "***climate change***" means a long-term change in the average weather patterns that have come to define Earth's local, regional and global climates due to the increase in atmospheric ***greenhouse gases*** caused by human activities. *2H2022*

(30.3) "***climate mitigation***" means actions, programs and tools that limit or prevent ***greenhouse gas*** emissions from going into the atmosphere, or activities that remove ***greenhouse gases*** from the atmosphere through natural or technological means. *2H2022*

(31) "***commercial district***" means any one or more of the land use districts described in Part 7 and the CC-X and CC-COR districts contained in Part 11. *51P2008*

(32) "***commercial multi-residential uses***" means any one or more of the following ***uses***, when referenced in a ***multi-residential district***: *39P2010, 7P2011, 5P2015*

(a) **Artist's Studio**; *42P2019*

(a.1) **Child Care Service**; *27P2021*

(a.2) **Convenience Food Store**; *27P2021*

(b) *deleted* *27P2021*

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

(c.1) **Health Care Service**; *27P2021*

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

(e) **Office**;

(f) **Outdoor Café**;

(g) **Print Centre**;

27P2021 (h) **Restaurant: Food Service Only**;

27P2021 (i) **Restaurant: Licensed**;

27P2021 (j) *deleted*

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

65P2023 (l) **Service Organization**; and

65P2023 (m) **Specialty Food Store.**

65P2023 (n) *deleted*

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

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

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

44P2013 **(36)** "***contextual adjacent buildings***" means the two closest ***buildings*** to a ***parcel***:

(a) located on the same block face not separated by a ***street***;

(b) in the case of ***low density residential district*** where the ***building*** is on a ***parcel*** designated as a ***residential district***; and

(c) where the ***building*** is not an **Accessory Residential Building**.

3P2010 **(37)** "***contextual building depth average***" means:

(a) where there are at least two other ***buildings*** on the same block face, the average ***building depth*** of the ***contextual adjacent buildings*** plus 4.6 metres;

(b) where there is only one other ***building*** on the same block face, the ***building depth*** of such ***building*** plus 4.6 metres; and

(c) where there is no other ***building*** on the same block face, 65.0 per cent of ***parcel depth***.

3P2010 **(38)** *deleted*

(39) "***contextual front setback***" means: *46P2009*

(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***. *3P2010*

(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***. *67P2008, 35P2011*

(42) "***copy area***"means: *35P2011*

(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: *35P2011*
Copy Area
Subsection 13(42)



(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**.

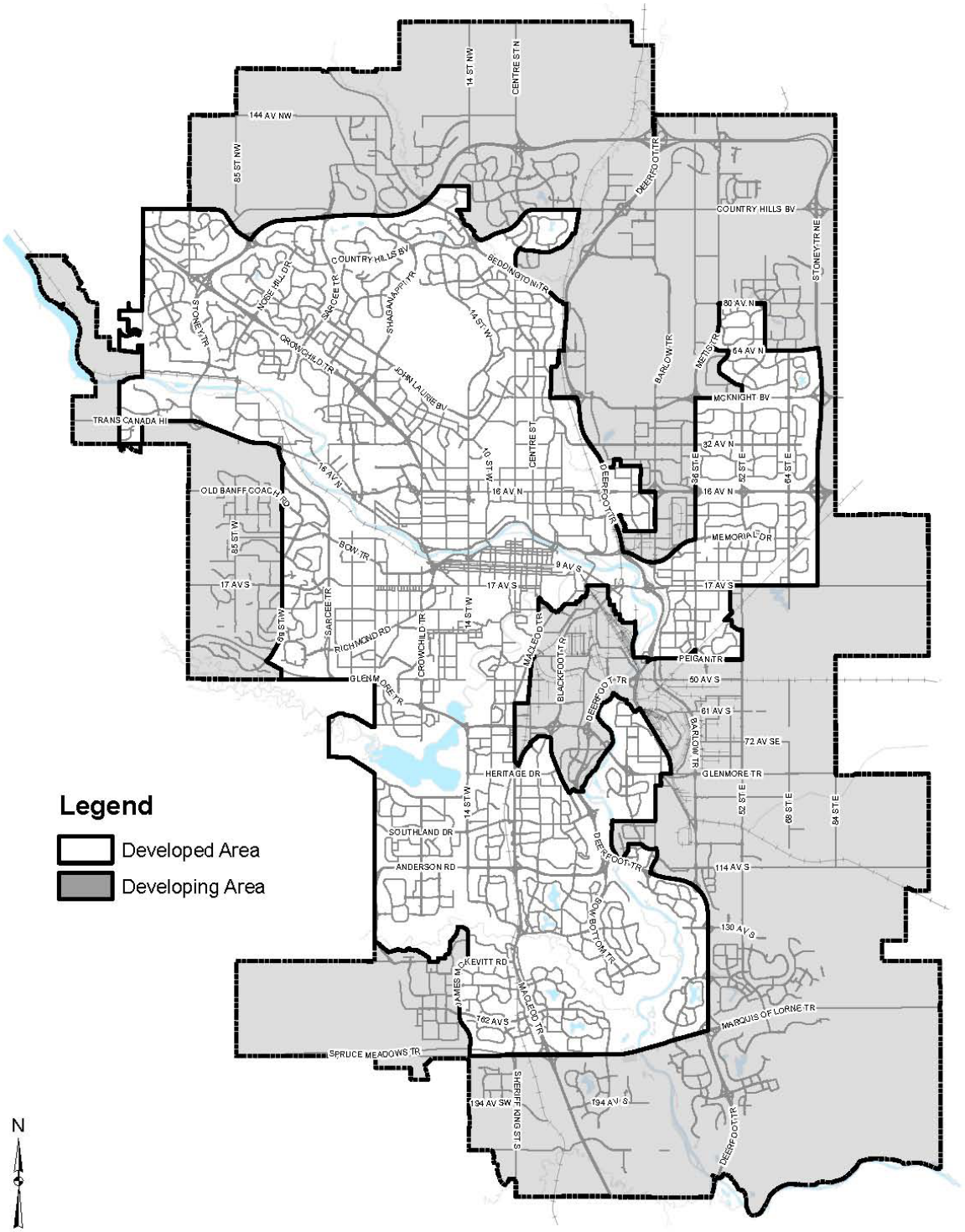
(49) "***designated flood level***" means that theoretical level, indicated on the Floodway/Flood Fringe Maps, to which water would rise in the event of a flood of a magnitude likely to occur once in one hundred years.

(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.

53P2008, 31P2011

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. *30P2011*

(56) "***dilapidated vehicle***" means a vehicle that is:

(a) incapable of being safely operated;

(b) partially or fully dismantled; or

(c) substantially damaged.

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

(57.1) "***district energy***" means infrastructure consisting of insulated pipes, pumps, metering systems and thermal production facilities capable of transferring heat energy through a controlled conductive medium carried between multiple sites for uses including, but not limited to, space heating, chilled water, domestic hot water heating and industrial processes. A ***district energy*** system may be designed to serve any group of ***buildings*** by means of one or a combination of thermal or energy heat plants and pipe systems. *26P2010, 33P2013*

26P2010, 33P2013, 13P2017 **(57.2)** *deleted*

33P2013, 13P2017 **(57.3)** *deleted*

44P2022 **(57.4)** ***"early childhood services"*** means an early childhood services program as defined in the *Education Act*.

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

9P2012 **(59)** "***expressway***" means a ***street*** identified as a Skeletal Road in the Transportation Bylaw.

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

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

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

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

51P2008 **(63.1)** "***floor plate area***" means the horizontal cross-section of a floor, between the floor and the next floor above, measured to the glass line, or where there is no glass line, to the outside surface of the exterior walls and includes all mechanical equipment areas and all open areas inside a ***building*** that do not contain a floor, including atriums, elevator shafts, stairwells and similar areas.

51P2018 **(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;

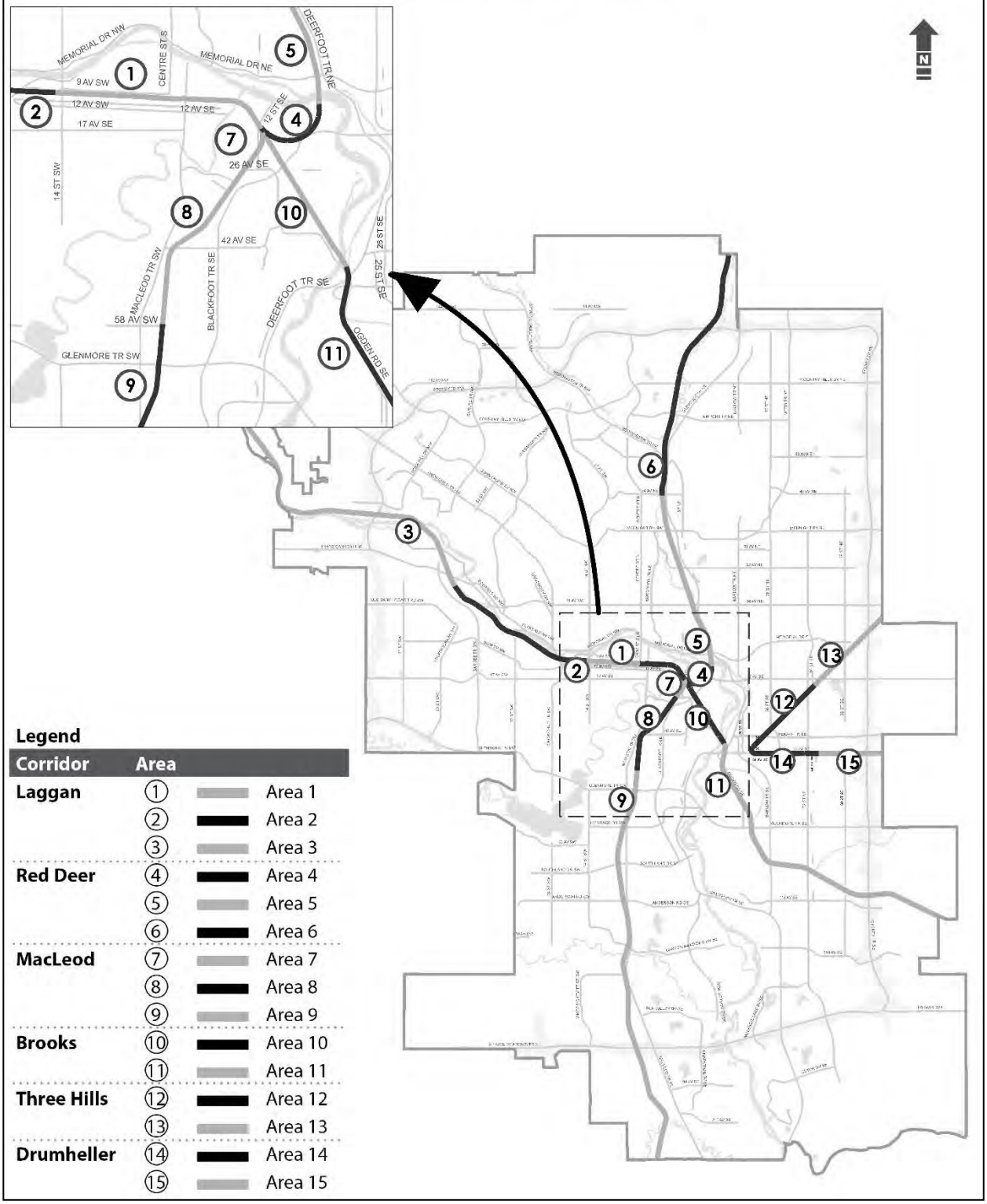
(d) Area 4: means areas between east of 12 Street SE and south of Bow River;

(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;

51P2018

Map 3.1 - Freight Rail Corridors



Legend

Corridor	Area	
Laggan	1	Area 1
	2	Area 2
	3	Area 3
Red Deer	4	Area 4
	5	Area 5
	6	Area 6
MacLeod	7	Area 7
	8	Area 8
	9	Area 9
Brooks	10	Area 10
	11	Area 11
Three Hills	12	Area 12
	13	Area 13
Drumheller	14	Area 14
	15	Area 15

(g) Area 7: means areas between 12 Street SE underpass and 26 Avenue SE;

(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.

35P2011

(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***;

71P2008

(b) in the case of a ***parcel*** that adjoins more than one ***street***, the shortest ***property line*** that is parallel to the direction of travel on the ***street***; and

(c) in the case of a ***parcel*** that adjoins more than one ***street*** and where the ***property lines*** adjoining ***streets*** are of equal length, the ***property line*** adjoining the ***street*** to which the ***parcel*** has been municipally addressed.

(67) "***front setback area***" means an area of a ***parcel*** defined by the ***front property line***, the ***side property lines*** that intersect with the ***front property line***, and a line parallel to the ***front property line*** measured at the minimum depth of the ***setback area*** required by the District.

22P2016

(68) "***General Manager***" means the ***City Manager*** or the ***City Manager's*** designate.

(69) "***grade***" means the elevation of the finished ground surface, not including any artificial embankment, the elevation of an entrance to underground parking, stairways or window wells.

(69.1) "***greenhouse gas***" means any gas in the atmosphere that absorbs infrared radiation, thereby trapping heat in the atmosphere. *2H2022*

(70) "***gross floor area***" means the sum of the areas of all above ***grade*** floors of a ***building*** measured to the glassline, or where there is no glassline, to the outside surface of the exterior walls, or where ***buildings*** are separated by firewalls, to the centre line of the common firewalls, and includes all mechanical equipment areas and all open areas inside a ***building*** that do not contain a floor including atriums, elevator shafts, stairwells and similar areas.

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

(a) elevator shafts;

(b) stairwells;

(c) crawl spaces;

(d) mechanical or electrical rooms;

(e) indoor garbage or recycling storage;

(f) areas used for parking and loading;

(g) areas below ***grade*** used for storage and not accessible to the public; and

(h) common corridors and halls available to more than one ***use***.

(72) "***gross vehicle weight***" means the value specified by the vehicle manufacturer as the maximum loaded weight of a vehicle. *41P2009*

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

(a) are not living or derived from living organisms; or

(b) were once living but are now formed into a structure;

(c) may include, but are not limited to, brick, concrete, stone and wood; and

(d) must not include asphalt.

(73.1) "***hazardous waste***" means waste that has one or more specific properties considered to be hazardous under the *Alberta Waste Control Regulation*. *44P2022*

66P2022 **(73.2)** "***heritage guideline area***" means those lands within an area indicated on the Heritage Guideline Areas Maps.

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

9P2012 **(74.1)** "***irregular parcel***" means a ***parcel*** that is inconsistent in shape with other ***parcels*** in the neighbourhood, where the ***property line*** opposite to and farthest from the ***front property line***:

(a) cannot be identified; or

(b) results in a ***parcel*** that has less than two ***side property lines***.

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

32P2009 **(75.1)** "***laboratory***" means a facility where scientific research, experiments and measurement are performed for the purposes of providing information or as part of ***research and development***.

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

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

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

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

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

5P2013 **(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. *33P2019*

(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**. *12P2010, 24P2014*

(90) "***major street***" means a ***street*** identified as a Street in the Transportation Bylaw. *9P2012*

(90.1) *deleted* *7P2014, 25P2018*

(90.2) "***mixed use district***" means any one or more of the land use districts described in Part 14. *20P2017*

(90.3) *deleted* *56P2022, 61P2025*

(91) "***modular construction***" means a method of constructing whereby most of the parts of a ***building*** have been constructed in an off-site manufacturing facility and transported to a ***parcel*** where the parts are assembled and anchored to a permanent foundation.

(92) "***motor vehicle parking stall***" means an area for the parking of a single motor vehicle.

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

51P2008 **(94)** "***multi-residential district***" means any one or more of the land use districts described in Part 6 and the CC-MH and CC-MHX districts contained in Part 11.

(95) "***non-conforming building***" means a ***building***:

(a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the ***building*** or the land on which the ***building*** is situated becomes effective; and

(b) that, on the date the land use bylaw becomes effective, does not, or when constructed will not, comply with the land use bylaw.

(96) "***non-conforming use***" means a lawful specific use:

(a) being made of land or a ***building*** or intended to be made of a ***building*** lawfully under construction, at the date a land use bylaw affecting the land or ***building*** becomes effective; and

(b) that on the date the land use bylaw becomes effective does not, or in the case of a ***building*** under construction will not, comply with the land use bylaw.

9P2012 **(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.

32P2009 **(99)** "***parcel***" means:

(a) the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office; and

24P2014, 15P2016, 4P2017 (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;

47P2008, 5P2013 **(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: *33P2013*

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

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

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

(103.1) "***pedestrian scaled third party advertising***" means a **Sign – Class F** or **Sign – Class G**: *40P2018*

(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.

(107.1) "***Plus 15 Network***" means an environmentally controlled public pedestrian walkway system consisting of ***Plus 15 Walkways*** and ***Plus 15 Bridges*** which operates through and between ***buildings*** in the Downtown. *20P2022*

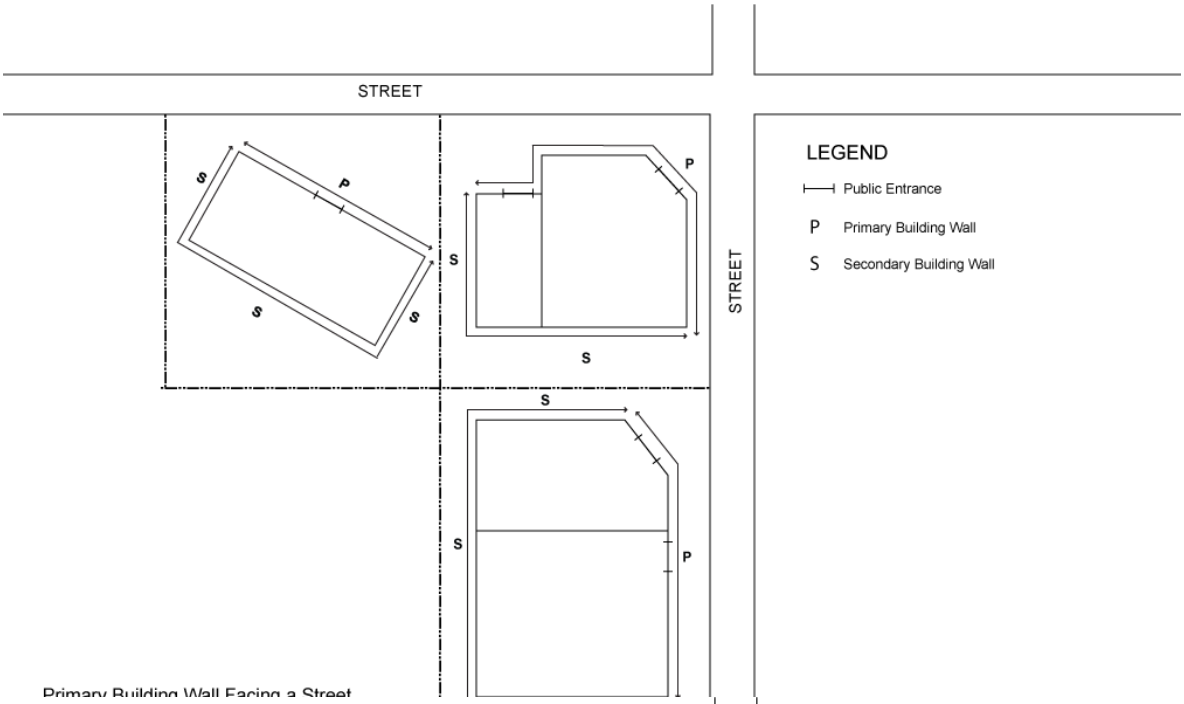
(107.2) "***Plus 15 Bridge***" means an environmentally controlled pedestrian route located outside of a ***property line*** and which spans a road right-of-way in order to connect ***Plus 15 Walkways*** between ***buildings***. *20P2022*

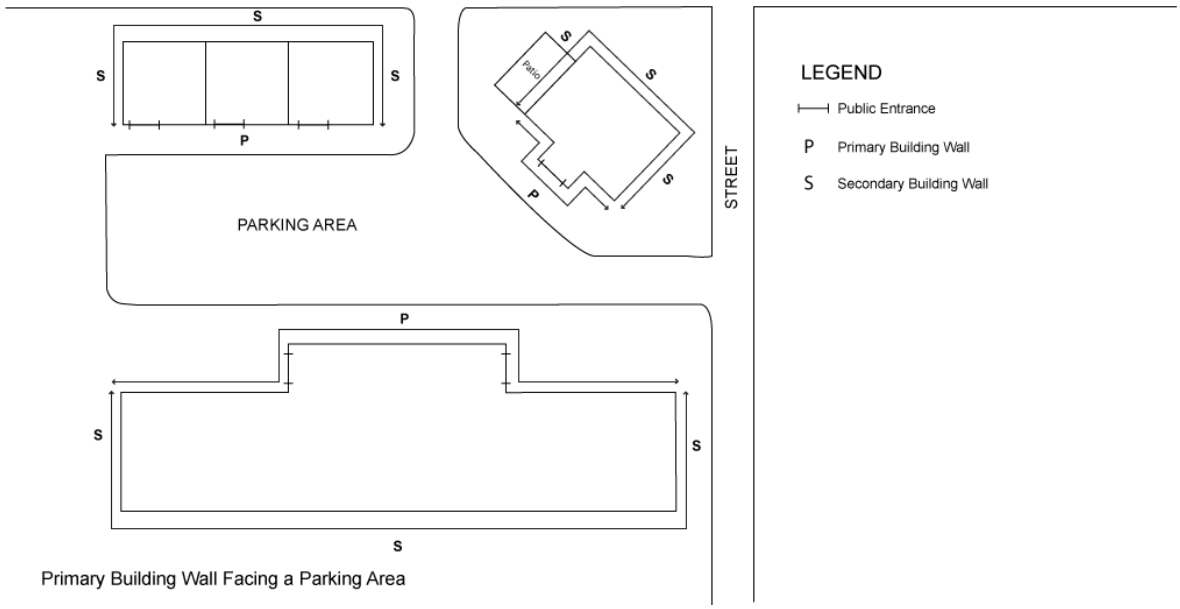
20P2022 **(107.3)** "***Plus 15 Fund***" means a civic fund as defined in the Plus 15 Policy.

20P2022 **(107.4)** "***Plus 15 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***.

Primary and Secondary Building Wall

Subsection 13(108.1) and 13(122.1)





(108) "***porch***" means an unenclosed, covered structure forming an entry to a ***building***. *35P2011*

(108.1) "***primary building wall***" means any exterior ***building*** wall that forms part of a façade that contains a ***public entrance*** and faces, or is oriented to, a ***street*** or a parking area on the same ***parcel*** as illustrated in Sign Illustration 2, with the exception that corner sites facing public streets can have two ***primary building walls*** not withstanding one façade may not contain a ***public entrance***. *35P2011*

(108.2) "***primary transit service***" means bus service provided on the primary transit network identified in the Calgary Transportation Plan. *56P2022*

(109) ***"privacy wall"*** means a structure that: *13P2008,67P2008*

(a) provides visual ***screening***;

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

(c) does not include a railing or balustrade.

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

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

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

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

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

(113) "***property line***" means the legal boundary of a ***parcel***.

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

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

(115.1) "***public space***" means any publicly accessible amenity space, park, sidewalk or walkway. *27P2021*

(116) "***rear property line***" means the ***property line*** opposite to and farthest from the ***front property line***, or in the case of an ***irregular parcel***, the ***rear property line*** is established by drawing a line the maximum distance from the ***front property line*** that: *9P2012*

(a) is wholly within the ***parcel***;

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

(c) runs parallel to the ***front property line***, or, if the ***front property line*** is a curved line, runs parallel to the straight line between the two end points of the curve of the ***front property line***.

(117) "***rear setback area***" means an area of a ***parcel*** defined by the ***rear property line***, the ***side property lines*** that intersect with the ***rear property line***, and a line parallel to the ***rear property line*** measured at the minimum depth of the ***setback area*** required by the District.

33P2013

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

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

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

(a) motor homes;

(b) travel trailers;

(c) fifth wheel travel trailers;

(d) campers, whether located on a truck or other vehicle or not;

(e) tent trailers;

(f) boats; and

(g) a trailer used to transport any of the above.

44P2022

(119.1) "***recyclable***" means a substance or mixture of substances that can be reclaimed using established industry practices to create new materials or objects.

32P2009, 44P2022

(119.2) "***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.

56P2022

(120) "***residential district***" means any of the land use districts in the ***low density residential districts*** and the ***multi-residential districts*** and the H-GO District.

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

38P2013, 24P2014, 15P2016

(121.1) *deleted*

24P2014

(121.2) ***"rotor's arc"*** means the largest circumferential path travelled by a ***blade***.

(121.3) **"*school portable*"** means a single modular movable ***building*** accessory to a **School Authority – School** that: *34P2026*

(a) is used as a classroom or washroom facilities, which may include a hallway;

(b) has a ***gross floor area*** equal to or less than 120.0 square metres; and

(c) may be attached to other ***school portables*** or a **School Authority – School *building*.**

(121.4) "***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. *33P2013, 34P2026*

(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. *35P2011*

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

(124) "***shopping centre***" means, for the purposes of ***signs*** in Part 3, Division 5, a site that: *71P2008*

(a) is 0.40 hectares or larger;

(b) contains more than one commercial ***use***, being primarily retail and personal service, with shared parking; and

(c) is located in the C-N1, C-N2, C-C1, C-C2, C-R1, C-R2 or C-R3 Districts.

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

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

(127) "***sign***" means any device or fixture intended to identify or convey information or to advertise or attract attention to a product, service, place, activity, event, person, institution or business. *30P2011, 35P2011*

(128) "***sign area***" means:

(a) the entire area of a ***sign*** on which ***copy*** is intended to be placed; and *35P2011*

(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***.

43P2016 **(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***.

(135) "***street-oriented multi-residential building***" means a **Multi-Residential Development** where all of the ***buildings*** in the ***development*** include the following characteristics: *7P2011, 9P2012, 5P2013*

(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*. *37P2017*

(135.2) "***suite***" means a ***Backyard Suite*** or ***Secondary Suite***. *56P2022*

(136) "***targeted grazing"*** means the temporary use of livestock for managing land to alter plant communities and lands for specific *37P2017*

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.

26P2010 **(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.

38P2013 **(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***.

33P2013 **(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**.

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

(142) "***waste***" means a solid or liquid material or product or combination of them that is disposed of or stored prior to transportation to the final disposal location. ***Waste*** that includes any amount of ***recyclables*** is considered ***waste***. *44P2022*

(143) "***zero setback***" means a ***building setback*** where: *56P2022*

(a) 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***;

(b) 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

(c) all roof drainage from the ***building*** is discharged through eavestroughs and downspouts onto the ***parcel*** on which the ***building*** is located.

Methods

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

(2) For the purpose of calculating the following:

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

47P2008

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

47P2008,44P2022

(c) shrubs in a ***setback area*** or a ***landscaped area*** are always rounded up to the next higher whole number; and

44P2022

(d) *deleted*

(e) where determining the ***contextual building setback*** and the number arrived at is less than zero metres, the ***contextual building setback*** is zero metres.

56P2022

(3) For the purpose of measuring the following:

(a) the distance to a ***BRT*** station from a ***development*** is measured in a straight line from the closest edge of the station to the closest point of the ***parcel***, or all the ***parcel***s, containing the subject ***development***;

(b) the distance to a ***LRT*** platform from a ***development*** is measured in a straight line from the closest edge of the platform to the closest point of the ***parcel***, or all the ***parcels***, containing the subject ***development***; and

(c) the distance to ***primary transit service*** from a ***development*** is measured in a straight line from the closest edge of public right-ofway containing the ***primary transit service*** to the closest point of the ***parcel***, or all the ***parcels***, containing the subject ***development***.

PART 2: ADMINISTRATION

Division 1: Approving Authorities

67P2018

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***. *67P2008, 9P2012*

(4) The ***Development Authority*** may approve a ***development permit*** for an addition to a ***non-conforming building*** only if the addition: *67P2008*

(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: *67P2008*

(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***.

9P2012 **(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

9P2012 (c) the fee for a ***development permit*** application has not been paid.

67P2018 **(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.

67P2018 **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

37P2017

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**; 4P2012, 37P2017

(d) **Utilities**; and 37P2017

(e) ***targeted grazing*** on ***City*** owned lands carried on by, or on behalf of, the ***City***. 37P2017

(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) *deleted* 41P2009 28P2021

(b) **Home Occupation – Class 2,** where the listed ***uses*** include a **Dwelling Unit**;

(c) **Sign – Class C**, **Sign – Class D** and **Sign – Class E**; 35P2011

(d) **Special Function – Class 2** where restaurant, drinking establishment or night club ***uses*** are allowed; and 4P2012

(e) **Utility Building.**

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

(a) **Adult Mini-Theatre**;

(b) **Campground**;

(c) **Emergency Shelter**;

(d) **Fertilizer Plant**;

(e) **Firing Range**;

(f) **Gaming Establishment – Casino**;

(f.1) **Hazardous Waste Management Facility**, when not operated by, or on behalf of, the ***City***; 44P2022

(g) **Hide Processing Plant**;

(h) **Intensive Agriculture**;

(i) **Inter-City Bus Terminal**;

(j) **Jail**;

(j.1) **Landfill,** when not operated by, or on behalf of, the ***City***; 44P2022

(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, 44P2022 (u.1) *deleted*

44P2022 (u.2) **Waste Storage Site**, 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.

21P2024 9P2026 (d) *deleted*

(2) Direct Control Bylaws that were passed pursuant to previous land use bylaws and are denoted on the Land Use District Maps:

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

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

Division 3: Development Permits

Requirement for a Development Permit

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

Conditions for Development Permit Exemptions

13P2008, 51P2008, 75P2008, 32P2012 1P2009

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***. *44P2013*

Exempt Developments

13P2008, 57P2008, 67P2008, 68P2008, 71P2008,75P2008, 1P2009, 10P2009, 17P2009, 46P2009, 14P2010, 21P2011, 27P2011, 4P2012, 9P2012, 32P2012

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; *43P2016*

(f) the construction of an **Accessory Residential Building** with a ***gross floor area*** equal to or less than 75.0 square metres when listed as a ***permitted use*** in a land use district;

(f.1) the construction of an **Accessory Residential Building** located on a parcel containing a **Contextual Semi-detached Dwelling**, **Duplex Dwelling**, or a **Semi-detached Dwelling** that has yet to be subdivided with a ***gross floor area*** equal to or less than 150.0 square metres when listed as a ***permitted use*** in a land use district; *16P2018*

(g) a satellite dish antenna less than 1.0 metre in diameter;

(h) external maintenance, internal alterations, and mechanical and electrical work on a ***building*** provided the intensity of ***use*** of the ***building*** does not increase;

(i) a **Special Function – Class 1**;

(j) a **Special Function – Class 2**:

(i) where located on a ***parcel*** for 3 consecutive days or less, excluding the time used to erect and dismantle the temporary structures;

(ii) where the cumulative area of covered temporary structures is less than or equal to:

(A) 125.0 square metres when located on a ***parcel*** within 45.0 metres of either a ***residential district*** or a Direct Control District where the ***use*** of the ***parcel*** is residential; and

33P2013

(B) 300.0 square metres when located on a parcel designed CR20-C20/R20 or an East Village District contained in Part 12; and

5P2015

(iii) where located on the same ***parcel*** as:

49P2017

(A) **Brewery, Winery and Distillery**;

49P2017

(A.1) **Conference and Event Facility**;

(B) **Drinking Establishment – Large**;

(C) **Drinking Establishment – Medium**;

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

27P2021

(E) **Restaurant: Licensed**; or

27P2021

(F) *deleted*

27P2021

(G) *deleted*

27P2021

(H) *deleted*

(I) **Night Club**;

(k) a temporary ***building***, the sole purpose of which is incidental to the erection or alteration of a ***building*** for which a permit has been granted under the Building Permit Bylaw;

(l) the use of all or part of a ***building*** or ***parcel*** as a **Motion Picture Filming Location** for a period not exceeding one year;

(m) stockpiling on the same ***parcel*** undergoing excavation, grading or stripping;

(n) ***Solar collectors***, if the ***building*** they are on is not listed on the ***City*** inventory of evaluated historic resources, and: *67P2018, 46P2019*

(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) **Hazardous Waste Management Facility**, **Landfill**, **Sewage Treatment Plant**, **Utilities**, **Waste Storage Site**, and **Water Treatment Plant**; *5P2013, 44P2022*

(iii) motor vehicle and pedestrian bridges, unless they are part of the ***Plus 15 Network*** or Plus 30 networks; *20P2022*

(iv) water, sewage and storm water lines and facilities; *33P2019*

(v) landscaping projects, parks, public tennis courts and street furniture; and *33P2019*

(vi) ***local food sales*** on ***City*** owned land where approved by or on behalf of the ***City***; *33P2019*

(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: *5P2013*

(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; *26P2015, 5P2017*

(t) "pop-up uses" that comply with the rules of section 134.2; and *42P2019*

(u) "interim uses" that comply with the rules of section 134.3. *42P2019*

(v) interim uses in schools, if the ***development:*** *34P2026*

(i) provides a public benefit compatible with school board purposes, as approved in accordance with the ***City's*** Joint Use and Planning Agreement authorized under the *Municipal Government Act;*

(ii) operates on an interim basis; and

(iii) is located in an existing ***building*** used or previously used as a **School Authority – School.**

(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

67P2018

(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***;

78P2024

(b.1) an exterior alteration or addition to a **Dwelling Unit** in the Housing – Grade-Oriented (H-GO) District where:

(i) the ***main residential building*** was legally existing prior to the effective date of this Bylaw;

(ii) the addition has a maximum of:

(A) 40.0 square metres in gross floor area for any portion at a height less than or equal to 6.0 metres when measured from grade; or

(B) 10.0 square metres when located above the first storey;

(iii) the addition or exterior alteration reduces the existing ***building setback*** by:

(A) a maximum of 1.5 metres from a front property line, 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

(B) A maximum of 4.6 metres from a rear property line provided the building will have a minimum 7.5 metre building setback from the rear property line;(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;

(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;

(c.1) the construction of and addition to a **Rowhouse Building**: *48P2025*

(i) if listed as a ***permitted use*** in a land use district;

(ii) if it is located within the ***Developing Area***;

(iii) to a maximum of one **Dwelling Unit** on a ***parcel***;

(iv) if a ***parcel*** is not a ***bare land unit***;

(v) if all vehicle access to the ***parcel*** is from the lane, where the ***parcel*** shares a ***rear property line*** with a ***lane***;

(vi) if the ***parcel*** is subject to an active Development Agreement;

(vii) where all overland drainage does not have direct access to a ***lane*** or ***street*** without passing through an ***adjacent parcel***, the ***parcel*** is subject to a private overland drainage easement; and

(viii) where overland drainage from a ***parcel*** passes through two or more ***adjacent parcels*** prior to reaching a ***lane*** or ***street***:

(A) there is a concrete swale across the ***parcels*** within the private overland drainage easement; and

(B) there is a swale tie-in and a drainage crossing within the ***street*** right-of-way where the concrete swale abuts the ***street***;

(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***;

16P2018

(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;

5P2013

(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***;

65P2023

(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**;

(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.

(B)

Plan	Number	Hectares	(Acres) More or Less
Subdivision	0212109	5.208	12.87
Subdivision	0212996	0.329	0.81
Subdivision	0310384	5.392	13.32
Subdivision	0310801	0.281	0.69
Road	0410951	0.740	1.83
Subdivision	0411095	5.586	13.80
Subdivision	0413246	3.570	8.82
Subdivision	0413479	2.041	5.04
Subdivision	0513290	4.763	11.77
Subdivision	0610329	10.166	25.1
Subdivision	0614724	6.395	15.8

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

Plan	Number	Hectares	(Acres) More or Less
Subdivision	8110054	20.84	51.5
Subdivision	0010707	2.885	7.13
Subdivision	0012144	0.453	1.12
Subdivision	0111064	0.858	2.12
Subdivision	0111261	3.974	9.82
Subdivision	0112249	0.972	2.40
Subdivision	0211588	4.76	11.76
Subdivision	0211922	0.081	0.20
Subdivision	0212109	4.555	11.26
Subdivision	0212265	3.905	9.65
Subdivision	0212996	4.803	11.87
Subdivision	0310801	7.802	19.28
Subdivision	0311537	4.63	11.44
Subdivision	0312428	0.898	2.22
Subdivision	0313145	1.415	3.50
Road	0410951	0.890	2.20
Subdivision	0614724	0.191	0.47

(xiv) Meridian 5 Range 2 Township 25 Section 5

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

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

(xv) Meridian 5 Range 2 Township 25 Section 5

That portion of the North West Quarter which lies to the North of the parcel on Plan 53/28 and to the east of the transmission

line right of way on Plan 79JK, containing 20.9 hectares (51.67 acres) more or less excepting thereout:

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

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

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

(xviii) Lots 2 through 4 Block 6 Plan 8910893

any of which may be further subdivided from time to time; *65P2023*

(o) a change of ***use*** for a ***building*** or portion of a ***building*** does not require a ***development permit*** if: *44P2022*

(i) it is located in the **I-G**, **I-B** or **I-C** districts;

(ii) it does not include additions, exterior alterations, or changes to site plans; and

(iii) unless otherwise referenced in subsection (iv), the proposed ***use*** is listed as a ***permitted use*** in the district; and

(iv) a ***development permit*** is required for a change of ***use*** for a ***building*** or portion of a ***building*** if the proposed ***use*** is one of the following ***uses***:

(A) **Brewery, Winery and Distillery ; and** *65P2023*

(p) a change of ***use*** for a ***building*** or portion of a ***building*** does not require a ***development permit*** if:

(i) it is located in the C-N1, C-N2, C-C1, C-C2, C-COR1, CCOR2, C-COR3, C-O, C-R1, C-R2, C-R3, CC-MHX, CC-X, CC-COR, CR20-C20/R20, CC-ET, CC-EIR, CC-EMU, CCEPR, CC-ERR, CC-ER, MU-1 and MU-2 districts;

(ii) it does not include additions, exterior alterations, or changes to site plans; and

(iii) the proposed ***use*** is listed as a ***permitted use*** in the district.

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

(a) **Public Transit System**;

(a.1) temporary structures affiliated with a ***City*** approved street festival; *4P2012*

(a.2) any activity and associated structures granted a permit through the Parks and Pathways Bylaw; *4P2012, 32P2012*

(b) **Utilities – Linear**;

32P2012

(c) ***developments*** as defined in section 8(2) of Bylaw 2P80 that comply with the rules of The City of Calgary Land Use Bylaw 2P80, that have commenced or for which an application for a permit pursuant to the Building Permit Bylaw was received prior to June 1, 2008;

32P2012, 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;

32P2012, 11P2014, 37P2017

(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.

9P2026

(i) ***developments*** listed in section 25 that:

(a) complied with the rules in the land use district that applied to the ***parcel*** on August 1, 2026;

(b) located on a ***parcel*** designated as a ***low density residential district*** or the H-GO District; and

(c) have commenced or for which an application for a permit pursuant to the Safety Codes Permit Bylaw was received prior to August 4, 2026."

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;

(ii) it is not listed on the ***City*** inventory of evaluated historic resources; and *67P2018*

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

(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: *52P2018*

(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: *67P2018*

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

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

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

(a) *deleted* *25P2018, 27P2021*

(a.1) **Cannabis Store;** *26P2018*

(a.2) **Custodial Care;** *25P2018*

(b) **Liquor Store**;

(c) *deleted* *25P2018*

(d) **Nightclub**;

(e) **Pawn Shop**; and

(f) **Payday Loan.**

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

(a) **Addiction Treatment**;

(b) **Assisted Living**;

(c) **Child Care Service**;

(d) **Dwelling Unit**;

(e) **Emergency Shelter**;

(f) *deleted* *28P2021*

(g) **Hospital**;

(h) **Jail**;

(i) **Residential Care**;

(j) **School – Private**;

(k) **School Authority – School**; and

(l) **Temporary Shelter.**

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

77P2019, 27P2021, 34P2023, 35P2026

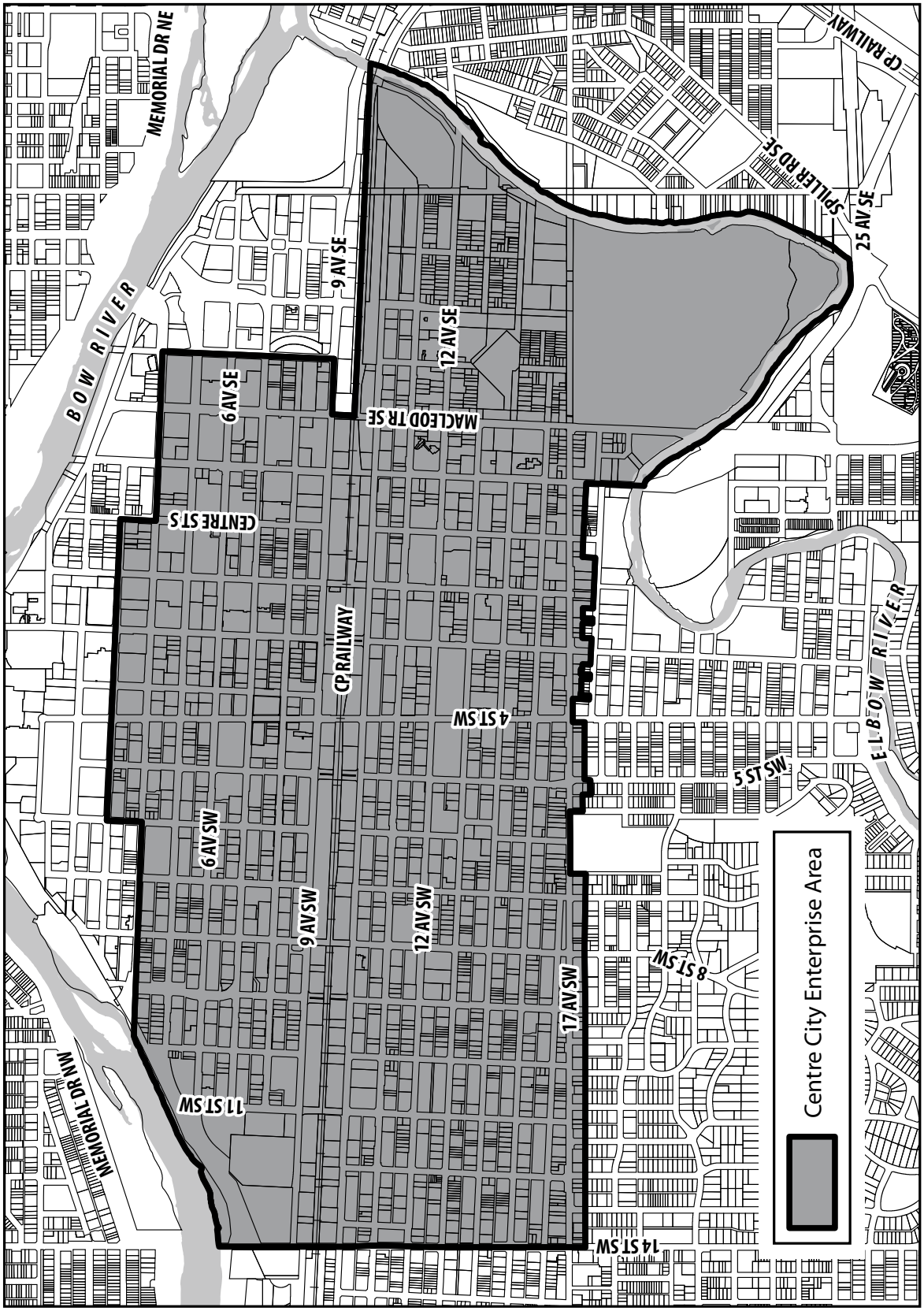
(7) *deleted*.

Map 2.1 “Centre City Enterprise Area”

6P2021, 44P2022

25.3 *deleted*

Map 2.2 “International Avenue Change of Use/Exterior Renovation Exemption Area”



44P2022 *deleted*

Map 2.3 “Montgomery Change of Use/Exterior Renovation Exemption Area”

deleted *44P2022*

Map 2.4 “Sunalta Change of Use Exemption Area”

44P2022 *deleted*

Exemption for Insulation Retrofit *39P2018, 6P2021, 2H2023*

25.4 **(1)** ***Development*** with the sole purpose of adding exterior insulation and associated cladding to an existing ***building*** does not require a ***development permit***.

(2) The additional exterior insulation and associated cladding referenced in subsection (1) may:

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

(b) exceed the maximum ***parcel coverage*** in low density ***residential districts***; and

(c) be exempt from the minimum ***landscaped area*** calculations in ***multi-residential districts***.

(3) ***Buildings*** listed on the ***City's*** inventory of evaluated historic resources are not exempt from the requirement for a ***development permit*** referenced in subsection (1).

Development Permit Application Requirements *46P2007, 30P2011*

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 *46P2007, 30P2011*

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: *17P2018*

(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***; *17P2018*

(d) the date by which the comments must be delivered to the ***Development Authority*** to be considered by the ***Development Authority***; and *17P2018*

(e) that the submission must include: *17P2018*

(i) their full name and address; and

(ii) the reasons for their position.

(2) The following ***uses*** must always be notice posted:

26P2010, 24P2014
(a) **Backyard Suite**;

51P2008, 24P2014, 25P2018
(a.1) **Cannabis Facility**;

24P2014, 13P2017, 20P2017, 25P2018
(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***;

51P2008, 13P2017, 20P2017
(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;

17P2009
28P2021
(c.1) *deleted*

44P2022
(c.2) **Hazardous Waste Management Facility**;

(d) **Home Occupation – Class 2**;

44P2022
(d.1) **Landfill**;

51P2008, 13P2017, 20P2017
(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***;

7P2014, 25P2018
(e.1) *deleted*

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

26P2010, 33P2013
(f.1) **Night Club** in the CC-EIR District or CR20-C20/R20 District in the area indicated in Map 11;

51P2008, 33P2013, 13P2017, 20P2017
(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***;

43P2015
(g.1) **Pawn Shop**;

43P2015
(g.2) **Payday Loan**;

14P2010
(h) **Place of Worship – Large**;

14P2010
(h.1) **Recyclable Construction Material Collection Depot (temporary)**;

12P2010, 14P2010, 24P2014
(i) *deleted*

(i.1) *deleted* *12P2010, 9P2012, 24P2014*

(i.2) **Secondary Suite** in the R-C1L, R-C1 and R-1 Districts; *24P2018*

(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***; *51P2008, 14P2010, 38P2013, 13P2017, 20P2017*

(k) *deleted* *14P2010, 38P2013, 44P2022*

(k.1) **Waste Storage Site**; *44P2022*

(l) **Wind Energy Conversion System - Type 1**; and *38P2013*

(m) **Wind Energy Conversion System - Type 2.** *38P2013*

(2.1) The following ***uses*** must be notice posted when ***adjacent*** to a ***parcel*** containing a **Dwelling Unit**: *30P2011*

(a) **Digital Third Party Advertising Sign**; and

(b) **Digital Message Sign**. *4P2013*

(3) The following ***uses*** must always be notice posted in a ***residential district***:

(a) **Addiction Treatment**;

(b) **Bed and Breakfast**;

(c) **Child Care Service**;

(d) **Community Recreation Facility**;

(e) **Custodial Care**;

(f) **Indoor Recreation Facility**;

(g) **Library**;

(h) **Museum**;

(i) **Place of Worship – Medium**;

(j) **Place of Worship – Small**;

(k) **Residential Care**; and

(l) **Service Organization**.

(4) The following ***uses*** must always be notice posted in a ***special purpose district***:

(a) **Addiction Treatment**;

(b) **Child Care Service**;

(c) **Custodial Care**;

(d) **Place of Worship – Medium**;

(e) **Place of Worship – Small**;

(f) **Residential Care**; and

(g) **Service Organization**.

(5) The construction of a new ***building*** or an addition to a ***building*** for the following ***uses*** must be notice posted:

(a) **Assisted Living** in the ***Developed Area***;

(b) **Duplex Dwelling** when listed as a ***discretionary use***;

(c) **Semi-detached Dwelling** when listed as a ***discretionary use*;**

22P2016 (d) **Single Detached Dwelling** when listed as a ***discretionary use*** in the **Developed Area**;

22P2016, 56P2022 (d.1) **Rowhouse Building** when listed as a ***discretionary use*** in the **Developed Area**;

22P2016, 56P2022 (d.2) **Townhouse** when listed as a ***discretionary use*** in a ***residential district*** in the **Developed Area**; and

51P2008, 26P2010, 9P2012, 33P2013, 20P2017 (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***;

30P2011 **(6)** The ***Development Authority*** must not notice post any ***development permit*** applications not set out in subsections (2), (2.1), (3), (4) or (5).w

17P2018 **(7)** The posted notices referenced in this section must conform to the standards approved by the ***General Manager***.

50P2017 **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: *44P2013*

(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.

(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. *5P2013*

(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***: *51P2018*

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

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

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

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

27P2021 **32** Where the ***Development Authority*** is considering an application for a relaxation of a ***use area*** or a ***public area*** restriction, the ***Development Authority*** must consider the test in section 31 of this Part and:

(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:

5P2013 (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

58P2025 **34** **(1)** After approving a ***development permit*** application for a ***permitted use*** that does not comply with all the applicable requirements and rules of this Bylaw, the ***Development Authority*** must:

(a) publish a notice online for the public stating the location and ***use*** of the ***parcel*** for which the application has been approved; and *83P2018, 58P2025*

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

(i) before the appeal period to the ***Appeal Body*** referred to in the *Municipal Government Act* has expired; or *54P2008, 16P2018, 58P2025*

(ii) in the case of an appeal to the ***Appeal Body***, until such time as the appeal has been fully dealt with by the ***Appeal Body***, or the Alberta Court of Appeal in the case of an appeal or leave to appeal of a decision of the ***Appeal Body***, or the appeal has been withdrawn or abandoned. *27P2021*

(2) After refusing 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

35 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***;

(a.1) ***climate mitigation*** and ***climate adaptation***; *2H2023*

(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; *48P2020*

(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 *25P2018*

36 (1) 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***.

(2) 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***;

2H2023 (a.1) ***climate mitigation*** and ***climate adaptation***;

(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***;

48P2020 (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***.

9P2012 (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***. *51P2018*

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

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

Notification of Decision for Discretionary Use Application

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

(a) publish a notice online for the public stating the location and ***use*** of the ***parcel*** for which the application has been approved; and *83P2018, 46P2019*

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

(i) before the appeal period to the ***Appeal Body*** referred to in the *Municipal Government Act* has expired; or *16P2018, 58P2025*

27P2021

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

(2) After refusing 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

40 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: *39P2010, 50P2017*

(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: *39P2010*

(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; *7P2011, 30P2011 44P2013*

(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; *27P2011, 30P2011 44P2013*

(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; *30P2011, 4P2013, 44P2013, 13P2015*

(g) is not adequately serviced by infrastructure referenced in Section 129.1; *44P2013, 13P2015 43P2015*

(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: *13P2015, 43P2015 27P2016*

(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***.

Administrative Cancellation of an Application *31P2009*

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

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

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

Term of a Development Permit

42 A ***development permit*** remains in effect until:

(a) the date of its expiry if the ***development permit*** was issued for a limited time;

(b) it is suspended or cancelled; or

(c) it lapses upon the failure of the applicant to commence ***development*** as required under this Division.

Suspension or Cancellation of a Development Permit

43 **(1)** The ***Development Authority*** may suspend or cancel a ***development permit*** following its approval or issuance if: *71P2008*

(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; *43P2015*

(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 d***evelopment 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.

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

31P2009

Commencement of Development

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

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

31P2009

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

51P2008, 26P2010
33P2013

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

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

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

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

(5) Without restricting the generality of the foregoing:

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

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

31P2009

(6) *deleted*

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

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

27P2021

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

(c) In the case of an appeal or leave to appeal to the Court of Appeal, the date the judgement roll or decision of the court is filed with the Court of Appeal allowing the ***development*** to proceed pursuant to an approved ***development permit***. *41P2009*

(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: *31P2009 29P2017*

(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) *deleted* *32P2019, 63P2025*

(8.2) *deleted* *32P2019, 63P2025*

(9) When ***development*** has not commenced in accordance with this section the ***development permit*** lapses. *31P2009*

Commencement of Construction

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

Reapplication for a Development Permit

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

Development Completion Permit

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

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

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

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

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

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

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

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

(b) refuse to issue a ***Development Completion Permit***.

16P2018 **(8)** *deleted*

Appeals of Decisions on Development Permits

83P2018, 27P2021

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

(2) The ***Appeal Body*** must ensure that notice of a hearing of an appeal to the ***Appeal Body*** is published at least five days prior to the date of the hearing.

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

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

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

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

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***: *9P2012*

(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*. *9P2012*

(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.

9P2012 **(6)** 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

9P2012 **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***.

9P2012 **(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. *9P2012*

(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. *9P2012*

(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***: *9P2012*

(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. *9P2012*

(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: Public Realm Setbacks

27P2021

Purpose

53 **(0.1)** To maintain and improve the quality of the physical environment for the overall public interest, the public realm setbacks are intended to accommodate public realm improvements, pedestrian environment improvements, and context specific mobility improvements. *27P2021*

Required Setbacks

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

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

Table 1: Required Setbacks

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

51P2008, 26P2010
19P2010, 9P2012, 33P2013,
15P2014, 27P2021

Table 1: Required Setbacks – continued

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

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

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

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

(b) the Required Setbacks referenced in Table 1.

28P2023 **(2.1)** Notwithstanding subsections (1) and (2), the required setbacks referenced in Table 1 may be relaxed below ***grade***, or at ***grade*** for a temporary ***use***.

28P2023 **(2.2)** Where the ***Development Authority*** is considering a relaxation of the required setbacks referenced in Table 1, the ***Development Authority*** must consider the technical feasibility of the relaxation, including but not limited to: emergency vehicle and motor vehicle loading requirements, installation and maintenance of utility line assignments, and the installation and maintenance of public realm surface improvements.

(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 fring***e or ***overland flow area***, the requirements of this Division apply and prevail when there is any conflict between the requirements of this Division and any other requirements of this Bylaw. *33P2013*

Floodway Regulations

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

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

(a) **Extensive Agriculture**;

(b) **Natural Area**;

(c) **Outdoor Recreation Area**;

(d) **Park**; and

(e) **Utilities.**

New Buildings and Alterations

57 **(1)** No new ***buildings*** or other new structures are allowed in the ***floodway***, except for the replacement of existing **Accessory Residential Buildings**, **Backyard Suites**, **Duplex Dwellings**, **Secondary Suites**,**Semi-detached Dwellings** and **Single Detached Dwellings** on the same ***building*** footprint. *32P2012, 11P2014, 24P2014*

(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. *11P2014*

32P2012, 11P2014

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***.

13P2008, 32P2012, 11P2014

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.

43P2016

(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

16P2018

(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 *32P2012, 11P2014*

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: *43P2016*

(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**. *16P2018*

(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. *13P2008*

Height Limits

13P2008, 13P2017 **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, 56P2022 (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 ***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***.

13P2008 **(2)** There is no maximum ***mounting height*** requirement for an outdoor ***light fixture*** with a luminaire wattage greater than 100 watts for an **Outdoor Recreation Area** and a **Spectator Sports Facility**, regardless in which District these ***uses*** are located.

13P2008 **(3)** Outdoor ***light fixtures*** mounted on poles, or any structure intended primarily for mounting lighting, must not exceed a ***mounting height*** of 40.0 per cent of the horizontal distance between the ***light fixture*** and the ***property line***, except:

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.

13P2008 **(4)** Outdoor ***light fixtures*** with a luminaire wattage greater than 100 watts, mounted onto ***buildings***, must not have a ***mounting height*** higher than the ***building*** or higher than 40.0 per cent of the horizontal distance between the ***light fixture*** and the ***property line***, whichever is the lesser, except for:

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

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

Division 5: Signs

Purpose

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

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

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

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

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

Classification of Signs

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

Development Permits

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

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

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

Comprehensive Sign Program

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

(2) The comprehensive sign program may set out a designated area for ***signs*** attached to or projecting from the face of a ***building*** or for any ***signs*** that are freestanding to be located on the ***parcel*** and any proposed ***signs*** must be located in the designated area or location for ***signs*** specified in the applicable ***development permit***.

(3) The designated area and locations for ***signs*** referenced in subsection (2) replace any rules regarding designated area or location contained in this Division that would normally apply to the specific ***sign*** type.

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

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

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

Comprehensive Sign Program for Pedestrian Corridors

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

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

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

(c) the method of ***sign*** illumination; and

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

Development Authority's Discretion

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

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

(b) purpose statement of this Part;

(c) rules relating to opportunities for signage;

(d) character of the District where the ***sign*** is proposed to be located;

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

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

(2) Where a type of ***sign*** is listed as a ***discretionary use*** in a District, the ***Development Authority's*** exercise of discretion must be guided by the: *9P2012*

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

(b) purpose statement of this Part;

(c) rules relating to opportunities for signage;

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

(e) amount of signage in the nearby surroundings.

Rules Governing All Signs *35P2011*

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

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

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

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

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

(4) A ***sign*** must not:

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

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

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

(6) ***Signs***, sign supports and structures for ***signs*** must be located a minimum of 0.75 metres back from a curb line.

48P2020

(7) ***Signs*** must not be placed in or on ***motor vehicle parking stalls*** or ***loading stalls*** and must be placed to not reduce the number of ***motor vehicle parking stalls*** or ***loading stalls*** required pursuant to this Bylaw or a ***development permit***.

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

27P2021

(9) ***Signs,*** sign supports and structures for ***signs*** must not be located in the Required Setbacks referenced in section 53 and Table 1.

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

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

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

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

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

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

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

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

33P2013, 15P2014

Rules Governing All Signs in the Stephen Avenue Mall Heritage Area

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

56P2017

(2) Notwithstanding section 93(3.1), ***signs*** located within the ***Stephen Avenue Mall heritage area*** may utilize only the following means of illumination:

(a) incandescent lighting;

(b) fluorescent lighting not visible to pedestrians at ***grade***;

(c) neon lighting when used only for text or imagery in a ***sign area***; and

(d) LED lighting.

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

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

Rules Governing Signs containing Digital Displays *35P2011, 4P2013*

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

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

(3) *deleted* *4P2013*

(4) ***Copy*** must not be shown on the ***digital display*** using full motion video or otherwise give the appearance of animation or movement, and the transition between each digital ***copy*** must not be displayed using any visible effects, including but not limited to action, motion, fading in and out, dissolving, blinking, intermittent, or flashing light or the illusion of such effects. *4P2013*

(5) ***Copy*** must not be shown in a manner that requires the ***copy*** to be viewed or read over a series of sequential ***copy*** messages on a single ***digital display***, or sequenced on multiple ***digital displays***. *4P2013*

(5.1) All ***signs*** containing a ***digital display*** must be equipped with an ambient light sensor. *4P2013*

(5.2) A ***sign*** containing a ***digital display*** must not increase the light levels adjacent to the ***digital display*** by more than 3.0 LUX above the ambient light level. *4P2013*

(6) The ***sign owner*** must ensure that while the ***sign*** is in operation, the light output for the ***digital display*** must be set in accordance with the following maximum luminance levels when measured from the ***sign*** face at its maximum brightness: *4P2013*

(a) from sunrise to sunset, 7500 Nits in all districts; and

(b) from sunset to sunrise:

(i) 500 Nits in the ***industrial districts***;

(ii) 350 Nits in the C-COR 1, C-COR2, C-COR3, C-R1, C-R2, C-R3, S-CRI and S-FUD Districts; and

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

4P2013 **(7)** *deleted*

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

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

4P2013 **(10)** *deleted*

35P2011 **Maintenance of Signs**

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

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

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

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

(c) remove the ***sign***.

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

35P2011 **Parcels in Related Function**

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

35P2011 **Rules Governing Class A Signs**

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

Address Sign *35P2011*

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

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

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

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

Art Sign *35P2011*

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

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

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

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

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

Banner Sign *35P2011*

80 **(1)** A **Banner Sign** may:

(a) be primarily decorative;

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

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

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

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

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

(b) is limited to one per business provided there is not more than one **Banner Sign** located on a ***building*** at any one time.

(3) A **Banner Sign** that is used in place of a **Fascia Sign** may only be placed in the designated signable area and locations referenced in section 92 for a period not exceeding 90 days following the issuance of a ***development completion permit*** or occupancy permit granted under the Building Permit Bylaw for the ***development*** to which the ***sign*** relates.

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

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

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

(a) affixed to the wall of a ***building***; or

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

35P2011

Construction Sign

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

(a) may have a total cumulative maximum ***sign area*** of 6.0 square metres; and

(b) must be removed within seven days following issuance of the ***development completion permit***.

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

(a) in ***residential districts***, have a maximum ***sign area*** of 1.0 square metres;

13P2017

(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.

35P2011

Directional Sign

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

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

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

(4) A **Directional Sign** may be located anywhere on a ***parcel***.

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

(6) The maximum height of a freestanding **Directional Sign** is 4.0 metres.

Flag Sign *35P2011*

83 **(1)** A **Flag Sign**:

(a) may have a maximum ***sign area*** of 2.0 square metres;

(b) is limited to three per ***parcel*** where the ***parcel*** has a ***frontage*** of 30.0 metres or less; and

(c) is limited to six per ***parcel*** where the ***parcel*** has a ***frontage*** greater than 30.0 metres.

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

(3) A **Flag Sign** must not be located on the roof of a ***building***.

Gas Bar Sign *35P2011*

84 **(1)** The maximum ***sign area*** for a **Gas Bar Sign** is 1.0 square metres.

(2) A **Gas Bar Sign** must not be illuminated.

Pedestrian Sign *35P2011*

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

(a) 1.0 metres in height; and

(b) 1.0 square metres in ***sign area***.

(2) A **Pedestrian Sign**:

(a) may only be displayed during the hours that the business it relates to is open and operating;

(b) must not be placed on a public sidewalk; and

(c) must not be illuminated.

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

35P2011

Real Estate Sign

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

(2) When a **Real Estate Sign** is freestanding:

(a) there must not be more than one **Real Estate Sign** per ***frontage***;

(b) the **Real Estate Sign** may have a maximum ***sign area*** of 1.5 square metres and a maximum height of 2.0 metres above ***grade***, if the ***frontage*** is equal to or less than 30 metres; and

(c) the **Real Estate Sign** may have a maximum ***sign area*** of 3.0 square metres and a maximum height of 3.0 metres above ***grade***, if the ***frontage*** is greater than 30.0 metres.

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

(4) When a **Real Estate Sign** takes the form of a **Banner Sign** it:

(a) must not be located above the third ***storey*** of a ***building***; and

(b) must not be erected for more than 90 days in a calendar year.

35P2011

Special Event Sign

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

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

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

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

35P2011

Show Home Sign

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

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

Temporary Sign 35P2011

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

(a) Airport Trail from 36 Street N.E. east to the ***City*** Limit;

(b) 14 Street from Glenmore Trail to Anderson Road S.W.;

(c) Anderson Road;

(d) Barlow Trail from Peigan Trail to Deerfoot Trail;

(e) Beddington Trail from Country Hills Boulevard to Deerfoot Trail;

(f) Country Hills Boulevard from Shaganappi Trail to Beddington Trail;

(g) Crowchild Trail;

(h) Deerfoot Trail;

(i) Glenmore Trail;

(j) John Laurie Boulevard from Shaganappi Trail, east to McKnight Boulevard;

(k) Macleod Trail from Anderson Road south to the ***City*** limits;

(l) Marquis of Lorne Trail;

(m) McKnight Boulevard from Edmonton Trail, east to the ***City*** limits;

(n) McKnight Boulevard from 4 Street N.W. to John Laurie Boulevard;

(o) Memorial Drive from Barlow Trail to Edmonton Trail;

(p) Metis Trail;

(q) Peigan Trail;

(r) Sarcee Trail N.W. from 34 Avenue N.W. to Glenmore Trail;

(s) Shaganappi Trail;

(t) The Transportation and Utility Corridor;

(u) Spruce Meadows Trail;

(v) Trans-Canada Highway from Deerfoot Trail, east to the ***City*** limits;

(w) Trans-Canada Highway from Crowchild Trail to Bowness Road;

(x) Trans-Canada Highway from the junction of Home Road, west to the ***City*** limits;

(y) 17 Avenue S.E. from the east ***City*** limit to Stoney Trail;

(z) 114 Avenue S.E. from the east ***City*** limit to Stoney Trail; and

(aa) Symons Valley Road NW from the north ***City*** limit to 144 Avenue NW.

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

(a) 9 Avenue S.E. from 8 Street S.E. to 15 Street S.E.;

9P2012 (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;

4P2013 (h) Victoria Park/First Street S.W. Business Revitalization Zone; and

(i) Bowness Road from 62 Street N.W. to 66 Street N.W.

4P2013 **(2.1)** A **Temporary Sign** must not be placed on a ***parcel*** where an approved **Digital Message Sign** is operating.

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

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

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

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

(a) 1.0 square metre if a **Dwelling Unit** is located on the ***parcel*** where the **Temporary Sign** is located; and

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

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

(a) 1.5 square metres if the ***frontage*** of the ***parcel*** where the **Temporary Sign** is located is 30.0 metres or less; and

(b) 5.5 square metres if the ***frontage*** of the ***parcel*** where the **Temporary Sign** is located is greater than 30.0 metres.

(8) The maximum height of a **Temporary Sign** is:

(a) 1.5 metres if the ***sign area*** is 2.5 square metres or less;

(b) 2.0 metres if the ***sign area*** is greater than 2.5 square metres, but less than 3.0 square metres; and

(c) 3.0 metres if the ***sign area*** is 3.0 square metres or more.

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

(a) be no further than 1.0 metres away from the **Temporary Sign Marker**; and

(b) not be closer to the ***street*** than the **Temporary Sign Marker**.

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

(11) Where a ***parcel*** has a ***frontage***:

(a) less than or equal to 75.0 metres, a maximum of one **Temporary Sign** may be located on that ***parcel***;

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

(c) greater than 200.0 metres, a maximum of three T**emporary Signs** be located on that ***parcel***.

Window Sign

90 **(1)** The total ***copy area*** of one or more **Window Signs** must not exceed 30.0 per cent of the window area. *35P2011*

(2) For the purposes of subsection (1), “window area” includes all contiguous panes of glass, including panes of glass that would be contiguous if not separated by mullions, but does not include contiguous panes of glass on a doorway. *16P2018*

(3) In the ***Stephen Avenue Mall heritage area***, a ***Window Sign*** must not: *33P2013*

(a) exceed one per window area;

(b) be located in windows above the second ***storey*** except where there is a ***use*** with a ***use area*** that is wholly contained on a floor above the second ***storey***;

(c) be located within 1.8 metres of a window where the ***sign*** is internally illuminated and facing outward from inside a ***building***; and

(d) contain ***copy*** greater than:

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

(ii) 0.23 metres in height when located in a window above the second ***storey***;

35P2011

Rules Governing Class B Signs

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

(a) **Sign – Class B** is listed as a ***permitted use*** in the District;

(b) the ***sign area*** is not larger than 1.5 square metres; and

(c) the ***sign*** meets all applicable rules.

35P2011

Designated Signable Area and Locations for Fascia Signs

92 **(1)** Unless otherwise referenced in subsections (4) and (5), **Fascia Signs** must be located within the designated signable area described in this section.

(2) For a single or two ***storey building***:

(a) the upper limit of the designated signable area is:

(i) the ***eaveline***, or

(ii) if there is a parapet then the upper edge of the parapet; and

(b) the lower limit of the designated signable area is 2.4 metres above ***grade***.

(3) For a ***building*** that exceeds two ***storeys***:

(a) the upper limit of the designated signable area is the floorline of the third ***storey***; and

(b) the lower limit of the designated signable area is 2.4 metres above ***grade***.

(4) A **Fascia Sign** may be located above the second ***storey*** provided:

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

(b) there is no more than one ***sign*** per ***building*** face above the second ***storey***; and

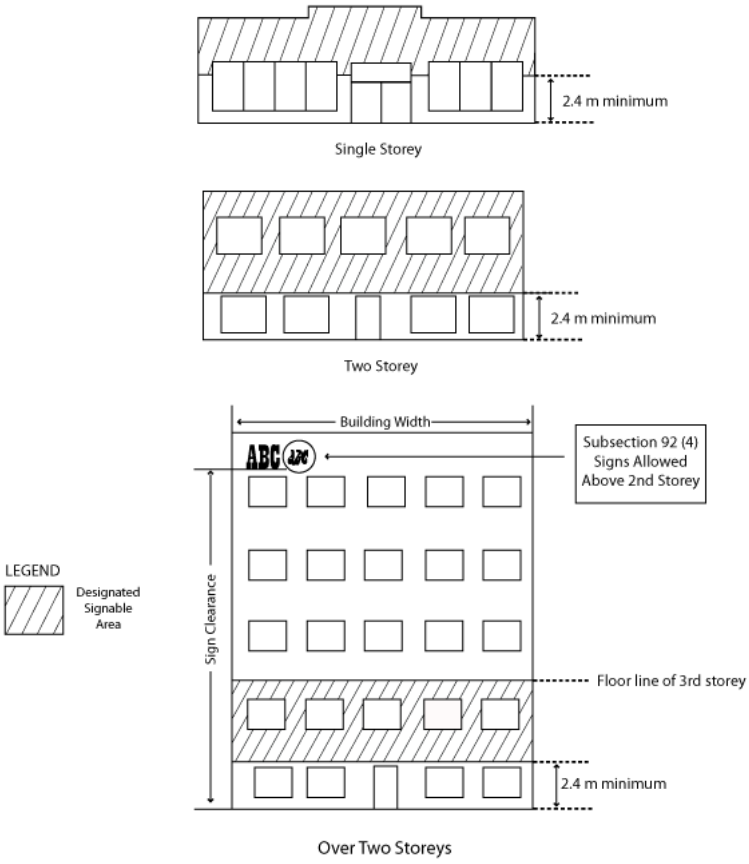
(c) the ***sign area*** does not exceed 2.5 per cent of the area formed by multiplying the clearance of the ***sign*** from ***grade*** by the width of the ***building***.

(5) A **Fascia Sign** may be located below the designated signable area referenced in subsections (2) and (3) provided:

(a) the ***sign*** consists of individual letters, symbols or logos that are directly attached to the ***building***;
(b) the portion of the ***sign*** below the signable area occupies a maximum of 30.0 per cent of the area of the wall of the ***building*** below the signable area; and
(c) the ***copy area*** of the ***sign*** below the designated signable area is less than 9.3 square metres.

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

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



35P2011

Rules for Fascia Signs

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

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

5P2013

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

(a) an ***adjacent parcel*** designated as a ***residential district***; or

(b) a **Park** or **Natural Area**.

33P2013

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

56P2017

(a) have a height greater than 0.6 metres;

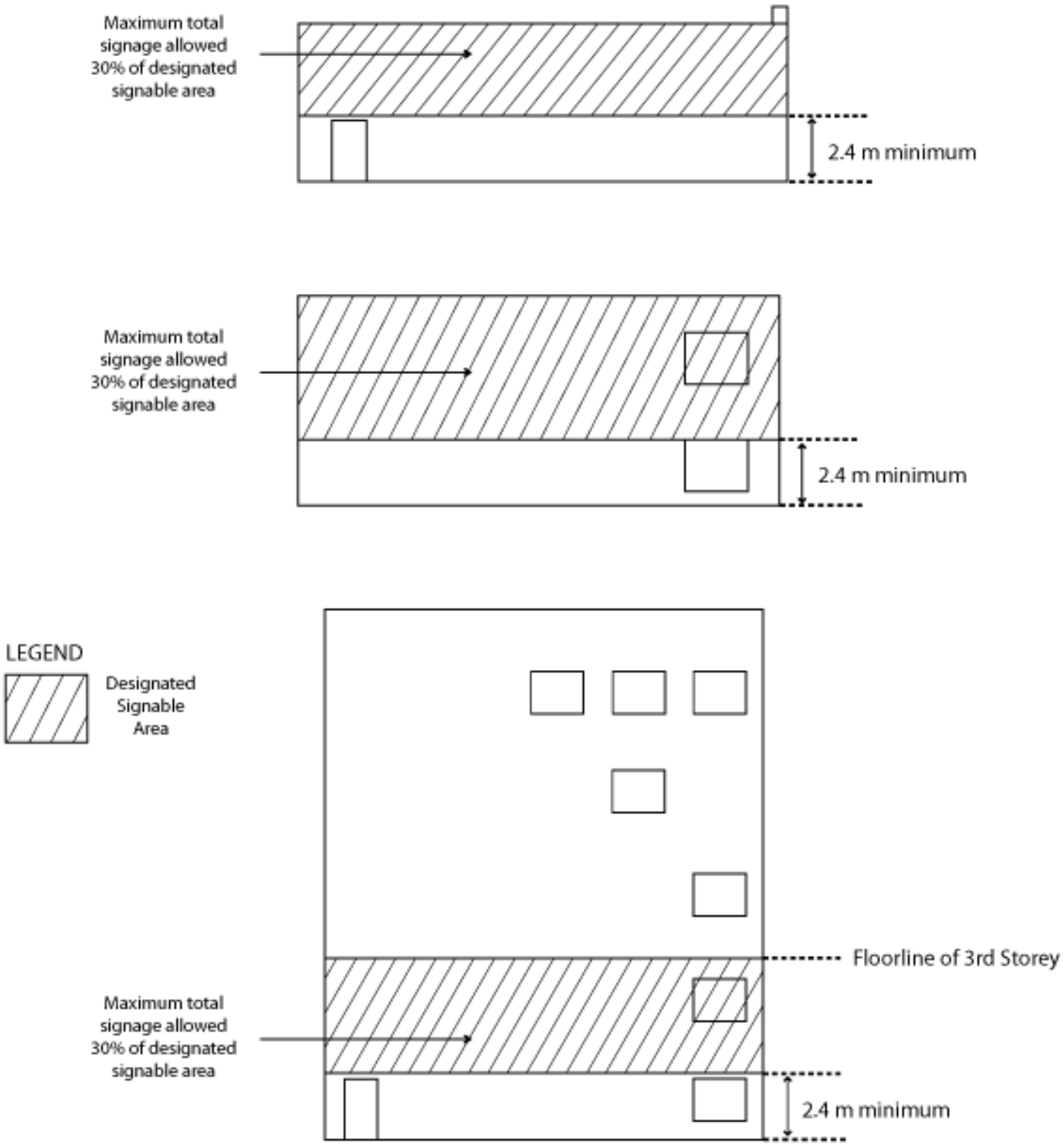
(b) contain ***copy*** that is greater than 0.4 metres;

(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)



35P2011

Rules Governing Class C Signs

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

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

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

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

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

35P2011

Rules for Freestanding Signs

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

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

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

5P2013 **(4)** A proposed **Freestanding Sign** must be located a minimum of 30.0 metres from any other **Freestanding Sign** located on an ***adjacent parcel*** that is:

(a) facing the same oncoming traffic; and

(b) on the same side of the ***street***.

33P2013 **(5)** A **Freestanding Sign** must not be located within the ***Stephen Avenue Mall heritage area.***

35P2011

Number of Freestanding Signs

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

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

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

Size and Height Restrictions for Freestanding Signs *35P2011*

97 **(1)** In the C-N1, C-N2 and C-C1 Districts:

(a) the maximum ***sign area*** of a **Freestanding Sign** is 9.5 square metres; and

(b) the maximum height of a **Freestanding Sign** is 6.0 metres.

(2) In the C-COR3 District:

(a) the maximum ***sign area*** of a **Freestanding Sign** is 18.5 square metres; and

(b) the maximum height of a **Freestanding Sign** is 12.2 metres.

(3) In the CC-ET and CC-EIR Districts, and all other ***commercial*** and in all ***industrial*** and ***mixed use districts***: *13P2017, 20P2017*

(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***: *13P2017*

(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***, the H-GO District and the M-CG, M-C1, M-C2, M-G, M-1 and M-2 Districts: *56P2022*

(a) the maximum ***sign area*** of a **Freestanding Sign** is 5.0 square metres; and

(b) the maximum height of a **Freestanding Sign** is 4.0 metres.

(6) In the ***special purpose districts***:

(a) the maximum ***sign area*** of a **Freestanding Sign** is 7.0 square metres; and

(b) the maximum height of a **Freestanding Sign** is 6.0 metres.

Rules Governing Class D Signs *35P2011*

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

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

35P2011

Rules for Canopy Signs

99 **(1)** The ***copy area*** on a **Canopy Sign** must not exceed 50.0 per cent of the total area of the canopy which will be measured by the vertical height of the canopy multiplied by the length of the canopy or awning.

(2) The **Canopy Sign** must not extend beyond the structure on which it is displayed.

(3) A structure used to display **Canopy Signs** must:

(a) have a minimum clearance of 2.4 metres from ***grade***;

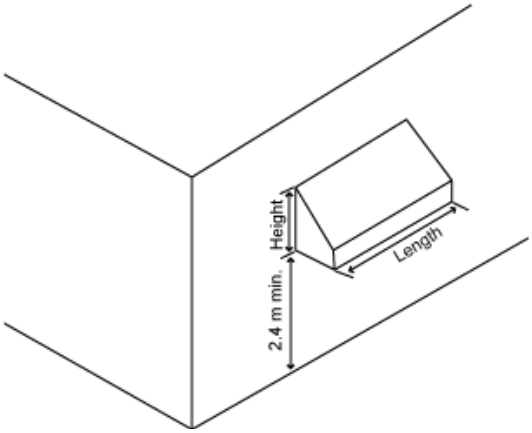
(b) not extend any further than the line on which street light or power line poles are located;

(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)



33P2013

(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

35P2011

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

(a) must have a minimum clearance of 2.4 metres from ***grade***;

(b) may be a maximum of 0.30 metres in height;

(c) may have a maximum ***sign area*** of 1.0 square metres; and

(d) must be a minimum of 4.5 metres from each other.

Rules for Projecting Signs

35P2011

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

(1.1) In the ***Stephen Avenue Mall heritage area***, a **Projecting Sign** must be limited to a maximum of one for every 7.5 metre section of ***building*** facade parallel to Stephen Avenue Mall; *33P2013*

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

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

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

(a) the ***sign*** does not project more than 2.0 metres from the ***building***; and

(b) the ***sign area*** is 18.5 square metres or less.

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

Size Restrictions for Projecting Signs

102 **(1)** In the C-N1, C-N2, C-C1, CC-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. *35P2011, 13P2017*

(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. *33P2013, 13P2017, 20P2017*

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

15P2014 **(5)** In the ***Stephen Avenue Mall heritage area***, a **Projecting Sign**:

(a) must not have a dimension greater than 0.91 metres by 1.22 metres except where the only other ***sign*** on the facade of the ***building*** is a **Window Sign**; and

(b) when located above the designated signable area referenced in section 92(2) and (5) must not have a:

(i) ***sign area*** greater than 1.1 square metres;

(ii) vertical dimension greater than 1.2 metres; and

(iii) horizontal dimension that is parallel to the ***building*** facade greater than 0.20 metres.

Rules Governing Class E Signs

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

35P2011, 4P2013 **Digital Message Sign**

20P2017 **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.

56P2022 **(2)** A **Digital Message Sign** advertising events, activities or services offered, may only be approved in the ***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* *33P2013, 15P2014*

(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. *56P2017*

(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. *56P2017*

(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. *56P2017*

Table1.1: 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

Maximum ***sign area*** (square metres)	Minimum Distance from edge of pavement to ***sign*** (metres)
5.0	400
4.0	350
3.0	300
2.0	250
1.0	200

(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. *56P2017*

(5.3) A **Digital Message Sign** must not be located within the ***Stephen Avenue Mall heritage area***. *33P2013,15P2014, 56P2017*

(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***: *20P2017*

(i) of 5.0 square metres when attached to a ***building***;

(ii) not exceeding the lesser of 2.5 square metres or 30.0 per cent of the window area, where used as a **Window Sign**; and

(iii) of 50 per cent of the ***sign area*** of a **Freestanding Sign**; and

(b) where located in a ***low-density residential district***, ***multi-residential district***, CC-MH, CC-MHX, S-SPR, S-CS, S-CI, S-URP, CC-EMU, CC-ET, CC-EPR, CC-EIR and CC-ERR Districts, has a maximum ***sign area*** of 1.0 square metres.

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

20P2017

(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***.

56P2017

(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 *35P2011*

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***. *33P2013*

(2) An **Inflatable Sign** must not be located on the roof of any ***building*** or structure.

(3) An **Inflatable Sign** must be tethered or anchored and must touch the surface to which it is anchored.

(4) An **Inflatable Sign** must not extend higher than the maximum height allowed for a **Freestanding Sign** as referenced in section 97.

(5) Only one **Inflatable Sign** may be located on a ***parcel*** at any time.

(6) The maximum number of **Inflatable Signs** that may be on the same ***parcel*** in a calendar year is two.

(7) The maximum time period an **Inflatable Sign** may be displayed on a ***parcel*** is 30 days.

Painted Wall Sign

106 (1) A **Painted Wall Sign** may be located anywhere on a ***building*** wall. *35P2011*

(1.1) In the ***Stephen Avenue Mall heritage area***, a **Painted Wall Sign** must only be located on a ***building*** facade perpendicular to Stephen Avenue Mall. *33P2013*

(2) If a **Painted Wall Sign** is removed, the wall it was displayed on must be refinished to be consistent with the rest of the ***building***.

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 *4P2013*

110 *deleted*

Prohibited Locations For Third Party Advertising Signs *71P2008, 28P2009*

111 (1) *deleted* *4P2013*

(2) *deleted* *4P2013*

(2.1) **Third Party Advertising Signs** must not be located within the ***Stephen Avenue Mall heritage area***. *33P2013*

(3) **Third Party Advertising Signs** are prohibited on any site where the ***sign*** is positioned such that the ***copy*** on the ***sign*** is visible from: *30P2011, 44P2013*

(a) 14 Street N.W. from John Laurie Boulevard, north to Country Hills Boulevard;

(b) 14 Street S.W. from Glenmore Trail S.W., south to Canyon Meadows Drive S.W.;

(c) 52 Street East, from 17 Avenue S.E., north to McKnight Boulevard;

(d) 85 Street N.W. from Bowness Road, north to 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;

4P2013 (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;

4P2013 (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; *4P2013*

(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.

(4) **Third Party Advertising Signs** are prohibited on sites ***adjacent*** to Bowness Road from 62 Street N.W. to 65 Street N.W.

(5) **Third Party Advertising Signs** are prohibited on ***street*** or utility right-of-way.

(6) **Third Party Advertising Signs** must be a minimum of 450.0 metres from: *4P2013*

(a) major parks, as referenced in section 115;

(b) escarpments and pathways;

(c) riverbanks; and

(d) natural areas,

when the ***copy*** is visible.

4P2013, 44P2013 **(7)** Notwithstanding subsection 111(3)(tt), existing **Third Party Advertising Signs** positioned such that the ***copy*** is visible from the Trans Canada Highway between the Bow River and Bowfort Road and approved prior to November 19, 1990 may be renewed from time to time in accordance with subsections 114 (10) and (11).

4P2013, 44P2013 **(8)** Notwithstanding subsection 111(3)(y) and (uu), existing **Third Party Advertising Signs** positioned such that the ***copy*** is visible from Glenmore Trail S.E. or from the Trans-Canada Highway between 6 Street N.E. and 36 Street N.E. respectively, may be renewed from time to time in accordance with subsections 114 (10) and (11).

(9) Notwithstanding subsection 111(3), freestanding-flush and wall-mounted **Third Party Advertising Signs** in ***commercial*** or ***industrial districts*** may be allowed along those public thoroughfares referred to in subsections 111(3)(f)(q)(u) and (nn) where:

(a) the ***sign*** is contained within the line and form of the ***building*** to which it is attached;

(b) the ***sign*** is not positioned such that it can be viewed from a land use district other than a ***commercial*** or ***industrial district***; and

(c) the ***sign area*** does not exceed 19.0 square metres.

4P2013 **(10)** Notwithstanding subsection 112(4), where an existing **Third Party Advertising Sign** complies with this Bylaw, except for the provisions of subsection 111(4), it may be renewed from time to time in accordance with subsections 114 (10) and (11).

4P2013 **(11)** Notwithstanding subsections 111(3)(hh) and (kk), where an existing **Third Party Advertising Sign** complies with this Bylaw, except for the provisions of subsections 111(3)(hh) and (kk), it may be renewed from time to time in accordance with subsections 114 (10) and (11).

4P2013, 44P2013 **(12)** Unless otherwise referenced in subsection (13), and upon receipt of a new ***development permit*** application for the same **Third Party Advertising Sign**, no **Third Party Advertising Sign** may be approved within the Inglewood Main Street Area after November 9, 1992.

(13) A ***development permit*** for a **Third Party Advertising Sign** may be approved in the Inglewood Heritage Main Street Area if such sign replaces an existing **Third Party Advertising Sign** of the same or greater area at the same or another location in the Inglewood Heritage Main Street Area provided always that the approval of such a ***sign*** may only be allowed where it will result in a visual improvement to the character and streetscape of the area and either:

(a) a reduction in the overall number of **Third Party Advertising Sign** faces in such area; or

(b) the design is appropriate for enhancing the specific location.

(14) A ***development permit*** for a **Third Party Advertising Sign** may only be approved in the Mainstreet portion of Bowness Road NW when such a sign:

(a) replaces an existing **Third Party Advertising Sign** of the same or greater area at the same location provided; and

(b) results in upgrading of the quality of the proposed ***sign***.

Siting of Third Party Advertising Signs

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. *44P2013*

(2) A **Third Party Advertising Sign** must be removed from a ***parcel*** upon expiry of the ***development permit*** for such ***sign*** if a ***development permit*** application for a **Freestanding Sign** is approved within 30.0 metres of the **Third Party Advertising Sign**. *4P2013, 44P2013*

(3) A **Third Party Advertising Sign** must not be located within 75.0 metres of any other **Third Party Advertising Sign** facing the same on-coming traffic and must not result in more than two (2) freestanding **Third Party Advertising Signs** greater than 4.6 metres in height and 4.5 square metres in area within a 225.0 metre radius of each other facing the same ***street***, except:

(a) where the separation is between an existing **Third Party Advertising Sign**, approved prior to June 19, 2000;

(b) for a **Third Party Advertising Sign** located on the same structure; or

(c) for a **Third Party Advertising Sign**, less than 4.6 metres in height and 4.5 square metres in area, where the separation must be 30.0 metres.

(4) Subject to subsections (1) and (3), a **Third Party Advertising Sign**, less than 4.6 metres in height and 4.5 square metres in area, must not be located closer than 30.0 metres to any other **Third Party Advertising Sign** less than 4.6 metres in height and 4.5 square metres in area.

(5) A **Third Party Advertising Sign** must be located such that no portion is less than 6.0 metres from any ***property line adjacent*** to a public thoroughfare except for **Third Party Advertising Signs** less than 4.6 metres in height and 4.5 square metres in area.

(6) Notwithstanding subsection (5), where an existing **Third Party Advertising Sign** complies with this Bylaw, except for the provisions of subsection (5), it may be renewed from time to time in accordance with subsections 114 (10) and (11). *4P2013*

(7) Trees required under an approved ***development permit*** shall not be removed or altered in any way to accommodate the placement or visibility of a **Third Party Advertising Sign**.

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: *4P2013*

(a) 9 Avenue S.E. from 8 Street S.E. to 15 Street S.E.;

(b) 17 Avenue S.E. from 26 Street S.E. to 61 Street S.E.;

(c) Bowness Road from 47 Street N.W. to 42 Street N.W. and from 62 Street N.W. to 66 Street N.W.;

(d) Fourth Street Business Revitalization Zone;

(e) Kensington/Louise Crossing Business Revitalization Zone;

(f) Marda Loop Business Revitalization Zone;

(g) Uptown 17 Business Revitalization Zone; and

(h) Victoria Park/First Street S.W. Business Revitalization Zone, except for Olympic Way S.E.

General Rules for Third Party Advertising Signs *4P2013*

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

(1.1) **Third Party Advertising Signs** with a ***sign area*** greater than 4.5 square metres may only be located in the CR20-C20/R20 District where: *33P2013*

(a) it forms part of a comprehensive ***development***; and

(b) it has been incorporated into the design of a ***building*** or structure.

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

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

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

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

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

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

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

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

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

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

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

(b) must not approve the ***development permit*** if a **Freestanding Sign** has been approved and constructed within 30.0 metres of the **Third Party Advertising Sign**;

(c) may only approve the ***development permit*** for the **Third Party Advertising sign** when the ***use*** is listed in the District;

(d) may approve the ***development permit*** for the **Third Party Advertising Sign** if it is located in pedestrian-oriented areas as referenced in subsection 113 (6) at its current size and height provided the ***parcel*** has not been approved for redevelopment; and

(e) may approve the ***development permit*** for the **Third Party Advertising Sign** if it is located in areas referenced in subsection 113 (2.1), when the height of the ***sign*** exceeds 4.6 metres and the area exceeds 4.5 square metres at their current size and height provided the ***parcel*** has not been approved for redevelopment.

Major Parks

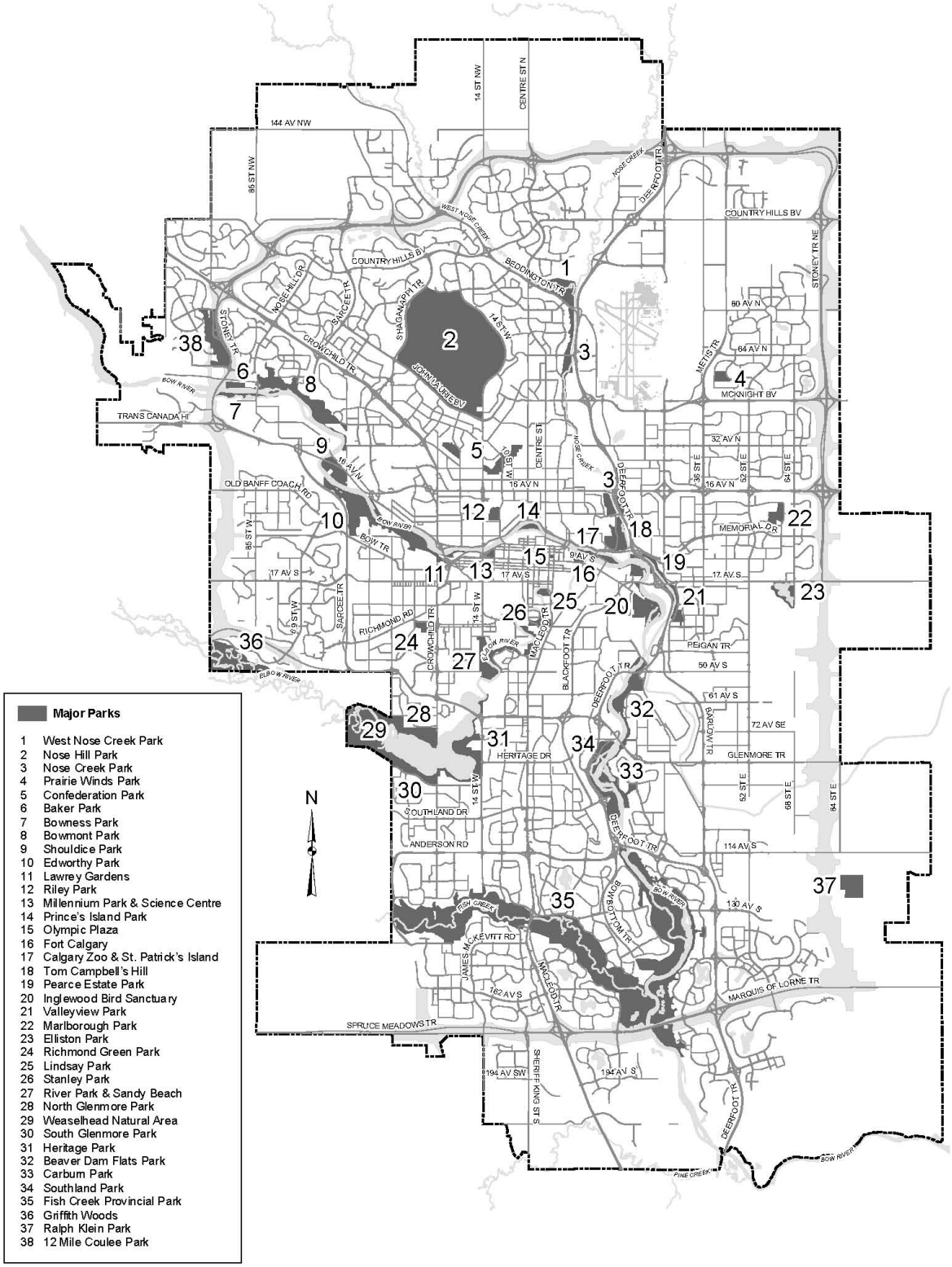
115 Map 3 identifies the following major parks:

1. West Nose Creek Park
2. Nose Hill Park
3. Nose Creek Park
4. Prairie Winds Park
5. Confederation Park

6. Baker Park
7. Bowness Park
8. Bowmont Park
9. Shouldice Park
10. Edworthy Park
11. Lawrey Gardens
12. Riley Park
13. Millennium Park & Science Centre
14. Prince's Island Park
15. Olympic Plaza
16. Fort Calgary
17. Calgary Zoo & St. Patrick's Island
18. Tom Campbell's Hill
19. Pearce Estate Park
20. Inglewood Bird Sanctuary
21. Valleyview Park
22. Marlborough Park
23. Elliston Park
24. Richmond Green Park
25. Lindsay Park
26. Stanley Park
27. River Park & Sandy Beach
28. North Glenmore Park
29. Weaselhead Natural Area
30. South Glenmore Park
31. Heritage Park
32. Beaver Dam Flats Park
33. Carburn Park
34. Southland Park
35. Fish Creek Provincial Park
36. Griffith Woods
37. Ralph Klein Park
38. 12 Mile Coulee Park *9P2012*

9P2012

Map 3:
Major Parks



Rules Governing Class G Signs – Digital Third Party Advertising Signs

115.1 *deleted* *30P2012, 4P2013*

Prohibited Locations for Digital Third Party Advertising Signs

115.2 (1) *deleted* *30P2012, 4P2013*

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

(a) 14 Street N.W. from John Laurie Boulevard, north to Country Hills Boulevard;

(b) 14 Street S.W. from Glenmore Trail S.W., south to Canyon Meadows Drive S.W.;

(c) 52 Street East, from 17 Avenue S.E., north to McKnight Boulevard;

(d) 85 Street N.W. from Bowness Road, north to 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; *4P2013*

(j) 144 Avenue N.W.;

(k) 162 Avenue S.W. from 37 Street S.W., east to Macleod Trail;

(k.1) Airport Trail; *4P2013*

(l) Anderson Road;

(m) Barlow Trail from the north ***City*** limits, south to the junction of McKnight Boulevard;

(n) 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: *4P2013*

(a) major parks, as referenced in section 115;

(b) escarpments and pathways;

(c) riverbanks; and

(d) natural areas,

when the ***copy*** is visible.

(6) A **Digital Third Party Advertising Sign** is prohibited if: *4P2013*

(a) the ***digital display*** is visible from a ***building*** containing a **Dwelling Unit**; and

(b) it is located less than 125.0 metres, measured from the face of the ***digital display*** to a ***building*** containing a **Dwelling Unit**.

Siting of Digital Third Party Advertising Signs *30P2011*

115.3 (1) A **Digital Third Party Advertising Sign** must not be located within 30.0 metres of any **Freestanding Sign**, facing the same oncoming traffic; *44P2013*

(2) A **Digital Third Party Advertising Sign** must be removed from a ***parcel*** upon expiry of the ***development permit*** for such a ***sign*** if a ***development permit*** application for a **Freestanding Sign** is approved within 30.0 metres of the **Digital Third Party Advertising Sign**; *44P2013*

(3) A **Digital Third Party Advertising Sign**:

(a) must be located at least 300.0 metres from any other **Digital Message Sign** or **Digital Third Party Advertising Sign** when measured from the closest point of the ***sign*** containing the ***digital display*** to the closest point of another ***sign*** containing the ***digital display*** when the ***signs*** are facing the same oncoming traffic; *4P2013*

4P2013 (b) must not be located within 75.0 metres of any **Third Party Advertising Sign** facing the same on-coming traffic and must not result in more than two (2) ***signs*** displaying third party advertising greater than 4.6 metres in height and 4.5 square metres in area within a 225.0 metre radius of each other facing the same ***street***;

4P2013 (c) except where specified in subsection (d), must be located at least the following distances from any ***property line*** shared with a ***street***:

(i) 17.0 metres where the posted speed limit of the public thoroughfare is 100 kilometres per hour or greater;

(ii) 16.0 metres where the posted speed limit of the public thoroughfare is 90 kilometres per hour;

(iii) 14.0 metres where the posted speed limit of the public thoroughfare is 80 kilometres per hour;

(iv) 10.0 metres where the posted speed limit of the public thoroughfare is 70 kilometres per hour; and

(v) 6.0 metres where the posted speed of the public thoroughfare is 60 kilometres per hour or less.

4P2013 (d) may be located closer to a ***property line*** shared with a ***street*** identified in subsection (c) provided that:

(i) the ***sign*** replaces an existing approved **Sign – Class F** on a ***parcel***;

(ii) the ***development permit*** approving the **Sign – Class F** remains in effect; and

(iii) the distance from the ***sign*** to any ***property line*** is not less than that of the existing approved **Sign – Class F**.

(4) Trees required under an approved ***development permit*** must not be removed or altered in any way to accommodate the placement or visibility of a **Digital Third Party Advertising Sign**.

(5) A **Digital Third Party Advertising Sign** must not be located on, or attached to, a roof of a ***building***.

(6) A freestanding **Digital Third Party Advertising Sign** must be separated from:

(a) a **Directional Sign**, exceeding 3.0 square metres in ***sign area***, in a ***street*** right-of-way;

(b) a ***street*** intersection or railway crossing by at least 30.0 metres; and

(c) the curbline or edge of a ***major street***, ***expressway*** or freeway, to the satisfaction of the General Manager Transportation or his delegate.

Height and Size of Digital Third Party Advertising Signs

115.4 **(1)** The maximum height of a wall-mounted or a freestanding-flush **Digital Third Party Advertising Sign** is 10.5 metres and it must not extend above the ***eaveline***.

(2) The maximum height of a freestanding **Digital Third Party Advertising Sign** is 8.3 metres, and if any portion of a freestanding **Digital Third Party Advertising Sign** is located within 6.5 metres of a ***building*** less than 8.3 metres in height, the ***sign*** must not exceed the height of that ***building*** or 6.5 metres, whichever is greater.

(3) The dimensions of the ***sign area*** of a **Digital Third Party Advertising Sign** must not exceed a vertical dimension of 5.8 metres by a horizontal dimension of 7.0 metres, with allowance for a 1.5 metre cut-out to the top and face and a 0.70 metre cut-out to the sides and bottom of the **Digital Third Party Advertising Sign**.

(4) The maximum area of a **Digital Third Party Advertising Sign** must not exceed 25.0 square metres and only one face of a double-faced ***sign*** may be used to calculate ***sign area***.

General Rules for Digital Third Party Advertising Signs *4P2013*

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

(1.1) **Digital Third Party Advertising Signs** with a ***sign area*** greater than 4.5 square metres may only be located in the CR20-C20/R20 District where: *33P2013*

(a) it forms part of a comprehensive ***development***; and

(b) it has been incorporated into the design of a ***building*** or structure.

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

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

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

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

(6) The space between the faces of a double-faced **Digital Third Party Advertising Sign** must be enclosed.

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

(8) A ***development permit*** for a **Digital Third Party Advertising Sign** may only be issued for a period not exceeding three (3) years.

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

(10) When considering a ***development permit*** application for a **Digital Third Party Advertising Sign** referenced in subsection (9), the ***Development Authority***:

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

(b) must not approve the ***development permit*** if a **Freestanding Sign** has been approved and constructed within 30.0 metres of the **Digital Third Party Advertising Sign**;

(c) may only approve the ***development permit*** for the **Digital Third Party Advertising Sign** when the ***use*** is listed in the District; and

(d) must not approve the ***development permit*** for the **Digital Third Party Advertising Sign** when the ***sign*** is located within and the ***digital display*** is visible from 125.0 metres of a ***building*** containing a **Dwelling Unit**.

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: *5P2013*

(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. *48P2020*

Use of Parking and Loading Stalls *13P2008*

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

120 A plan forming part of a ***development permit*** must:

48P2020 (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

48P2020 (c) label ***motor vehicle parking stalls*** for non-residential ***uses***.

Calculation of the Minimum Number of Required Parking and Loading Stalls

121 **(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 *48P2020*

121.1 Where the minimum number of ***motor vehicle parking stalls*** is not specified in Part 4, Table 1.2 provides the minimum parking requirements for the purpose of calculating the number of barrier free designated stalls for use by persons with physical disabilities in accordance with the National Building Code. *48P2020, 27P2021 28P2021, 44P2022*

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

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

48P2020 27P2021 28P2021, 44P2022

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

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

Group D		Minimum Motor Vehicle Parking Requirement
Adult Mini-Theatre **Campground** **Emergency Shelter** **Fertilizer Plant** **Firing Range** **Gaming Establishment – Casino** **Hazardous Waste Management Facility** when not operated by, or on behalf of, the ***City*** **Hide Processing Plant** **Intensive Agriculture** **Inter-City Bus Terminal** **Jail** **Landfill** when not operated by, or on behalf of, the ***City*** **Motorized Recreation** **Natural Resource Extraction** **Pits and Quarries** **Power Generation Facility – Large**	**Race Track** **Refinery** **Salvage Processing – Heat and Chemicals** **Sawmill** **Sewage Treatment Plant,** when no operated by, or on behalf of, the ***City*** **Stock Yards** **Tire Recycling** **Vehicle Storage** **Waste Storage Site** when not operated by, or on behalf of, the ***City*** **Zoo**	Requires ***motor vehicle parking stalls*** based on a parking study required at the time of land use redesignation application.

Group E	Minimum Motor Vehicle Parking Requirement
Bed and Breakfast **Child Care Service** **Cinema** **Custodial Quarters** **Drive Through** **Gaming Establishment – Bingo** **Home Occupation – Class 2** **Hotel** **Instructional Facility**	a. 1.0 ***motor vehicle parking stalls*** per guest bedroom for a **Bed and Breakfast**. b. 1.0 ***motor vehicle parking stalls*** 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**. c. 1.0 ***motor vehicle parking stalls*** per four (4) fixed seats for a **Cinema**. d. 1.0 ***motor vehicle parking stalls*** per **Custodial Quarters**. e. 5.0 ***motor vehicle parking stalls*** for a **Drive Through**.

48P2020
27P2021
28P2021,
44P2022

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

Group E – continued	**Minimum Motor Vehicle Parking Requirement**
	f. 1.0 ***motor vehicle parking stalls*** per 3.5 seats, based on the maximum capacity stated in the ***development permit*** for a **Gaming Establishment – Bingo**. g. *deleted* h. 1.0 ***motor vehicle parking stalls*** where the number of business associated vehicle visits per week exceeds three (3), for a **Home Occupation – Class 2**. i. 1.0 ***motor vehicle parking stalls*** per 2.5 guest rooms for a **Hotel**. j. 1.0 ***motor vehicle parking stalls*** per 5 students for an **Instructional Facility**.

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 *28P2009*

Parking angle (degrees)	Aisle width (metres)	Stall depth perpendicular to aisle (metres)	Stall width parallel to aisle (metres)	
			Dwelling Units	Other Uses
90	7.20	5.40	2.50	2.60
75	6.12	5.64	2.59	2.69
60	4.82	5.49	2.89	3.00
45	4.00	5.00	3.54	3.68

(1.1) The minimum width of a ***motor vehicle parking stall*** when it abuts a physical barrier, is: *28P2009*

(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. *48P2020*

(3) The minimum depth of a ***motor vehicle parking stall*** is 5.9 metres where it is required for: *47P2008, 28P2009*

(a) a **Backyard Suite**, **Contextual Semi-detached Dwelling**, **Contextual Single Detached Dwelling**, **Duplex Dwelling**, **Secondary Suite**, **Semi-detached Dwelling or Single Detached Dwelling**; and *12P2010, 27P2011 24P2014*

(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: *28P2009*

(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* *28P2009*

(6) *deleted* *28P2009*

24P2014

(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**.

47P2008, 28P2009

(8) *deleted*

(9) The minimum vertical clearance of a ***motor vehicle parking stall*** is 2.1 metres.

48P2020

(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.

13P2008, 27P2011, 9P2012, 4P2017

(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

39P2010, 12P2012

123 **(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: *20P2017*

(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**;

44P2022 (m.1) **Hazardous Waste Management Facility**;

44P2022 (m.2) **Landfill**;

(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**;

44P2022 (kk) *deleted*

44P2022 (kk.1) **Waste Storage Site**; 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.

(8) 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

124 **(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: *67P2018*

(a) satisfaction of the test for a relaxation referenced in section 31 or 36; *5P2013*

(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 *13P2018*

(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***.

48P2020 **(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***.

5P2013 **(6)** The ***Development Authority*** may consider a relaxation of Section 116 where:

(a) the test for a relaxation referenced in either Section 31or 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

48P2020 **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***. *34P2026*

(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

127 *deleted* *13P2008*

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

deleted *13P2008*

Map 5: 17th Avenue S. Commercial Parking Area

13P2008 *deleted*

Map 6: 4th Street S.W. Commercial Parking Area

deleted *13P2008*

Division 7: Requirements for Infrastructure Servicing

44P2013

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

32P2009

130 **(1)** Unless otherwise referenced in subsection (7), every definition relating to a ***use*** is the exclusive definition of that ***use***.

(2) Every ***use*** is classified as belonging to a group of ***uses*** as set out in Schedule A to this Bylaw, which is referenced only to compare and contrast related ***uses***.

(3) All subsections and clauses that precede the subsection indicating within which group of ***uses*** a ***use*** belongs in Schedule A are part of the definition of that ***use*** and must not be relaxed in accordance with section 40. All subsections and clauses that follow the ***use*** classification are rules and may be relaxed at the discretion of the ***Development Authority***, in accordance with section 31 or 36, unless this Bylaw specifically provides that it is a rule that must not be relaxed.

(4) Unless otherwise referenced in subsection (7), the ***use*** definitions must not be interpreted to include a ***development*** that clearly falls within another defined ***use***.

(5) Where a ***development*** is capable of being more than one ***use***, the ***use*** under which the ***development*** more clearly fits must govern.

(6) Every definition of a ***use*** must be read to allow for all things necessary or customary for the ***use*** and includes ancillary functions, such as, but not limited to, reception and administration areas, storage areas, toilet facilities, staff rooms, loading and unloading facilities and the storage of fleet vehicles. 14P2010

(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. 67P2008

(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***.

13P2008 **(3)** The ***Development Authority*** must consider a proposed ***development*** as a ***discretionary use*** in accordance with the requirements of Part 2, Division 5 if the ***development permit*** application is for:

71P2008 (a) multiple ***uses*** including at least one ***discretionary use*** that is not a ***sign***; or

(b) a ***permitted use*** which shares a ***use area*** with a ***discretionary use***.

Commencement of Development for a Development Permit Authorizing Multiple Uses

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

Rules for All Uses

133 **(1)** In addition to all of the ***setback area*** rules required by this Bylaw, the ***Development Authority*** must ensure that all the setback requirements contained within the *Subdivision and Development Regulation* are satisfied.

48P2020 **(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.

48P2020 **(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***.

(6) The production, processing, storage or sale of cannabis can only occur where it has been approved through a ***development permit*** for a ***use*** where it is specifically allowed in the ***use*** definition or rules. *25P2018*

Uses Not Listed But Allowed in All Districts

134 (1) The following ***uses*** are ***permitted uses*** in all Districts, regardless of whether they are listed in the District:

(a) **Motion Picture Filming Location**;

(b) **Public Transit System**; *1P2009*

(b.1) **Special Function – Class 1**; and *4P2012*

(c) **Utilities – Linear.** *1P2009*

(2) The following ***uses*** are ***discretionary uses*** in all Districts, regardless of whether they are listed in the District: *41P2009*

(a) Excavation, Stripping and Grading; *16P2018*

(b) **Recyclable Construction Material Collection Depot (temporary)**; and *16P2018*

(c) **Parking Lot** – **Structure** for a **Public Transit System**. *16P2018*

Deemed Uses *32P2009*

134.1 (1) In any ***development permit*** or Direct Control District approved after the effective date of this Bylaw, the following ***uses*** are deemed to be the **General Industrial – Light *use*** when the ***use*** is located in, or the Direct Control District references, the I-C, I-E, I-G or I-R Districts:

(a) **Animal Feed Processor – Class 1**;

(b) **Brewery and Distillery – Class 1**;

(c) **Contractor's Shop – Class 1**;

(d) **Food and Beverage Processor – Class 1**;

(e) **Health Services Laboratory – Without Clients**;

(f) **Household Appliance and Furniture Repair Service**;

(g) **Industrial Design and Testing – Inside**;

(h) **Industrial Repair and Service – Inside**;

(i) **Manufacturer – Class 1**;

(j) **Printing, Publishing and Distributing**; *44P2022*

(j.1) **Specialized Industrial**; and *44P2022*

(k) **Warehouse – Storage Only**.

(2) In any ***development permit*** or Direct Control District approved after the effective date of this Bylaw, the following ***uses*** are deemed to be

the **General Industrial – Medium *use*** when the ***use*** is located in, or the Direct Control District references, the I-C, I-E, I-G or I-R Districts:

(a) **Animal Feed Processor – Class 2**;

(b) **Brewery & Distillery – Class 2**;

(c) **Contractor's Shop – Class 2**;

(d) **Food and Beverage Processor – Class 2**;

(e) **Industrial Design and Testing – Outside**;

(f) **Industrial Repair and Service – Outside**; and

(g) **Manufacturer – Class 2**.

44P2022 **(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 S-URP District:

(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***;

44P2022 (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***;

44P2022 (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***;

44P2022 (g) **Waste Disposal and Treatment Facility** is deemed to be the **Hazardous Waste Management Facility *use*** when ***hazardous waste*** that is produced off-site is collected, stored, treated, or disposed of;

44P2022 (h) **Waste Disposal and Treatment Facility** is deemed to be the **Landfill *use*** when ***waste***, other than ***hazardous waste***, is disposed of by placing it on or in land;

(i) **Waste Disposal and Treatment Facility** is deemed to be the **Waste Storage Site *use*** when ***waste***, other than ***hazardous waste***, is stored in piles or inside ***buildings*** before being transported to another ***parcel*** for treatment or disposal; and 44P2022

(j) **Equipment Yard** is deemed to be the **Storage Yard *use***. 44P2022

(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***: 39P2010

(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***: 24P2014

(a) **Secondary Suite – Detached Garage**; and

(b) **Secondary Suite – Detached Garden**.

(7) In any ***development permit*** or Direct Control District approved after the effective date of this Bylaw, a **Beverage Container Drop-Off Depot** is deemed to be the **Recyclable Material Drop-Off Depot**. 16P2018

(8) In any ***development permit*** or Direct Control District approved after the effective date of this Bylaw: 25P2018

(a) *deleted* 27P2021

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

(9) In any ***development permit*** or Direct Control District approved after the effective date of this Bylaw, the following ***uses*** are deemed to be the **Health Care Service *use***: 27P2021

(a) **Cannabis Counselling**;

(b) **Counselling Service**;

(c) **Health Care Services Laboratory – With Clients**; and

(d) **Medical Clinic**.

(10) In any ***development permit*** or Direct Control District approved after the effective date of this Bylaw, **Market** is deemed to be **Retail and Consumer Service**. 27P2021

27P2021 **(11)** In any ***development permit*** or Direct Control District approved after the effective date of this Bylaw, the following ***uses*** are deemed to be the **Restaurant: Food Service Only *use***:

(a) **Restaurant Food Service – Large**;

65P2023 (b) **Restaurant Food Service – Medium**;

65P2023 (c) **Restaurant Food Service – Small**; and

65P2023 (d) **Take Out Food Service** when liquor is not served or sold on the premises."

27P2021 **(12)** In any ***development permit*** or Direct Control District approved after the effective date of this Bylaw, the following ***uses*** are deemed to be the **Restaurant: Licensed *use***:

(a) **Restaurant: Licensed – Large**;

(b) **Restaurant: Licensed – Medium**;

65P2023 (c) **Restaurant: Licensed – Small**;

65P2023 (d) **Restaurant: Neighbourhood**: and

65P2023 (e) **Take Out Food Service** when liquor is served or sold on the premises."

44P2022 **(13)** In any ***development permit*** or Direct Control District approved after the effective date of this Bylaw, the following ***uses*** are deemed to be the **Vehicle Storage *use***:

(a) **Vehicle Storage – Large**;

(b) **Vehicle Storage – Passenger**; and

(c) **Vehicle Storage – Recreational**.

44P2022 **(14)** 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-B District:

(a) **Specialized Industrial**.

42P2019 **Pop-up Uses**

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

(a) **Amusement Arcade**;

(b) **Artist's Studio**;

(c) **Auction Market - Other Goods**;

(d) **Billiard Parlour**;

32P2020 (d1) **Catering Service – Minor**;

(e) **Cinema**;

(f) **Computer Games Facility**;

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

(h) *deleted* *27P2021*

(i) **Fitness Centre**;

(i.1) **Food Kiosk**; *32P2020*

(i.2) **Health Care Service**; *27P2021*

(j) **Indoor Recreation Facility**;

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

(l) **Instructional Facility**;

(m) **Library**;

(n) *deleted* *27P2021*

(o) *deleted* *27P2021*

(p) **Museum**;

(q) **Office**;

(r) **Performing Arts Centre**;

(s) **Pet Care Service**;

(t) **Print Centre**;

(t.1) **Restaurant: Food Service Only**; *27P2021*

(t.2) *deleted* *27P2021*

(t.3) *deleted* *27P2021*

(t.4) **Restaurant: Licensed**; *27P2021*

(t.5) *deleted* *27P2021*

(t.6) *deleted* *27P2021*

(t.7) *deleted* *27P2021*

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

(v) **Specialty Food Store**;

(v.1) *deleted* *32P2020, 65P2023*

(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 use**s**" are located:

(i) in M-H1, M-H2, M-H3, M-X1, M-X2, in all ***commercial districts***, in I-G, I-B, I-E, I-C, I-R, in all ***mixed use***

districts, in CC-MHX, CC-ET, CC-EIR, CC-EMU, CC-EPR, and CR20-C20/R20; and

(ii) on a ***parcel*** designated as a Direct Control District, designated after the effective date of this Bylaw, and the Direct Control District is based on the land use districts listed in subsection (i);

(b) the "pop-up uses" operate, excluding the time used to erect the activity, for a maximum of:

(i) 4 consecutive days; and

(ii) 50 cumulative days in a calendar year;

(c) the ***use area*** is located on the ground floor of a ***building*** or within an enclosed shopping mall; and

32P2020 (d) may display merchandise related to the ***use*** outside of a ***building***, provided the merchandise does not impede pedestrian movement

42P2019 **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**;

32P2020 (a.1) **Catering Service – Minor**;

32P2020 (a.2) **Food Kiosk**;

32P2020 (a.3) **Fitness Centre**;

32P2020 (a.4) **Indoor Recreation Facility**;

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

32P2020, 27P2021 (b.1) *deleted*

(c) **Office**;

(d) **Print Centre**;

27P2021 (d.1) **Restaurant: Food Service Only**;

27P2021 (d.2) *deleted*

27P2021 (d.3) *deleted*

27P2021 (d.4) **Restaurant: Licensed***;*

27P2021 (d.5) *deleted*

27P2021 (d.6) *deleted*

27P2021 (d.7) *deleted*

65P2023 (e) **Retail and Consumer Service**; and

(f) **Specialty Food Store.** *65P2023*

(g) *deleted* *32P2020, 65P2023*

(2) **"**interim uses**"** may occur where:

(a) the "**Interim Uses**" are located:

(i) in M-H1, M-H2, M-H3, M-X1, M-X2, in all ***commercial districts***, in I-B, I-E, I-C, in all ***mixed use districts***, in CC-MHX, CC-ET, CC-EIR, CC-EMU, CC-EPR, and CR20-C20/R20; and

(ii) on a ***parcel*** designated as a Direct Control District, designated after the effective date of this Bylaw, and the Direct Control District is based on the land use districts listed in subsection (i);

(b) the "interim uses" operate, excluding the time used to erect the activity, for a maximum of:

(i) 6 consecutive months; and

(ii) 6 months in a calendar year;

(c) the ***use area*** is located on the ground floor of a ***building*** or within an enclosed shopping mall; and

(d) may display merchandise related to the ***use*** outside of a ***building***, provided the merchandise does not impede pedestrian movement. *32P2020*

Division 2: Defined Uses

Defined Terms

135 In this Bylaw, the following terms have the following meanings.

136 *deleted* *65P2023*

137 *deleted* *65P2023*

138 "Accessory Residential Building"

12P2010, 5P2013, 44P2013,24P2014

(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

15P2016

(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***.

139 "Addiction Treatment"

(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***.

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;

(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***;

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 250.0 square metres of ***gross usable floor area***.

32P2009 **142** *deleted*

32P2009 **143** *deleted*

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***;

32P2009 (b) is a ***use*** within the General Industrial Group in Schedule A to this Bylaw;

48P2020 (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; *32P2009*

(c) *deleted* *48P2020*

(d) does not require ***bicycle parking stalls – class 1***; and

(e) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 2000.0 square metres of ***gross usable floor area***.

146 "Assisted Living" *24P2011*

(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;

48P2020 (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;

16P2018 (c) *deleted*

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***.

149 "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* *16P2018*

(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* *13P2009*

(j) *deleted* *13P2009*

(k) *deleted* *48P2020*

(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***.

150 "Auto Service – Major"

(a) means a ***use***:

67P2008,71P2008, 44P2013, 29P2016

(i) where motor vehicles with a ***gross vehicle weight*** equal to or less than 4536 kilograms are serviced and repaired in a ***building***; and

67P2008

(ii) that is capable of servicing or repairing four or more motor vehicles at a time;

67P2008

(iii) *deleted*

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

67P2008

(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;

47P2008

(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:

16P2018

(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;

48P2020

(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 *67P2008, 71P2008, 44P2013, 29P2016*

(ii) where no more than three motor vehicles are capable of being serviced or repaired at a time; *67P2008*

(iii) *deleted* *67P2008*

(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; *67P2008, 16P2018*

(c) *deleted* *67P2008*

(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***; *47P2008*

(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:

(i) *deleted* *16P2018*

(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;

48P2020 (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***.

32P2009 **152** *deleted*

32P2010 **153** *deleted*

24P2014, 15P2016 **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**;

21P2024 (v) is considered part of and secondary to a **Dwelling Unit**; and

21P2024 9P2026 4P2017, 62P2018, 56P2022, 21P2024 9P2026 (vi) except as otherwise indicated in subsection (vii), (viii) and (ix), 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*** with a single **Dwelling Unit**;

21P2024 9P2026 (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;** and

"(ix) may be located on the same ***parcel*** as a **Dwelling Unit** in a **Contextual Semi-detached Dwelling** or a **Semi-detached Dwelling**, if approved prior to August 4, 2026;

(b) is a ***use*** within the Residential Group in Schedule A to this Bylaw; *21P2024 9P2026*

(c) requires a minimum of 1.0 ***motor vehicle parking stalls***; and *21P2024 9P2026*

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

154 "Bed and Breakfast"

(a) means a ***use***: *27P2011*

(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; *13P2008*

(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**; *27P2011*

(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* *14P2010*

(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***; *27P2011*

(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***.

37P2014, 16P2018 **155** *deleted*

155.1 "Beverage Container Quick Drop Facility" *37P2014*

(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 ***recyclables*** from the premise between the hours of 9:00pm-7:00am; *44P2022*

(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***;

44P2022 (ii) may be required to demonstrate how impacts such as debris, grocery carts, litter or ***recyclables*** will be managed;

48P2020 (e) *deleted*

(f) does not require ***bicycle parking stalls – class 1***; and

(g) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

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;

48P2020 (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***.

22P2016 **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; *33P2019*

(vi) that may include the retail sale for consumption off the premises, and sale for consumption on the premises, of alcoholic beverages made off the premises for one year after commencement of the ***use***, or those beverages made in collaboration with another **Brewery**, **Winery** and **Distillery**; *33P2019*

(vii) that may have a maximum of 10.0 square metres of ***public area*** used for the purpose of providing entertainment; *33P2019*

(viii) where the private hospitality area and the ***public area*** may be separate floor areas or may occur in the same floor area, but whether these activities are combined or separate, the ***public area*** may not exceed the maximum area in subsection (a)(v) unless combined with another ***use*** as contemplated in subsection (c); and *33P2019*

(ix) that may include the preparation and sale of food for consumption on the premises to private groups in the private hospitality area and to the general public in the ***public area***. *33P2019*

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

(c) may be combined with a **Drinking Establishment – Large**, **Drinking Establishment – Medium**, **Drinking Establishment – Small** or **Restaurant: Licensed** when one of these ***uses*** is also a listed ***use*** in the same ***district*** as a **Brewery**, **Winery** and **Distillery**, but the maximum total ***public area*** of the combined ***uses*** is the largest ***public area*** allowed in one of the combined ***uses***; *27P2021*

(d) when the ***use*** includes a ***public area***, it must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a facade that faces a ***residential district*** or abuts a ***lane*** separating the ***parcel*** from a ***residential district***;

(e) when the ***use*** includes a ***public area***, it must not have an exterior entrance located on a façade 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;

48P2020 (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***.

32P2009 **157** *deleted*

32P2009 **158** *deleted*

32P2009 **158.1 "Building Supply Centre"**

(a) means a ***use***:

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

(ii) that may include the incidental sales and rental of products and equipment related to the materials and supplies being sold;

(iii) that may include the sale and rental of tools and construction equipment;

(iv) that may include the outdoor storage of the materials and supplies being sold or rented; and

(v) that does not include the sale of home furnishings, household appliances, furniture or electronics;

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

(c) that has maximum ***gross floor area*** of 3500.0 square metres;

(d) *deleted* *48P2020*

(e) does not require ***bicycle parking stalls – class 1***; and

(f) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 2000.0 square metres of ***gross usable floor area***.

159 "Bulk Fuel Sales Depot"

(a) means a ***use***:

(i) where fuel for motor vehicles and trucks is sold either with or without an attendant; and

(ii) where the vehicles receiving fuel have a ***gross vehicle weight*** greater than 4536 kilograms; *54P2008, 44P2013, 29P2016*

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

(c) *deleted* *48P2020*

(d) does not require ***bicycle parking stalls – class 1***; and

(e) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 2000.0 square metres of ***gross usable floor area***.

160 "Campground"

(a) means a ***use***:

(i) where spaces are provided for temporary accommodation in ***recreational vehicles*** or tents;

(ii) that may include a ***building*** for the administration of the ***use***;

(iii) that may include laundry facilities for the occupants of the ***use***; and

(iv) that must be approved only on a ***parcel*** designated as a Direct Control District that specifically includes **Campground** as a ***use***;

(b) is a ***use*** within the Direct Control Uses Group in Schedule A to this Bylaw;

(c) requires a minimum number of ***motor vehicle parking stalls*** based on a parking study required at the time of land use redesignation application; and

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

25P2018, 48P2020, 27P2021

160.1 *deleted*

160.2 "Cannabis Facility" 25P2018

(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; 26P2018

(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* 48P2020

(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***. 46P2019

25P2018

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* *48P2020*

(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***:

71P2008, 44P2013, 29P2016

(i) where motor vehicles with a ***gross vehicle weight*** equal to or less than 4536 kilograms are washed; and

9P2012

(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;

47P2008

(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;

9P2012

(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:

16P2018

(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

48P2020

(g) *deleted*

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

162 "Car Wash – Single Vehicle"

(a) means a ***use***:

44P2013, 29P2016

(i) where motor vehicles with a ***gross vehicle weight*** equal to or less than 4536 kilograms are washed; and

71P2008

(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***; *47P2008*

(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* *16P2018*

(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* *48P2020*

(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* *48P2020*

(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

48P2020 (c) *deleted*

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

17P2009 **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

16P2018, 44P2022 (iii) that includes day cares, pre-schools, out-of-school care, ***early childhood services*** 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;

54P2008 (c) must have ***screening*** for any outdoor play areas;

48P2020 (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* 48P2020

(e) does not require ***bicycle parking stalls – class 1***; and

(f) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

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* 48P2020

(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.

169 "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;

33P2019 (ii) that has recreation space within a ***building***;

(iii) that may have outdoor sports fields and equipment on the same ***parcel*** as the ***building***;

33P2019 (iv) where approved facilities are temporarily used to process and prepare locally-grown food with permission by, or on behalf of, the ***City***;

33P2019 (v) that may include ***local food sales***; and

33P2019 (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;

48P2020 (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* *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***.

170.1 "Conference and Event Facility" *67P2008*

(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* *48P2020*

(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***.

27P2011, 24P2014

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***.

47P2008, 12P2010, 24P2014

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;

9P2012

(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***.

172 *deleted* *32P2009*

173 *deleted* *32P2009*

174 **"Convenience Food Store"**

(a) means a ***use***:

(i) where fresh and packaged food is sold; *13P2008*

(ii) where daily household necessities may be sold; *13P2008*

(iii) that is entirely within a ***building***;

(iv) that has a maximum ***gross floor area*** of 465.0 square metres; *9P2012, 5P2013*

(v) that may display the items for sale within the ***use*** outside of a ***building*** a maximum distance of 6.0 metres from the public entrance of the ***use***; and

(vi) that may include the preparation of food and non-alcoholic beverages for human consumption;

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

(b.1) may have a maximum floor area of 7.5 square metres to accommodate a seating area; *9P2012*

(c) must not locate any outdoor display area in a required ***setback area***, a parking area or on a sidewalk, if it impedes pedestrian movement;

(d) *deleted* *48P2020*

(e) does not require ***bicycle parking stalls – class 1***; and

(f) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

175 **"Cottage Housing Cluster "** *13P2008, 24P2014*

(a) means a ***use***:

(i) that is a grouping of ***cottage buildings*** around an open space; and

(ii) where no **Dwelling Unit** is located wholly or partially above another **Dwelling Unit**;

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

(c) that has a minimum of four ***cottage buildings***;

(d) that has a maximum of twelve ***cottage buildings***;

(e) requires a minimum of 1.0 ***motor vehicle parking stalls*** per **Dwelling Unit** with a floor area equal to or greater than 45.0 square metres, not including areas covered by stairways;

(f) requires a minimum of 0.15 ***visitor parking stalls*** per **Dwelling Unit**; and

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

48P2020, 27P2021

176 *deleted*

5P2013

177 **"Crematorium"**

(a) means a ***use***:

(i) where the deceased are incinerated and the ashes of the deceased are collected for interment; and

(ii) that may provide services such as the preparation of the deceased for burial, the organization and direction of funeral services, and the facilities for the purpose of viewing a body;

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

48P2020

(c) *deleted*

(d) does not require ***bicycle parking stalls – class1***; and

(e) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 2000.0 square metres of ***gross usable floor area***.

177.1 "Cultural Support" *33P2013*

(a) means a ***use***:

(i) where support functions necessary for a cultural organization's day-to-day operations are provided and which may include, but is not limited to, administrative support, meeting rooms, storage, set production and rehearsal space;

(ii) where the primary cultural objective of the organization, which is intended for public viewing or sale, is not located in the same ***use area***; and

(iii) that must only be located in a publicly accessible space that has been approved by a ***development permit*** as a 'Cultural Support Space' in accordance with incentive item 8.11 of the Incentive Density Table contained in Part 13 Division 3 of this Bylaw.

(b) is a ***use*** within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) does not require ***motor vehicle parking stalls***; and

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

178 "Custodial Care" *24P2011*

(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

48P2020 (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* *48P2020*

(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;

67P2008

(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;

9P2012

(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***; *67P2008, 51P2008, 75P2008, 9P2012*

(f) *deleted* *48P2020*

(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; *9P2012*

(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***;

(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***;

67P2008, 51P2008, 75P2008, 20P2017

(e) 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***;

48P2020

(f) *deleted*

(g) does not require ***bicycle parking stalls – class 1***; and

(h) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***public area***.

184 "Drinking Establishment – Small"

(a) means a ***use***:

(i) where liquor is sold for consumption on the premises;

9P2012

(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;

(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* 48P2020

(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* 48P2020

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

186 "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***;

32P2009 (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;

48P2020 (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; *24P2011*

(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;

(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.

32P2009, 44P2022

190 *deleted*

191 "Extensive Agriculture" *49P2017*

(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 closet 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"

43P2015 (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

48P2020 (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* *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***.

195.1 "Fleet Service" *32P2009*

(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;

16P2018 (c) must provide a stall for every vehicle stored on the ***parcel***;

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***;

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" 49P2017

(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; 33P2019

(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* 48P2020

(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, ***hazardous waste***, or ***waste***. *44P2022*

(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* *48P2020*

(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 *39P2010*

(c) *deleted* *48P2020*

(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

(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

48P2020

(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***: *13P2009*

(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* *48P2020*

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

32P2009 **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

44P2022 (C) the crushing, dismantling, sorting or processing of collected materials that include ***recyclables***, where activities that involve chemicals or the application of heat are contained within a fully enclosed ***building***;

49P2017 (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;

49P2017, 44P2022 (iii) where dust or vibration may be seen or felt beyond the ***parcel*** containing the ***use***;

49P2017, 44P2022 (iv) that may include **Food Production**; and

44P2022 (v) that may not include any of the following ***uses***:

(A) **Hazardous Waste Management Facility**;

(B) **Landfill**; or

(C) **Waste Storage Site**;

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

48P2020 (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" *32P2009*

(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 collected materials that include ***recyclables***, that may involve chemicals or the application of heat; *44P2022*

(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; *39P2010*

(ii) that may include any of the following ***uses***:

(A) *deleted*; *39P2010*

(B) **Health Services Laboratory – Without Clients**; *49P2017*

(C) **Printing, Publishing and Distributing**; and *49P2017*

(D) **Food Production**; *49P2017*

(iii) where all of the processes and functions associated with the ***use*** are contained within a fully enclosed ***building***; *44P2022*

44P2022 (iv) where no dust or vibration is seen or felt outside of the ***building*** containing the ***use***; and

44P2022 (v) that may not include any of the following ***uses***:

(A) **Hazardous Waste Management Facility**;

(B) **Landfill**; or

(C) **Waste Storage Site**;

(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;

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***.

32P2009 **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;

44P2022 (D) the crushing, dismantling, sorting or processing of collected materials that include ***recyclables***, where activities that involve chemicals or the application of heat are contained within a fully enclosed ***building***;

(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; *49P2017*

(iii) where dust or vibration may be seen or felt outside of the ***building*** containing the ***use*** provided it is contained on the ***parcel***; *49P2017, 44P2022*

(iv) that may include **Food Production**; and *49P2017, 44P2022*

(v) that may not include any of the following ***uses***: *44P2022*

(A) **Hazardous Waste Management Facility**;

(B) **Landfill**; or

(C) **Waste Storage Site**;

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

(c) *deleted* *48P2020*

(d) does not require ***bicycle parking stalls – class 1***; and

(e) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 2000.0 square metres of ***gross usable floor area***.

203.4 "Hazardous Waste Management Facility" *44P2022*

(a) means a ***use***:

(i) where ***hazardous waste*** that is produced off-site is collected, stored, treated, or disposed of;

(ii) where there may be a ***building*** for the administrative functions of the ***use***; and

(iii) that may be subject to specific setback requirements listed in a Provincial regulation;

(b) is a ***use*** within the Infrastructure 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***.

15P2008, 48P2020, 27P2021, 62P2025

204 "Health Care Service"

(a) means a ***use*** that provides physical and mental health services for both inpatient and outpatient care. Services may be preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature;

(b) may only involve the following activities when located in the M-H1, M-H2, M-H3, M-X1, M-X2, I-R, S-URP Districts:

(i) counselling;

62P2025 (b.1) allows for the recovery from surgical services or other medical treatment which may include overnight stays where the ***use***:

(i) is not located within those areas identified in the Calgary International Airport Vicinity Protection Area Regulation as falling within Noise Exposure Forecast contours 30-40+; and

(ii) does not include emergency, intensive, or long-term care

(c) is a ***use*** within the Care and Health Group in Schedule A to this Bylaw;

(d) does not require ***bicycle parking stalls – class 1***; and

(e) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

205 "Health Services Laboratory – Without Clients"

13P2008 (a) means a ***use***:

(i) where any of the following activities occur:

(A) bodily samples are tested;

(B) medical assessments and research are conducted; or

(C) prosthetics, dental aids or medical devices are serviced; and

(ii) where no members of the public visit the ***use*** for any reason;

(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***;

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 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

(ii) 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" *17P2009, 28P2021 46P2021*

(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*** 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 not be located in a **Dwelling Unit** containing another **Home Based Child Care – Class 1** or **Home Occupation – Class 2**;

(c.1) must not display any ***signs*** related to the ***use*** on the ***parcel***; *5P2013,*

(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***.

17P2009 16P2018 28P2021

206.2 *deleted*

67P2008, 14P2010, 9P2012

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;

44P2013 (d) may only have residents of the **Dwelling Unit** work on the ***parcel*** where the ***use*** is located;

16P2018 (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;

16P2018 (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" *14P2010, 9P2012*

(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; *44P2013*

(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; *5P2013*

(n) must not directly sell any goods at the premises, unless they are incidental and related to the services provided by the ***use***; *5P2013, 44P2013*

(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 *5P2013, 44P2013*

business associated vehicle visits per week exceeds three (3); and

44P2013 (p) does not require ***bicycle parking stalls*** – ***class 1*** or ***class 2***.

14P2010 **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***; *67P2008, 20P2017*

(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* *48P2020*

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

39P2012 **210** *deleted*

211 "Indoor Recreation Facility"

(a) means a ***use***:

(i) contained within a ***building*** that has been specifically built or adapted to provide athletic, recreation or leisure activities; *32P2009*

(ii) where the specifically built facilities are things such as swimming pools, skating rinks, or gymnasia;

(iii) that may have outdoor sports fields on the same ***parcel*** as the ***building***; and

(iv) that may provide a seating area for the occasional viewing of the sport or athletic activity associated with the ***use***;

(b) is a ***use*** within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) *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*

212 *deleted* *32P2009*

213 *deleted* *32P2009*

214 *deleted* *32P2009*

215 *deleted* *32P2009*

216 "Information and Service Provider"

(a) means a ***use***:

(i) where services, expertise or access to information, other than professional services, are provided to a broad spectrum of the public without appointment;

(ii) that may have a counter where the clients may take a number or wait in a line to be served; and

(iii) that does not have facilities for the storage, production or sale of goods directly to the public;

(b) is a ***use*** within the Sales Group in Schedule A to this Bylaw; *39P2010*

(c) *deleted* *48P2020*

(d) requires a minimum of 1.0 ***bicycle parking stalls – class 1*** per 1000.0 square metres of ***gross usable floor area***; and

(e) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 1000.0 square metres of ***gross usable floor area***.

32P2009

217 "Instructional Facility"

(a) means a ***use***:

(i) where instruction, training or certification in a specific trade, service or skill are provided;

(ii) that includes, but is not limited to, instruction and training in building trades, dance, music, martial arts, cooking, computers, driving, climbing, gymnastics and other similar instruction;

(iii) where the instruction, training or certification is provided to individuals engaged in a scheduled program of instruction and must not be available to a broad spectrum of the public on a drop-in basis; and

(iv) that is not a **School – Private**, **School Authority – School** or a **Post-secondary Learning Institution**;

(b) is a ***use*** within the Teaching and Learning Group in Schedule A to this Bylaw;

(c) when located in the C-N1, C-N2, and C-COR1 Districts, must not exceed 30 people, including both students and teachers, at any given time;

(d) may provide all, or part, of the instruction or training outside of a ***building*** when located in the I-G or S-CRI Districts;

(e) may be located within a ***building*** containing a **Post-secondary Learning Institution**:

(i) when the ***building*** is on a ***parcel*** designated as S-CI District; and

(ii) when there are no ***signs*** of any type, related to the **Instructional Facility**, located outside of the ***building***;

48P2020

(f) *deleted*

(g) does not require ***bicycle parking stalls – class 1***; and

(h) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

217.1 "Intensive Agriculture" *49P2017*

(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 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 a land use redesignation application; and

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

218 *deleted* *14P2010*

218.1 "Inter-City Bus Terminal" *14P2010*

(a) means a ***use***:

(i) that utilizes public or commercial transit vehicles for pick-up or drop-off of passengers;

(ii) that may include loading and unloading areas, freight handling, shelters, restrooms, concessions, benches, information offices, other office uses, parking, ticket sales, and landscaping;

(iii) where transit modes served may include, without limitation, bus services, taxi, commuter rail, and light rail;

(iv) that may be designed for the parking of motor-driven buses; and

(v) that may allow for the storing of goods and supplies or motor vehicles such as buses, and other transit vehicles;

(b) is a ***use*** within the Direct Control Uses in Schedule A to this Bylaw;

(c) requires a minimum number of ***motor vehicle parking stalls*** based on a parking study required at the time of land use redesignation application;

(d) requires a minimum of 8.0 ***bicycle parking stalls – class 1***; and

(e) requires a minimum of 10.0 ***bicycle parking stalls – class 2*** or 10.0 per cent of the minimum required ***motor vehicle parking stalls***, whichever is greater.

219 "Jail"

(a) means a ***use***:

(i) where people are confined in lawful detention; and

(ii) that must be approved only on a ***parcel*** designated as a Direct Control District that specifically includes **Jail** as a ***use***;

(b) is a ***use*** within the Direct Control Uses Group in Schedule A to this Bylaw; and

(c) requires a minimum number of ***motor vehicle parking stalls***, based on a parking study required at the time of land use redesignation application.

220 "Kennel"

(a) means a ***use***:

(i) where domestic animals are boarded overnight or for periods greater than 24 hours;

(ii) that does not include **Pet Care Service**, **Veterinary Clinic** or Veterinary Hospital;

(iii) that may provide for the incidental sale of products relating to the services provided by the ***use***; and

46P2019 (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

48P2020 (d) *deleted*

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

220.1 "Landfill" *44P2022*

(a) means a ***use***:

(i) where ***waste***, other than ***hazardous waste***, is disposed of by placing it on or in land;

(ii) where ***waste***, other than ***hazardous waste***, may be treated in ***buildings*** and structures or areas open to the air;

(iii) where there may be a ***building*** for the administrative functions of the ***use***; and

(iv) that may be subject to specific setback requirements listed in a Provincial regulation;

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

(c) must be designed, operated and maintained according to Provincial regulations;

(d) does not require ***motor vehicle parking stalls***; and

(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; *14P2010*

(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***; *16P2018*

(g) must provide a designated storage area for all equipment stored on the ***parcel***; *16P2018*

(h) *deleted* *48P2020*

(i) does not require ***bicycle parking stalls – class 1***; and

(j) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

222 "Large Vehicle Service"

44P2013, 29P2016

(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

48P2020

(c) *deleted*

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

223 "Large Vehicle Wash"

44P2013, 29P2016

(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;

47P2008

(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:

16P2018

(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

48P2020

(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* *48P2020*

(d) does not require ***bicycle parking stalls – class 1***; and

(e) requires a minimum of 0.5 ***bicycle parking stalls – class 2*** per 100.0 square metres of ***gross usable floor area***. *6P2021*

225 "Liquor Store"

(a) means a ***use*** where alcoholic beverages are sold for consumption off the retail outlet premises, that has been licensed by the Alberta Gaming and Liquor Commission;

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

(c) in the C-N1 and C-N2 Districts, must only be located on a ***parcel*** with a front ***property line*** on a ***major street*** or a primary collector ***street***;

(d) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 300.0 metres of any other **Liquor Store**, when measured from the closest point of a **Liquor Store** to the closest point of another **Liquor Store**; *13P2015*

(e) in all ***commercial***, ***industrial*** and ***mixed use districts***, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not be located within 150.0 metres of a ***parcel*** that contains a **School – Private** or a **School Authority – School**, when measured from the closest point of a **Liquor Store** to the closest point of a ***parcel*** that contains a **School Authority – School** or a **School – Private**; *13P2015, 20P2017*

(e.1) in all Centre City East Village Districts, **Liquor Stores** must not be located: *13P2017*

(i) within 150.0 metres of a ***parcel*** that contains an **Emergency Shelter**, when measured from the closest point of a **Liquor Store** to the closest point of a ***parcel*** that contains an **Emergency Shelte**r; and

(ii) on ***parcels*** north of 5 Avenue SE and west of 4 Street SE;

25P2018 (e.2) in all Districts, not including the C-R2, C-R3 and CR20-C20/R20 Districts, must not:

(i) abut a **Cannabis Store**;

(ii) if not for one or more intervening ***actual side setback areas***, abut a **Cannabis Store**; and

(iii) when located on the same ***parcel***, if not for a vacant space between ***buildings***, not including an internal road, abut a **Cannabis Store**.

48P2020 (f) *deleted*

(g) does not require ***bicycle parking stalls – class 1***; and

(h) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

226 "Live Work Unit"

(a) means a ***use***:

(i) where a business is operated from a **Dwelling Unit**, by the resident of the **Dwelling Unit**, but does not include a **Home Occupation – Class 1** or **Home Occupation – Class 2**;

13P2008, 39P2010, 33P2013, 20P2017 (ii) that may incorporate only the following ***uses*** in a **Dwelling Unit** to create a **Live Work Unit** when located in the ***commercial districts***, ***mixed use districts***, CC-EMU,CC-ET, CC-EIR or CR20-C20/R20 District:

(A) **Artist's Studio**;

27P2021 (B) **Health Care Service**;

(C) **Instructional Facility**;

(D) **Office**; and

(E) **Retail and Consumer Service**, provided any products sold are also made on the premises or directly related to the service provided;

13P2008, 39P2010, 56P2022 (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***, the H-GO District, or the CC-EPR District:

(A) **Artist's Studio**;

(B) **Health Care Service**; 27P2021

(C) **Office**; and 67P2008

(D) **Retail and Consumer Service**, provided any products sold are also made on the premises or directly related to the service provided; and 67P2008

(iv) that, in the ***multi-residential districts***, must be contained within a **Multi-Residential Development**;

(v) where the **Health Care Service** use is limited to the following activities: 27P2021

(A) counselling;

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

(c) must not exceed 50.0 per cent of the ***gross floor area*** of the **Dwelling Unit**;

(d) may have two persons, other than a resident of the **Live Work Unit**, working at the residence where the ***use*** is located; and 13P2008, 9P2012

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

227 "Manufactured Home"

(a) means a residential ***building***:

(i) that is intended for year round occupancy, containing one **Dwelling Unit**;

(ii) that is constructed on a permanent undercarriage or chassis;

(iii) that is designed with the capability of being transported, from time to time, from one location to another without the necessity of being placed on a permanent foundation; and

(iv) that is not a ***recreational vehicle***; *15P2008*

(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***.

228 "Manufactured Home Park"

(a) means a ***use***:

(i) that provides sites for two or more **Manufactured Homes** on a ***parcel***;

(ii) that must provide on-site laundry and recreation facilities for the occupants of the ***use***;

(iii) that must provide administration facilities for the management of the ***use***; and

(iv) that may have ***buildings*** for the recreational activities of the ***use***;

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

(c) requires a minimum of 1.0 ***motor vehicle parking stalls*** per **Manufactured Home** located on the ***parcel***;

(d) requires a minimum of 0.1 ***visitor parking stalls*** per **Manufactured Home** located on the ***parcel***; and

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

32P2009 **229** *deleted*

32P2009 **230** *deleted*

32P2009 **231** *deleted*

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

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

233 *deleted* *48P2020, 27P2021*

233.1 *deleted* *7P2014, 25P2018*

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

32P2009 **234** *deleted*

46P2009 **235** *deleted*

236 "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***;

32P2009

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

48P2020

(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" *67P2008*

(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) *deleted* *56P2022*

(iv) where a minimum of 50.0 per cent of the ***units*** in a ***development*** with a minimum of three ***units*** and a maximum of nine ***units*** are provided in ***buildings*** containing two or more ***units***; and *56P2022*

(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; *24P2014*

(d) requires a minimum number of ***motor vehicle parking stalls*** as referenced in Part 6, Division 1 or Part 11; *51P2008*

(e) requires a minimum number of ***visitor parking stalls*** as referenced in Part 6, Division 1 or Part 11; and *51P2008*

(f) requires a minimum number of ***bicycle parking stalls – class 1*** and ***class 2*** as referenced in Part 6, Division 1 or Part 11. *51P2008*

240 "Multi-Residential Development – Minor"

(a) means a ***use***: *67P2008*

(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;

24P2014

(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;

13P2008

(iii) that may store and service equipment, vehicles, LRT trains and other municipal vehicles;

13P2008

(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* *48P2020*

(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*

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.

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* *48P2020*

(h) does not require ***bicycle parking stalls – class 1***; and

(i) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***public area***.

246 "Office"

(a) means a ***use***:

(i) where business people, professional, clerical and administrative staff work in fields other than medical or counselling fields;

(ii) that provides services to either a select clientele or no clients, and therefore has limited contact with the public at large;

(iii) that may have a reception area;

(iv) that may contain work stations, boardrooms, and meeting rooms; and

(v) that does not have facilities for the production or sale of goods directly to the public inside the ***use***;

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

67P2008 (c) *deleted*

48P2020 (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.

14P2010, 51P2008, 26P2010, 7P2011

247 "Outdoor Café"

(a) means a ***use***:

(i) where food or beverages are served or offered for sale for consumption on a portion of the premises which are not contained within a fully enclosed ***building***; and

22P2016 (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* 32P2020

(e) must not be combined with a **Drinking Establishment – Small** when located in the M-H2 or M-H3 districts;

(f) *deleted* 32P2020

(g) *deleted* 32P2020

(h) does not require ***motor vehicle parking stalls***; and 18P2018

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

248 "Outdoor Recreation Area"

(a) means a ***use***:

(i) where people participate in sports and athletic activities outdoors;

(ii) where the sport or athletic activity is not **Motorized Recreation** or **Firing Range**;

(iii) that may include a ***building*** containing change rooms, washrooms or showers and rooms for the administrative functions required to operate the ***use***; and

(iv) that may provide a temporary seating area for the viewing of the sport or athletic activity associated with the ***use***;

(b) is a ***use*** within the Culture and Leisure Group in Schedule A to this Bylaw; and

(c) *deleted* 48P2020

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

249 "Park"

(a) means a ***use***: *33P2019*

(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; *13P2008*

(c.1) may have small sheds less than 10.0 square metres in ***gross floor area*** for park maintenance equipment and materials; *13P2008*

(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***.

250 "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; *13P2008*

(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) *51P2008, 75P2008*

(a) means a ***use***:

(i) where motor vehicles are parked for a short duration independent of the provision of any other ***use***; *16P2018, 46P2019*

(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 *16P2018*

(ii) where a parking lot is designed for the parking of vehicles in tiers of floors; *13P2008*

(iii) where all ***buildings*** related to the ***use*** have a total ***gross floor area*** of 300.0 square metres or less; *13P2008*

(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

13P2008 (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;

13P2008 (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

16P2018 (ii) must provide 1.0 ***motor vehicle parking stalls*** for every inventory vehicle on the ***parcel***;

43P2015 (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**;

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 250.0 square metres of ***gross usable floor area***.

43P2015 **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, pawnbrokering, 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);

48P2020 (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 100.0 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* *39P2010*

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; *39P2010*

(c) must not have any outside enclosures, pens, runs or exercise areas;

(d) *deleted* *14P2010*

(e) *deleted* *48P2020*

(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* *39P2010*

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;

41P2009 (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***;

36P2011 (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;

48P2020 (d) *deleted*

(e) does not require ***bicycle parking stalls – class 1***; and

6P2021 (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; *41P2009*

(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* *48P2020*

(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***. *6P2021*

262 "Place of Worship – Small"

(a) means a ***use***:

(i) where people assemble for religious or spiritual purposes;

41P2009 (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***;

48P2020 (d) *deleted*

(e) does not require ***bicycle parking stalls – class 1***; and

6P2021 (f) requires a minimum of 0.5 ***bicycle parking stalls – class 2*** per 100.0 square metres of ***gross usable floor area***.

263 "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***.

264 "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

13P2014 (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***;

68P2008 (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;

68P2008 (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***;

68P2008 (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***:

38P2013 (i) where electrical power is generated;

68P2008, 38P2013 (ii) where the total power generation capacity is between 10 watts and 1.0 megawatts; and

38P2013 (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: *68P2008*

(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***; *68P2008*

(e) does not require ***motor vehicle parking stalls***; and

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

267 "Print Centre" *32P2009*

(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; *39P2010*

(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***.

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***; *13P2008, 32P2009*

(ii) that may include the binding of printed materials;

(iii) *deleted* *32P2009*

(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, 56P2022 **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, ***BRT stations***, ***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" *9P2012*

(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* *48P2020*

(d) does not require ***bicycle parking stalls – class 1***; and

(e) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 2000.0 square metres of ***gross usable floor area***.

273 "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***;

16P2018 (f) must provide a stall for every inventory vehicle on the ***parcel***;

48P2020 (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***.

274 "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

48P2020 (c) *deleted*

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

274.1 "Recyclable Construction Material Collection Depot (temporary)" *41P2009*

(a) means a ***use***:

(i) where collected materials that include ***recyclables*** from the construction of ***buildings*** on other ***parcels*** are stored prior to their removal and processing on a different ***parcel***; *44P2022*

(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 **Hazardous Waste Management Facility**, **Landfill**, or **Waste Storage Site**; *44P2022*

(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; *41P2009*

(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***.

16P2018

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

44P2022

(ii) other types of ***recyclables***, which do not require the refund of a deposit may be returned;

44P2022

(iii) bottles, beverage containers, and other types of ***recyclables*** 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:

44P2022

(i) not have any outside storage of carts, bottles, other beverage containers, other ***recyclables***, palettes, or cardboard boxes;

44P2022

(ii) not allow for loading or the movement of ***recyclables*** 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***;

44P2022

(ii) may be required to demonstrate how impacts such as debris, grocery carts, litter or ***recyclables*** will be managed;

48P2020

(f) *deleted*

(g) does not require ***bicycle parking stalls – class 1***; and

(h) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

275 *deleted* *32P2009*

276 "Refinery"

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

(b) is a ***use*** within the Direct Control Uses Group in Schedule A to this Bylaw; and

(c) requires a minimum number of ***motor vehicle parking stalls*** based on a parking study required at the time of land use redesignation application.

277 "Residential Care"

(a) means a ***use***:

(i) where social, physical or mental care is provided to five or more persons who live full time in the facility; and

(ii) that has at least one staff person at the facility at all times when at least one resident is within the facility;

(b) is a ***use*** within the Care and Health Group in Schedule A to this Bylaw; *24P2011*

(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***.

27P2021

278 "Restaurant: Food Service Only"

(a) means a ***use***:

(i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;

(ii) that is not licensed for the sale of liquor by the Alberta Gaming and Liquor Commission; and

(iii) that may have a maximum of 10.0 square metres of ***public area*** used for the purpose of providing entertainment;

(b) is a ***use*** within the Eating and Drinking Group in Schedule A to this Bylaw;

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a ***residential district*** or abuts a ***lane*** separating the ***parcel*** from a ***residential district***;

(d) must not have an exterior entrance located on a façade that faces a ***residential district***, unless that façade is separated by an intervening ***street***;

(e) if the ***public area*** is greater than 150.0 square metres it must not be within 45.0 metres of a ***residential district*** when the ***use*** is located within the C-C1, C-C2, C-COR1, C-COR2, CC-COR, CC-X, MU-1, MU-2 and S-R Districts, which must be measured from the ***building*** containing the ***use*** to the nearest ***property line*** of a ***parcel*** designated as a ***residential district***;

(f) does not require ***bicycle parking stalls – class 1***; and

(g) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of the ***public area***.

279 *deleted* *27P2021*

15P2008, 48P2020,27P2021 **280** *deleted*

27P2021 **281** **"Restaurant: Licensed"**

(a) means a ***use***:

(i) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;

(ii) where a specific license for the sale of liquor is issued by the Alberta Gaming and Liquor Commission, that allows minors on the premises at any time; and

(iii) that may have a maximum of 10.0 square metres of ***public area*** used for the purpose of providing entertainment;

(b) is a ***use*** within the Eating and Drinking Group in Schedule A to this Bylaw;

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a ***residential district*** or abuts a ***lane*** separating the ***parcel*** from a ***residential district***;

(d) must not have an exterior entrance located on a façade that faces a ***residential district***, unless that façade is separated by an intervening ***street***;

(e) if the ***public area*** is greater than 150.0 square metres it must not be within 45.0 metres of a ***residential district*** when the ***use*** is located within the C-C1, C-C2, C-COR1, C-COR2, CC-COR, CC-X, MU-1, MU-2 and S-R Districts, which must be measured from the ***building*** containing the ***use*** to the nearest ***property line*** of a ***parcel*** designated as a ***residential district***;

(f) does not require ***bicycle parking stalls – class 1***; and

(g) requires a minimum of 1.0 ***bicycle parking stalls – class*** per 250.0 square metres of the ***public area***.

282 *deleted* *27P2021*

27P2021 **283** *deleted*

283.1 *deleted* *27P2021*

284 "Restored Building Products Sales Yard"

(a) means a ***use***:

(i) where products that have been recovered from demolished ***buildings*** are stored, displayed or sold either entirely within a ***building*** or outside of a ***building***;

(ii) that does not accommodate the wrecking, dismantling, manufacturing, servicing or repairing of anything on the same ***parcel*** as the ***use***;

(iii) that does not accommodate the display, wrecking or sale of any motor vehicles or auto parts;

(iv) that is not a **Hazardous Waste Management Facility**, **Landfill**, or **Waste Storage Site**; and *44P2022*

(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* *48P2020*

(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

48P2020 (c) *deleted*

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

39P2010 **286** *deleted*

39P2010, 27P2021 **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 nonmedical therapies;

(iv) the care, cleaning, alteration or repair of clothing, jewelry, or shoes;

(v) portrait and professional photography services;

(vi) the repair, service or refurbishment of furniture, electronic equipment and appliances that are used in the home; or

(vii) a market for the sale of new or used goods and food products, not including live animals, by multiple vendors renting tables or space either in an enclosed building or outdoors.

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

(c) may display merchandise related to the ***use*** outside of a ***building***, provided the merchandise does not impede pedestrian movement; *32P2020*

(c.1) may provide seating for the purpose of food consumption for the activities identified in (a)(vii). *27P2021*

(d) may only stock merchandise on the premises in quantities sufficient only to supply the premises;

(e) may contain laundering services provided it:

(i) does not include a **Dry-cleaning and Fabric Care Plant**; and

(ii) is not located within a **Live Work Unit**;

(f) when located in the C-R1 District, may incorporate the following ***uses*** within a **Retail and Consumer Service**, provided the requirements referenced in subsection (g) are satisfied:

(i) **Amusement Arcade**;

(ii) **Computer Games Facility**;

(iii) *deleted* *27P2021*

(iv) **Financial Institution**;

(v) **Fitness Centre**;

(vi) **Health Care Service**; *27P2021*

(vii) *deleted* *27P2021*

(viii) **Office**;

(ix) **Pet Care Service**;

(x) **Print Centre**;

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

(xii) *deleted* *27P2021*

(xiii) **Restaurant: Food Service Only**; and *27P2021, 65P2023*

(xiv) *deleted* *65P2023*

(xv) **Veterinary Clinic**;

(g) must only incorporate the ***uses*** referenced in section (f) when those ***uses***:

(i) are located in an existing approved ***building***;

(ii) are located in a ***use area*** that is a minimum of 3600.0 square metres;

(iii) are located within a ***use area*** that contains a **Retail and Consumer Service**;

(iv) do not exceed 10.0 per cent of the ***use area*** of the **Retail and Consumer Service** within which they are located; and

(v) do not have direct customer access outside of the **Retail and Consumer Service** within which they are located;

48P2020 (h) *deleted*

(i) does not require ***bicycle parking stalls – class 1***; and

(j) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

24P2014 **287 "Rowhouse Building"**

(a) means a ***use*** where a ***building***:

(i) contains three or more **Dwelling Units**, located side by side and separated by common party walls extending from foundation to roof;

(ii) where one façade of each **Dwelling Unit** directly faces a public ***street***;

(iii) where no intervening ***building*** is located between the ***street*** facing façade of each **Dwelling Unit** and the ***adjacent*** public ***street***;

(iv) where each **Dwelling Unit** has a separate direct entry from ***grade*** to an ***adjacent*** public sidewalk or an ***adjacent*** public ***street***;

(v) where no **Dwelling Unit** is located wholly or partially above another **Dwelling Unit**; and

(vi) may contain a **Secondary Suite** within a **Dwelling Unit** in a district where a **Secondary Suite** is a listed ***use*** and conforms with the rules of the district;

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

(c) requires a minimum of 1.0 ***motor vehicle parking stalls*** per **Dwelling Unit**; and

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

288 "Salvage Processing – Heat and Chemicals"

(a) means a ***use***:

(i) where salvaged materials and ***recyclables*** are processed using heat or the application of chemicals; *44P2022*

(ii) that is not a **Hazardous Waste Management Facility**, **Landfill**, or **Waste Storage Site**; *44P2022*

(iii) that does not involve the disassembly of any goods;

(iv) where activities may occur entirely within a ***building***, or partially outside of a ***building***, or entirely outdoors;

(v) that does not involve the manufacture or assembly of any goods;

(vi) that may have a ***building*** for administrative functions associated with the ***use***; and

(vii) that must be approved only on a ***parcel*** designated as a Direct Control District that specifically includes **Salvage Processing – Heat and Chemicals** as a ***use***;

(b) is a ***use*** within the Direct Control Uses Group in Schedule A to this Bylaw; and

(c) requires a minimum number of ***motor vehicle parking stalls*** based on a parking study required at the time of land use redesignation application.

288.1 "Salvage Yard" *32P2009*

(a) means a ***use***:

(i) where any of the following are stored, dismantled or crushed: *5P2013*

(A) ***dilapidated vehicles***; or *44P2022*

(B) damaged, inoperable or obsolete goods, machinery or equipment, building materials, or other scrap material;

(ii) where motor vehicles in their complete and operable state are not displayed or sold;

(iii) where part or all of the ***use*** takes place outside of a ***building***;

(iv) that may have equipment located outdoors to assist in the processes and functions of the ***use***;

(v) that may have the incidental sale of parts and materials that are recovered from the ***dilapidated vehicles***, goods, machinery or equipment, building materials, or other scrap material; *5P2013*

(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;

48P2020 (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.

290 "School – Private" *67P2008*

(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 *Education Act*: *44P2022*

(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 *Education Act* may be offered to students; and *44P2022*

(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***; *48P2020*

(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" *67P2008*

(a) means a ***use***:

(i) where any of the following teaches students the education curriculum from kindergarten to grade 12 pursuant to the *Education Act*: *44P2022*

(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;

44P2022 (iv) that may provide food service to the students and staff;

44P2022 (v) that may provide programs for parental and community involvement; and

44P2022 (vi) where other educational programs pursuant to the *Education Act* may be offered to students.

(b) is a ***use*** within the Teaching and Learning Group in Schedule A to this Bylaw;

48P2020 (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* *48P2020*

(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***;

(b) is a ***use*** within the Teaching and Learning Group in Schedule A to this Bylaw;

48P2020

(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

12P2010, 24P2014, 15P2016, 62P2018, 76P2019, 4P2017, 24P2014, 56P2022

(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) must not be located in a **Dwelling Unit** where another **Dwelling Unit** is located wholly or partially above or below the **Dwelling Unit** containing the **Secondary Suite**; and

(v) is considered part of and secondary to a **Dwelling Unit**;

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

(c) has a maximum floor area of 100.0 square metres, excluding any area covered by stairways and ***landings***;

(d) requires a minimum of 1.0 ***motor vehicle parking stalls***; and

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

295.1 *deleted* *12P2010, 24P2014*

295.2 *deleted* *12P2010, 24P2014*

296 "Self Storage Facility"

(a) means a ***use***:

(i) where goods are stored in a ***building***;

(ii) where the ***building*** is made up of separate compartments and each compartment has separate access;

(iii) that may be available to the general public for the storage of personal items;

(iv) that may include the administrative functions associated with the ***use***; and

(v) that may incorporate **Custodial Quarters** for the custodian of the facility;

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

(c) *deleted* *48P2020*

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

297 "Semi-detached Dwelling" *24P2014*

(a) means a ***use*** where a ***building*** contains two **Dwelling Units** located side by side and separated by a common party wall extending from foundation to roof;

(b) may contain a **Secondary Suite** within a **Dwelling Unit** in a district where a **Secondary Suite** is a listed ***use*** and conforms with the rules of the district; *15P2016*

(c) is a ***use*** within the Residential Group in Schedule A to this Bylaw;

(d) requires a minimum of 1.0 ***motor vehicle parking stalls*** per **Dwelling Unit**; and

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

298 "Service Organization"

(a) means a ***use***:

(i) where health or educational programs and services are offered to the public;

27P2021 (ii) that includes **Health Care Service**, where the ***use*** is limited to the following activities:

(A) counselling;

(iii) that does not provide a food preparation ***kitchen*** or eating area for the public;

(iv) where there are rooms for the administrative functions of the ***use***; and

(v) where there may be a meeting room or auditorium available for programs related to the ***use***;

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

48P2020 (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;

33P2013

(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:

16P2018

(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.

35P2011

300 "Sign – Class B"

(a) means only the following ***sign*** type:

(i) "**Fascia Sign**" which means a ***sign*** that:

(A) is attached to, marked or ascribed on and is parallel to an exterior wall of a ***building***; and

(B) does not project more than 0.40 metres from the wall of a ***building***; and

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

30P2011, 35P2011

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

4P2013

(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" *35P2011*

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

(i) "**Canopy Sign**" which means a ***sign*** that displayed on, under or attached to a canopy, awning or marquee that is attached to an exterior wall of a ***building***;

(ii) "**Projecting Sign**" which means a ***sign*** that is attached to an exterior wall of a ***building*** and is perpendicular to the ***building***; and

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

303 "Sign – Class E" *67P2008, 30P2011, 35P2011*

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

(i) "**Digital Message Sign**" which means a **"Message Sign"**, referenced in subsection (iv) that: *4P2013*

(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.

35P2011

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.

30P2011

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"

12P2010, 24P2014, 15P2016

(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* *48P2020*

(d) does not require ***bicycle parking stalls – class 1***; and

(e) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 2000.0 square metres of ***gross usable floor area***.

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 *9P2012*

(iv) that may have meeting rooms for the administration of the group;

(b) is a ***use*** within the Culture and Leisure Group in Schedule A to this Bylaw;

(c) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a ***residential district*** or abuts a ***lane*** separating the ***parcel*** from a ***residential district***, or a C-N1, C-N2, C-COR1 District;

(d) must not have an exterior entrance located on a façade that faces a ***residential district***, unless that façade is separated from the ***residential district*** by an intervening ***street***;

(e) must not have a ***public area*** greater than 75.0 square metres where the ***use*** shares a ***property line*** with, or is only separated by an intervening ***lane*** from a ***residential district***, or a C-N1, C-N2, C-COR1 District;

48P2020 (f) *deleted*

(g) does not require ***bicycle parking stalls – class 1***; and

(h) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

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

308 "Special Function – Class 1"

(a) means a ***use*** where temporary structures are erected on a ***parcel***:

9P2012, 62P2025

(i) that allow for an educational, recreational, sporting, social, and worship event that includes, but is not limited to a wedding, circus, birthday, neighbourhood activation, 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;

32P2020 (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" *10P2009, 21P2011, 4P2012, 5P2015*

(a) means a ***use*** where temporary structures are erected on a ***parcel*** which operate as a:

(i) **Brewery, Winery and Distillery**; *49P2017*

(i.1) **Conference and Event Facility**; *49P2017*

(ii) **Drinking Establishment – Large**;

(iii) **Drinking Establishment – Medium**;

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

(v) **Restaurant: Licensed**; or *27P2021*

(vi) *deleted* *27P2021*

(vii) *deleted* *27P2021*

(viii) *deleted* *27P2021*

(ix) **Night Club**;

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

(c) may only be located on a ***parcel*** for 15 cumulative days in a calendar year, excluding the time used to erect or dismantle the temporary structures;

(d) has a maximum height for covered temporary structures of one ***storey***;

(e) must not have any openings, except emergency exits, loading bay doors or non-opening windows, on a façade that faces a ***residential district*** unless that façade is separated from the residential district by a ***street***;

(f) must not exceed a cumulative area for covered temporary structures of 75.0 square metres when located on a ***parcel*** designated C-N1, C-N2, I-E, I-R, CC-ER and CC-EPR;

(g) may be temporarily located on any part of the ***parcel***, other than a ***corner visibility triangle***;

(h) does not require ***motor vehicle parking stalls***; and

(i) does not require ***bicycles parking stalls – class 1*** or ***class 2***.

32P2009 **309.1 "Specialized Industrial"**

(a) means a ***use***:

(i) where any of the following activities occur:

(A) ***research and development***;

(B) the analysis or testing of materials or substances in a ***laboratory***; or

(C) the manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, products or equipment, provided live animals are not involved in any aspect of the operation;

49P2017 (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;

48P2020 (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***.

32P2009 **310 "Specialty Food Store"**

(a) means a ***use***:

(i) where food and non-alcoholic beverages for human consumption are made;

(ii) where live animals are not involved in the processing of the food;

(iii) where the food products associated with the ***use*** may be sold within the premises;

(iv) with a maximum ***gross floor area*** of 465.0 square metres;

(v) that has the functions of packaging, bottling or shipping the products made as part of the ***use***;

(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* *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***.

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* *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*

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;

44P2022

(iii) where the goods, materials and supplies stored are not motor vehicles, ***recyclables*** or ***waste***;

44P2022

(iv) where goods may be stored in a trailer, shipping container, quonset hut or other moveable, non-permanent structure with a roof;

9P2012, 44P2022

(v) where the piles or stacks of goods, materials and supplies may be packaged into smaller quantities for transportation off the ***parcel***;

9P2012

(vi) *deleted*

(vii) that may have a ***building*** for the administrative functions associated with the ***use***;

44P2022

(viii) where equipment used in road construction, building construction, agricultural operations, oil and gas operations or other similar industries may be stored, serviced, cleaned, tested, repaired or rented when they are not being used;

44P2022

(ix) that may include the incidental sale of used equipment that were previously stored or rented on the ***parcel***;

44P2022

(x) that does not involve the storage of ***dilapidated vehicles***, derelict equipment or construction material; and

(xi) that may not include or be combined with any of the following ***uses***: 44P2022

(A) **Hazardous Waste Management Facility**;

(B) **Landfill**; or

(C) **Waste Storage Site**;

(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

(d) *deleted* 48P2020

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

314 "Supermarket" 13P2008

(a) means a ***use***:

(i) where fresh and packaged food is sold;

(ii) where daily household necessities may be sold;

(iii) that will be contained entirely within a ***building***;

(iv) that has a minimum ***gross floor area*** greater than 465.0 square metres;

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

(vi) that may include the preparation of food and non-alcoholic beverages for human consumption; 39P2010, 5P2013

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

(c) that is located in the C-R1 District may incorporate the following ***uses*** within a **Supermarket**, provided the requirements referenced in subsection (d) are satisfied:

(i) **Amusement Arcade**;

(ii) **Computer Games Facility**;

(iii) *deleted* 27P2021

(iv) **Financial Institution**;

(v) **Fitness Centre**;

(vi) **Health Care Service**; 27P2021

(vii) *deleted* 27P2021

(ix) **Office**;

(x) **Pet Care Service**;

(xi) **Print Centre**;

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

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

27P2021 (xiv) **Restaurant: Food Service Only**;

27P2021 (xv) *deleted*

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

65P2023 (xvii) *deleted*

(xviii) **Veterinary Clinic**;

(d) must only incorporate the ***uses*** referenced in subsection (c) when those ***uses***:

(i) are located in an existing approved ***building***;

(ii) are located in a ***use area*** that is a minimum of 3600.0 square metres;

(iii) are located within a ***use area*** that contains a **Supermarket**;

27P2021 (iv) do not exceed 10.0 per cent of the ***use area*** of the **Supermarket** within which they are located;

27P2021 (v) do not have direct customer access outside of the **Supermarket** within which they are located; and

27P2021 (vi) do not exceed a ***public area*** of 300.0 square metres for **Restaurant: Food Service Only**.

48P2020 (e) *deleted*

(f) does not require ***bicycle parking stalls – class 1***; and

(g) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

315 *deleted* *65P2023*

316 **"Temporary Residential Sales Centre"** *67P2008, 71P2008*

(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**;

71P2008

(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

24P2014

(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" *33P2019*

(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***.

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***.

1P2009

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"

1P2009, 5P2013

(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**;

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

(c) *deleted* *48P2020*

(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 *16P2018*

(d) *deleted* *48P2020*

(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 *71P2008, 44P2013, 29P2016*

(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***; *20P2017*

(c) must provide 1.0 ***motor vehicle parking stalls*** for every inventory vehicle on the ***parcel***; and *16P2018*

(d) *deleted* *48P2020*

(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;

71P2008, 44P2013 29P2016

(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***;

16P2018

(g) must provide 1.0 ***motor vehicle parking stall*** for every inventory vehicle on the ***parcel***;

48P2020

(h) *deleted*

(i) does not require ***bicycle parking stalls – class 1***; and

(j) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

326 "Vehicle Sales – Minor"

(a) means a ***use***:

(i) where motor vehicles are sold or leased; and

71P2008, 44P2013 29P2016

(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;

71P2008

(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;

20P2017

(d.1) must store or display vehicles within a ***building*** when the ***use*** is located in a ***mixed use district***;

(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***; *16P2018*

(g) *deleted* *48P2020*

(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 *deleted* *44P2022*

44P2022 **328** *deleted*

329 *deleted* *44P2022*

329.1 "Vehicle Storage" *44P2022*

(a) means a ***use***:

(i) where vehicles or ***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***;

(vi) that does not involve the production, display or sale of vehicles as part of the ***use***; and

(vii) that may not include or be combined with any of the following ***uses***:

(A) **Hazardous Waste Management Facility**;

(B) **Landfill**; or

(C) **Waste Storage Site**;

(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) 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;

48P2020 (f) *deleted*

(g) does not require ***bicycle parking stalls – class 1***; and

(h) requires a minimum of 1.0 ***bicycle parking stalls – class 2*** per 250.0 square metres of ***gross usable floor area***.

39P2010 **331** *deleted*

32P2009 **332** *deleted*

44P2022 **332.1 "Waste Storage Site"**

(a) means a ***use***:

(i) where ***waste***, other than ***hazardous waste***, that is produced off-site, is stored in piles or inside ***buildings*** before being transported to another ***parcel*** for treatment or disposal;

(ii) where ***waste***, other than ***hazardous waste***, may be sorted, compacted, shredded, ground or processed;

(iii) where there may be a ***building*** for the administrative functions of the ***use***;

(iv) that may be subject to specific setback requirements listed in a Provincial regulation;

(b) is a ***use*** within the Infrastructure Uses 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***.

44P2022 **333** *deleted*

333.1 "Wind Energy Conversion System – Type 1" *38P2013*

(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" *38P2013*

(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***. *61P2018*

(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. *47P2008*

(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 *61P2018*

(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***. *61P2018*

(2) ***Landings***, ramps other than wheelchair ramps and stairs may project into a ***front setback area*** provided: *47P2008*

(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.

47P2008 **(3)** *deleted*

(4) Window wells may project without limits into any ***front setback area***.

61P2018 **(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***.

61P2018 **(6)** Eaves may project an additional 0.6 metres from a ***porch*** into the ***front setback area***, as described in subsection 5.

47P2008, 67P2008 **Projections Into Side Setback Area**

337 **(1)** *deleted*

67P2008 **(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***.

67P2008, 27P2011, 40P2015

16P2018 **(1.2)** Portions of a ***building*** less than 2.4 metres above ***grade*** may project a maximum of 0.6 metres into a ***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***:

16P2018 (i) when located on a ***corner parcel***;

16P2018 (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

16P2018 (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.

16P2018 **(1.3)** Window wells may project a maximum of 0.8 metres into any ***side setback area***.

47P2008 **(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* *47P2008*

(5) ***Landings***, ramps other than wheelchair ramps and stairs may project in a ***side setback area*** provided: *47P2008*

(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; *67P2008*

(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* *47P2008*

(7) *deleted* *47P2008, 67P2008*

(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. *47P2008*

(9) ***Balconies*** and ***decks*** must not project into any ***side setback area***. *67P2008*

(10) Central air conditioning equipment may project a maximum of 1.0 metres into a ***side setback area***. *67P2008, 16P2018*

(a) *deleted* *27P2011, 16P2018*

(b) *deleted* *16P2018*

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***. *47P2008*

(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***; *62P2018*

(b) does not exceed 75.0 square metres in ***gross floor area*** for each **Dwelling Unit** located on the ***parcel***; *27P2011, 62P2018*

(c) has no part that is located closer than 0.60 metres to the ***rear property line***; and

(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

67P2008

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

(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***.

67P2008, 3P2010

(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***.

13P2008, 67P2008, 9P2012, 24P2014

(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 *61P2018*

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. *15P2016*

(2) Unless otherwise referenced in this Part, the floor area of a ***recessed balcony*** must not exceed 10.0 square metres. *15P2016*

(2.1) Unless otherwise referenced in this Part, a ***privacy wall*** located on a ***balcony***: *67P2008*

(a) must not exceed 3.0 metres in height when measured from the surface of the ***balcony***; and *16P2018*

(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: *13P2008, 67P2008, 9P2012, 24P2014*

(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* *24P2014, 15P2016*

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

(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, 34P2022, **(4)** *deleted*

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***. *16P2018*

(2) A minimum horizontal separation of 1.0 metre must be maintained between ***retaining walls*** on the same ***parcel***.

Fences

343 The height of a ***fence*** above ***grade*** at any point along a ***fence*** line must not exceed:

(a) 1.2 metres for any portion of a ***fence*** extending between the foremost front façade of the ***main residential building*** and the ***front property line***;

(b) 2.0 metres in all other cases; and

(c) 2.5 metres at the highest point of a gate that is not more than 2.5 metres in length.

Solar Collectors

343.1 **(1)** A ***solar collector*** may only be located on the wall or roof of a ***building***.

(2) A ***solar collector*** mounted on a roof with a pitch of less than 4:12, may project: *68P2008*

(a) a maximum of 0.5 metres from the surface of a roof, when the solar collector is located 5.0 metres or less from a side property line, measured directly due south from any point along the ***side property line***; and

(b) in all other cases, maximum of 1.3 metres from the surface of a roof.

(3) A ***solar collector*** mounted on a roof with a pitch of 4:12 or greater, may project a maximum of 1.3 metres from the surface of a roof.

(4) A ***solar collector*** mounted on a roof must not extend beyond the outermost edge of the roof.

(5) A ***solar collector*** that is mounted on a wall:

(a) must be located a minimum of 2.4 metres above ***grade***; and

(b) may project a maximum of:

(i) 1.5 metres from the surface of that wall, when the wall is facing a ***rear property line***; and

(ii) in all other cases, 0.6 metres from the surface of that wall.

43P2016

Skateboard and Sports Ramps

343.2 **(1)** All ***skateboard and sports ramp*** structures must be located within the maximum envelope dimensions of 1.5 metres high by 5.0 metres wide by 6.0 metres long.

(2) More than one structure may be contained within the maximum envelope dimensions referenced in subsection (1).

(3) The maximum envelope dimensions referenced in subsection (1) do not include at-grade surfaces such as, but not limited to, soil, grass, wood or concrete.

(4) Notwithstanding subsection (1), railings for safety purposes may extend beyond the maximum envelope dimensions referenced in subsection (1) provided they are not designed or used as a surface upon which to operate a skateboard, bicycle, scooter, roller skates or other similar device.

(5) There must only be one ***skateboard and sports ramp*** envelope per ***parcel***.

(6) All ***skateboard and sports ramp*** structures must be located between the rear façade of the ***main residential building*** and the ***rear property line***.

(7) The height of a ***skateboard and sports ramp*** at any point is measured from ***grade***.

(8) All ***skateboard and sports ramp*** structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a ***side property line***.

(9) All ***skateboard and sports ramp*** structures, including railings for safety purposes, must be located a minimum of 1.2 metres from a ***rear property line***.

(10) ***Skateboard and sports ramp*** structures must not be included in ***parcel coverage***.

(11) A ***skateboard and sports ramp*** must not be attached to a ***deck***, another structure, ***fence***, or ***building*** such as, but not limited to, a ***main residential building***, **Backyard Suite** or **Accessory Residential Building.**

Objects Prohibited or Restricted

27P2021, 34P2022 **344** **(1)** *deleted*

34P2022 **(2)** *deleted*

34P2022 **(3)** *deleted*

(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* *43P2016*

(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.** *13P2014*

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***.

12P2010, 16P2018

(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:

67P2008

(a) 4.6 metres, measured from the finished floor of the ***building***;

46P2019

(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* *27P2011, 62P2018*

(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. *3P2010, 45P2015*

(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 *46P2019*

346.1 (1) In Developed Areas, trees required by this section:

(a) may be provided though 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.

(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**: *3P2010*

(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: *45P2015*

(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: *9P2012*

(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; *66P2022*

(d) must not have a roof slope less than 4:12 within 1.5 metres of the horizontal plane forming the maximum ***building height***; *27P2011, 45P2015, 66P2022*

(e) must not be located on a ***parcel*** where the difference between the ***average building reference points*** is greater than 2.4 metres; and *27P2011, 45P2015, 66P2022*

(e.1) must not be located on a ***parcel*** that is within a ***heritage guideline area***. *66P2022*

(f) *deleted* *45P2015*

15P2016

(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

27P2011

(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***.

27P2011

(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**: *27P2011*

(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: *45P2015*

(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: *9P2012, 44P2013*

(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***;

45P2015

(g) must not be located on a ***parcel*** where the difference between the ***average building reference points*** is greater than 2.4 metres;

66P2022

(g.1) must not be located on a ***parcel*** that is within a ***heritage guideline area***; and

45P2015, 76P2019

(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***.

45P2015

(i) *deleted*

15P2016

(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***;

9P2012

(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***.

4P2017

(5) A **Contextual Semi-detached Dwelling** must not be located on a ***parcel*** that contains more than one ***main residential building***.

347.2 *deleted* *46P2019*

24P2014, 15P2016 4P2017 56P2022 66P2022 21P2024 9P2026

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***;

(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 be located on a ***parcel*** that is within a ***heritage guideline area.***

(2) *deleted*

(3) Where not located on a ***corner parcel***, 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) *deleted*

(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.

(2) Mechanical equipment may project a maximum of 0.3 metres from the surface of a roof on a ***building***. *68P2008*

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 *12P2010, 24P2014*

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: *23P2016*

(a) in the R-C1L, R-C1Ls, R-C1, R-C1s, R-C1N, R-1, R-1s and R-1N Districts; or *24P2018*

(b) when located on a ***parcel*** with a ***parcel width*** less than 13.0 metres

23P2016, 4P2017 **(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.

56P2022 **(4)** Except in the R-CG District, a **Secondary Suite** must have a ***private amenity space*** that:

16P2018 (a) is located outdoors; and

16P2018 (b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres.

16P2018 (c) *deleted*

12P2012, 24P2014 **351.1** *deleted*

12P2012, 24P2014 **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**.

10P2019 **(3)** 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**.

10P2019 **(3.1)** 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.

10P2019 **(3.2)** (a) 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);

(b) 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

(4) Unless otherwise referenced in subsection (4.1), the maximum ***building height*** for a **Backyard Suite** is 7.5 metres. *10P2019*

(4.1) The maximum ***building height*** for a **Backyard Suite** is: *10P2019*

(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***.

(5) 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. *10P2019*

(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) Except in the R-CG District, a **Backyard Suite** must have a ***private amenity space*** that: *56P2022*

(a) is located outdoors; and *16P2018*

(b) has a minimum area of 7.5 square metres with no dimension less than 1.5 metres. *16P2018*

(c) *deleted* *16P2018*

(8) A **Backyard Suite** may include a ***balcony*** where the ***balcony***: *10P2019*

(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.

10P2019 **(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***.

12P2010, 24P2014 **Secondary Suite – Outdoor Private Amenity Space**

353 *deleted*

12P2010, 24P2014 **Accessory Suite – Density**

4P2017, 62P2018, 21P2024, 9P2026 **354** **(1)** Unless otherwise referenced in subsection (4), there must not be more than one **Backyard Suite** located on a ***parcel.***

62P2018 **(1.1)** There must not be more than one **Secondary Suite** contained within a **Dwelling Unit**.

4P2017, 21P2024 **(2)** Unless otherwise referenced in subsection (4), a **Secondary Suite** and a **Backyard Suite** must not be located on the same ***parcel***.

23P2016 **(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.

4P2017, 21P2024 **(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

12P2010 **355** *deleted*

Secondary Suite – Building Height

12P2010, 24P2014 **356** *deleted*

Parcels Deemed Conforming

9P2012 **357** **(1)** 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.

27P2011 **(2)** Where a ***parcel*** is legally existing, or received a subdivision approval between August 6, 2024 and August 4, 2026, 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.

Dwellings Deemed Conforming *5P2013*

358 **(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***. *27P2011*

(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: *53P2008*

(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***: *67P2008*

(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: *67P2008, 46P2008*

(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. *46P2008*

78P2024 **(6)** The ***building depth*** and ***building height*** for a **Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Semi-detached Dwelling** or **Single Detached Dwelling** is deemed to conform with the requirements of this Bylaw if the **building** was legally existing or approved prior to the ***parcel*** being redesignated by Bylaw 21P2024

9P2026 **(7)** A ***development*** or ***use*** is deemed to conform with the requirements of this Bylaw if the ***development*** or ***use*** was legally existing or approved prior to August 4, 2026.

Personal Sales

359 ***Personal sales*** may be conducted on a ***parcel*** a total of eight days in any calendar year.

Building Height

3P2010 **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;

9P2012 (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:

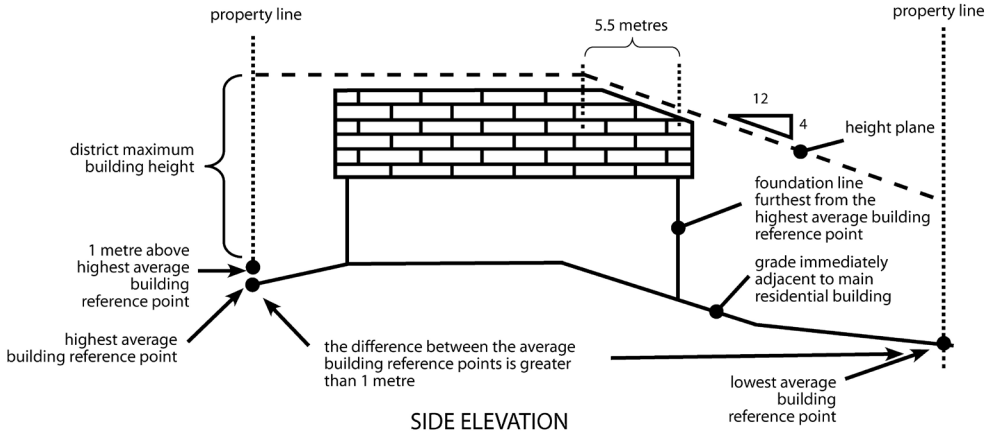
(a) begins at the highest ***average building reference point***;

(b) extends vertically to the maximum ***building height*** plus 1.0 metre; and

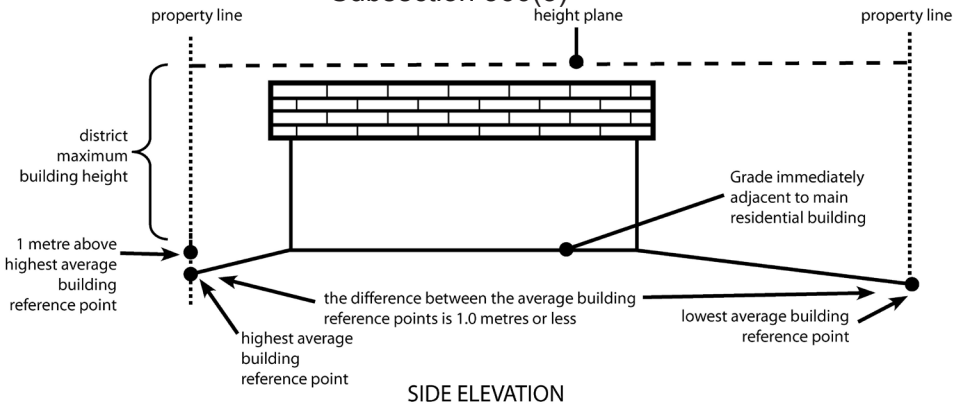
(c) extends horizontally towards the opposite end of the ***parcel***.

(4) The following diagrams illustrate the rules of subsections (2) and (3). *3P2010*

Illustration 1:
Building Height
Subsection 360(2)



Subsection 360(3)



(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: *3P2010*

(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***.

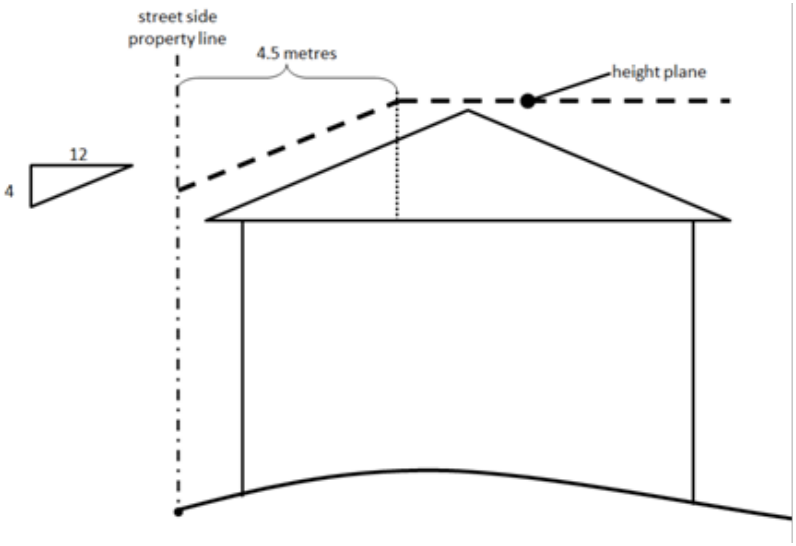
Building Height on a Corner Parcel *3P2012, 24P2014 45P2015*

361 (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.

45P2015 **(2)** The following diagram illustrates the rules of subsection 361(1) Illustration 2:

Building Height on a Corner Parcel
Section 361(1)



3P2010 **362** *deleted*

Approved Building Grade Plans

47P2008, 46P2009, 9P2012 **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

32P2012 **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:

(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.

(b.2) the addition or exterior alteration to a ***building*** is not required to comply with the maximum ***building depth*** specified in the district where the minimum ***building setback*** from the ***rear property line*** is 7.5 metres or greater;" ***78P2024***

(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 ***61P2018***

(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: ***3P2010***

(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 ***15P2016***

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 s***etback 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, prior to collection, either: 44P2022

(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.

School Portables 34P2026

365.2 Where a **School Authority – School** is legally existing or approved, proposed ***school portables*** must comply with the rules of the S-SPR District.

Division 2: Residential – Contextual Large Parcel One Dwelling (R-C1L) (R-C1Ls) District

9P2026

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***.

12P2010, 24P2014, 24P2018 26P2026

(2) *deleted*

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**;

17P2009 (b.1) **Home Based Child Care – Class 1**;

(c) **Home Occupation – Class 1**;

46P2009 (d) *deleted*

(e) **Park**;

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

26P2026 (f.1) **Secondary Suite**;

4P2012 (g) **Sign – Class A**; and

4P2012 (h) *deleted*

(i) **Utilities**.

17P2009 24P2018 28P2021 9P2026

Discretionary Uses

368 **(1)** The following ***uses*** are ***discretionary uses*** in the Residential – Contextual Large Parcel One Dwelling District:

(a) **Backyard Suite**;

24P2018 (b) **Bed and Breakfast**;

(c) **Community Entrance Feature**;

(d) **Home Occupation – Class 2**;

(e) **Place of Worship – Small**;

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

24P2018 26P2026 (g) *deleted*;

(h) **Sign – Class B**;

(i) **Sign – Class C**

(j) **Sign – Class E**;

(k) **Single Detached Dwelling**;

(l) **Temporary Residential Sales Centre**; and

(m) **Utility Building**.

(2) The following is an additional ***discretionary use*** if located within an existing approved ***building***: *24P2018 9P2026*

(a) **Child Care Service**.

12P2010, 33P2011 26P2026

Permitted and Discretionary Uses for Parcels Designated R-C1Ls

369 (1) ***Parcels*** designated R-C1Ls have the same ***permitted uses*** referenced in Section 367.

(2) ***Parcels*** designated R-C1Ls have the same ***discretionary uses*** referenced in section 368 with the additional ***discretionary uses*** of: *24P2014*

(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.

Number of Main Residential Buildings on a Parcel *13P2008*

371 The maximum number of ***main residential buildings*** on a ***parcel*** is one.

Parcel Width

372 The minimum ***parcel width*** is 24.0 metres.

Parcel Depth *12P2010, 23P2016*

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***.

3P2010 **376** *deleted*

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

3P2010 **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.

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 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: *3P2010*

(a) 8.6 metres; or

(b) the ***contextual height*** plus 1.5 metres, to a maximum of 10.0 metres.

(2) *deleted* *3P2010*

(3) For all other uses, the maximum ***building height*** is 10.0 metres.

382 *deleted* *3P2010*

383 *deleted* *3P2010*

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***. *9P2026*

(2) *deleted* *12P2010, 24P2014, 24P2018 26P2026*

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**; *17P2009*

(c) **Home Occupation – Class 1**;

(d) *deleted* *46P2009*

(e) **Park**;

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

(f.1) **Secondary Suite**; *26P2026*

(g) **Sign – Class A**; and *4P2012*

(h) *deleted* *4P2012*

(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**: *53P2008*

(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**; *24P2011*

24P2018 (a.2) **Backyard Suite**;

(b) **Bed and Breakfast**;

(c) **Community Entrance Feature**;

(d) **Custodial Care**;

17P2009
28P2021 (d.1) *deleted*

(e) **Home Occupation – Class 2**;

(f) **Place of Worship – Small**;

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

(h) **Residential Care**;

24P2018
26P2026 (h.1) *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**.

53P2008 **(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***: *22P2016*

(a) **Place of Worship – Large**; and

(b) **Place of Worship – Medium**.

(5) The following is an additional ***discretionary use*** if located within an existing approved ***building***: *9P2026*

(a) **Child Care Service**.

Permitted and Discretionary Uses for Parcels Designated R-C1s

387 (1) ***Parcels*** designated R-C1s have the same ***permitted uses*** referenced in section 385. *12P2010, 33P2011 26P2026*

(2) ***Parcels*** designated R-C1s have the same ***discretionary uses*** referenced in section 386 with the additional ***discretionary uses*** of: *24P2014*

(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. *13P2008*

Parcel Width

390 The minimum *parcel width* is 12.0 metres. *23P2016*

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***.

12P2010 **394** *deleted*

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: *44P2013*

(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. *44P2013*

(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: *44P2013*

(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: *44P2013*

(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

399 **(1)** For a **Contextual Single Detached Dwelling** and a **Single Detached Dwelling**, the maximum ***building height*** is the greater of: *3P2010*

(a) 8.6 metres; or

(b) the ***contextual height*** plus 1.5 metres, to a maximum of 10.0 metres.

(2) *deleted*

3P2010 **(3)** For all other ***uses***, the maximum ***building height*** is 10.0 metres.

3P2010 **400** *deleted*

3P2010 **401** *deleted*

3P2010 **402** *deleted*

3P2010 **403** *deleted*

Division 4: Residential – Contextual Narrow Parcel One Dwelling (R-C1N) District

Purpose

9P2026
21P2024

404 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

405 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**;

(f.1) **Secondary Suite**; 26P2026

(g) **Sign – Class A**; and 4P2012

(h) *deleted* 4P2012

(i) **Utilities**.

Discretionary Uses

406 (1) 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;

17P2009
(d.1) *deleted* 28P2021

(e) Home Occupation – Class 2;

(f) Place of Worship – Small;

(g) Power Generation Facility – Small;

(h) Residential Care;

34P2010, 26P2026 (h.1) *deleted*;

34P2010, 24P2014 (h.2) *deleted*

34P2010, 24P2014 (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.

9P2026 **(2)** The following is an additional ***discretionary use*** if located within an existing approved ***building***:

(a) **Child Care Service**.

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

13P2008 **408** The maximum number of ***main residential buildings*** on a ***parcel*** is one.

3P2010, 34P2010 **Parcel Width**

409 **(1)** The minimum ***parcel width*** is:

5P2013 (a) 7.5 metres for a ***parcel*** containing a **Contextual Single Detached Dwelling** or **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

410 The minimum ***parcel depth*** is 22.0 metres. *34P2010, 24P2014, 23P2016*

Parcel Area

411 The minimum area of a ***parcel*** is 233.0 square metres. *34P2010, 24P2014, 23P2016*

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* *3P2010*

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: *3P2010*

(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

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***.

3P2010 **(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* *3P2010*

Building Setback from Rear Property Line

417 The minimum ***building setback*** from a ***rear property line*** is 7.5 metres.

Building Height

418 **(1)** For a **Contextual Single Detached Dwelling** and a **Single Detached Dwelling**, the maximum ***building height*** is the greater of: *3P2010*

(a) 8.6 metres; or

(b) the ***contextual height*** plus 1.5 metres, to a maximum of 10.0 metres.

(2) *deleted* *3P2010*

(3) For all other ***uses***, the maximum ***building height*** is 10.0 metres.

419 *deleted* *3P2010*

420 *deleted* *3P2010*

421 *deleted* *3P2010*

422 *deleted* *3P2010*

Motor Vehicle Parking Stalls *10P2009*

423 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

9P2026

Purpose

424 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

425 **(1)** The following ***uses*** are ***permitted uses*** in the Residential – Contextual One / Two Dwelling District:

(a) **Accessory Residential Building**;

27P2011 (a.1) **Contextual Semi-detached Dwelling**;

(b) **Contextual Single Detached Dwelling**;

17P2009 (b.1) **Home Based Child Care – Class 1**;

(c) **Home Occupation – Class 1**;

46P2009 (d) *deleted*

(e) **Park**;

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

33P2011 (f.1) **Secondary Suite**;

4P2012 (g) **Sign – Class A**; and

4P2012 (h) *deleted*

53P2008 (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

426 **(1)** The following ***uses*** are ***discretionary uses*** in the Residential – Contextual One / Two Dwelling District:

(a) **Addiction Treatment**;

24P2011 (a.1) **Assisted Living**;

(a.2) **Backyard Suite**; *24P2014*

(b) **Bed and Breakfast**;

(c) **Community Entrance Feature**;

(d) **Custodial Care**;

(d.1) *deleted* *9P2012*

(e) **Duplex Dwelling**;

(e.1) *deleted* *17P2009, 9P2012 28P2021*

(f) **Home Occupation – Class 2**;

(g) **Place of Worship – Small**;

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

(i) **Residential Care**;

(j) *deleted* *33P2011*

(j.1) *deleted* *12P2010, 24P2014*

(j.2) *deleted* *12P2010, 24P2014*

(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: *53P2008*

(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**.

22P2016

(4) The following ***uses*** are additional discretionary ***uses*** on a ***parcel*** that has an existing ***building*** used as a **Place of Worship – Large or Place of Worship – Medium** provided any new ***development*** proposed does not result in the increase of any ***assembly area***:

(a) **Place of Worship – Large**; and

(b) **Place of Worship – Medium**.

9P2026

(5) The following is an additional ***discretionary use*** if located within an existing approved ***building***:

(a) **Child Care Service**.

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

13P2008

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**;

34P2010, 23P2016, 76P2019

(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: *23P2016, 76P2019*

(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 *23P2016*

(c) *deleted* *12P2010, 34P2010, 24P2014, 23P2016*

(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**. *27P2011*

Parcel Depth

430 The minimum ***parcel depth*** is 22.0 metres. *12P2010, 24P2014, 23P2016*

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 *12P2010, 24P2014, 23P2016*

(c) *deleted* *12P2010, 34P2010 24P2014, 23P2016*

(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**. *27P2011*

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***.

433 *deleted* *3P2010*

Building Setback Areas

434 The minimum depth of all ***setback areas*** must be equal to the minimum ***building setback*** required in sections 435, 436 and 437.

3P2010, 27P2011 **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.

3P2010 **(2)** *deleted*

46P2009 **(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.

46P2009 **(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***.

27P2011 **(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. *44P2013*

(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

3P2010, 27P2011

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* *3P2010*

(3) For all other ***uses***, the maximum ***building height*** is 10.0 metres.

3P2010 **439** *deleted*

3P2010 **440** *deleted*

3P2010 **441** *deleted*

3P2010 **442** *deleted*

13P2008, 28P2009, 76P2019 **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

9P2026

Purpose

21P2024

444 **(1)** The Residential – One Dwelling District is intended to accommodate residential ***development*** in the form of **Single Detached Dwellings** in the ***Developing Area***.

12P2010, 24P2014, 24P2018 26P2026

(2) *deleted*

Permitted Uses

445 The following ***uses*** are ***permitted uses*** in the Residential – One Dwelling District:

(a) **Accessory Residential Building**;

17P2009

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

(b) **Home Occupation – Class 1**;

(c) **Park**;

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

26P2026

(d.1) **Secondary Suite**;

(e) **Sign – Class A**;

4P2012

(f) **Single Detached Dwelling**; and

4P2012

(g) *deleted*

(h) **Utilities**.

Discretionary Uses

446 **(1)** The following ***uses*** are ***discretionary uses*** in the Residential – One Dwelling District:

(a) **Addiction Treatment**;

(a.1) **Assisted Living**;

24P2018

(a.2) **Backyard Suite**;

(b) **Bed and Breakfast**;

(c) **Community Entrance Feature**;

(d) **Custodial Care**;

17P2009 28P2021

(d.1) *deleted*

(e) **Home Occupation – Class 2**;

(f) **Place of Worship – Small**;

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

(h) **Residential Care**;

(h.1) *deleted*; *24P2018 26P2026*

(i) **Sign – Class B**;

(j) **Sign – Class C**;

(k) **Sign – Class E**;

(l) **Temporary Residential Sales Centre**; and

(m) **Utility Building**.

(2) The following is an additional ***discretionary use*** if located within an existing approved ***building***:

(a) **Child Care Service**.

12P2010, 33P2011 26P2026

Permitted and Discretionary Uses for Parcels Designated R-1s

447 **(1)** ***Parcels*** designated R-1s have the same ***permitted uses*** referenced in section 445.

(2) ***Parcels*** designated R-1s have the same ***discretionary uses*** referenced in section 446 with the additional ***discretionary uses*** of: *24P2014*

(a) **Backyard Suite**.

Rules

448 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 *13P2008*

449 The maximum number of ***main residential buildings*** on a ***parcel*** is one.

Parcels Containing Suites

Parcel Width

450 The minimum ***parcel width*** is 10.0 metres. *12P2010, 24P2014, 23P2016*

Parcel Depth

451 The minimum ***parcel depth*** is 22.0 metres. *12P2010, 23P2016*

Parcel Area

452 The minimum area of a ***parcel*** is 330.0 square metres. *12P2010, 24P2014, 23P2016*

Parcel Coverage

453 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.

9P2026

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**;

17P2009 (a.1) **Home Based Child Care – Class 1**;

(b) **Home Occupation – Class 1**;

(c) **Park**;

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

26P2026 (d.1) **Secondary Suite**;

(e) **Sign – Class A**;

4P2012 (f) **Single Detached Dwelling**; and

4P2012 (g) *deleted*

(h) **Utilities**.

Discretionary Uses

461 (1) The following ***uses*** are ***discretionary uses*** in the Residential – Narrow Parcel One Dwelling District:

(a) **Addiction Treatment**;

24P2011 (a.1) **Assisted Living**

24P2014 (a.2) **Backyard Suite**;

(b) **Bed and Breakfast**;

(c) **Community Entrance Feature**;

(d) **Custodial Care**;

17P2009
28P2021 (d.1) *deleted*

(e) **Home Occupation – Class 2**;

(f) **Place of Worship – Small**;

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

(h) **Residential Care**;

(h.1) *deleted* *34P2010, 26P2026*

(h.2) *deleted* *34P2010, 24P2014*

(h.3) *deleted* *34P2010, 24P2014*

(i) **Sign – Class B**;

(j) **Sign – Class C**;

(k) **Sign – Class E**;

(l) **Temporary Residential Sales Centre**; and

(m) **Utility Building**.

(2) The following is an additional ***discretionary use*** if located within an existing approved ***building***:

(a) **Child Care Service**.

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.

Number of Main Residential Buildings on a Parcel *13P2008*

463 The maximum number of ***main residential buildings*** on a ***parcel*** is one.

Parcel Width

464 (1) The minimum ***parcel width*** is: *3P2010, 34P2010*

(a) 7.5 metres for a ***parcel*** containing a **Single Detached Dwelling**;

(b) 9.0 metres for a ***parcel*** containing a **Backyard Suite** or **Secondary Suite**, unless otherwise referenced in subsection (c); and *23P2016*

(c) 7.5 metres for a ***parcel*** containing a **Backyard Suite** or **Secondary Suite** where: *24P2014, 23P2016*

(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.

34P2010, 24P2014 23P2016

Parcel Depth

465 The minimum ***parcel depth*** is 22.0 metres.

Parcel Area

34P2010, 24P2014, 23P2016

466 The minimum area of a ***parcel*** is 233.0 square metres.

Parcel Coverage

57P2008

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:

7P2011

(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: *3P2010*

(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* *3P2010*

Building Setback from Rear Property Line

471 The minimum ***building setback*** from a ***rear property line*** is 7.5 metres.

Building Height

472 (1) Unless otherwise referenced in subsection (2), the maximum ***building height*** is 10.0 metres. *13P2008*

(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

10P2009

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 9P2026

Purpose

474 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

475 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**; 17P2009

(c) **Home Occupation – Class 1**;

(d) **Park**;

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

(e.1) **Secondary Suite**; 12P2010

(f) **Semi-detached Dwelling**;

(g) **Sign – Class A**;

(h) **Single Detached Dwelling**; and 4P2012

(i) *deleted* 4P2012

(j) **Utilities**.

Discretionary Uses

476 (1) The following ***uses*** are ***discretionary uses*** in the Residential – One / Two 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) *deleted* 17P2009 28P2021

(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**.

9P2026 **(2)** The following is an additional ***discretionary use*** if located within an existing approved ***building***:

(a) **Child Care Service**.

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***;

(b) 13.0 metres for a ***parcel*** containing a **Duplex Dwelling**; and *23P2016*

(c) *deleted* *12P2010, 34P2010, 24P2014, 23P2016*

(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. *12P2010, 34P2010, 24P2014, 23P2016*

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 *23P2016*

(c) *deleted* *12P2010, 34P2010, 24P2014, 23P2016*

(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***. *13P2008*

(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

484 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

485 **(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***.

71P2008 **(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**. *13P2008*

(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. *57P2008*

(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. *28P2009, 76P2019*

(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

24P2014 **489** 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

13P2008 **490** The following ***uses*** are ***permitted uses*** in the Residential – Low Density Multiple Dwelling District:

(a) **Accessory Residential Building**;

17P2009 (a.1) **Home Based Child Care – Class 1**;

(b) **Home Occupation – Class 1**;

46P2009 (c) *deleted*

(d) **Park**;

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

24P2014 (f) **Rowhouse Building**;

4P2012 (g) **Sign – Class A**; and

4P2012 (h) *deleted*

(i) **Utilities**.

13P2008, 12P2010 **490.1** 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

13P2008 **491** **(1)** ***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***.

(2) The following ***uses*** are ***discretionary uses*** in the Residential – Low Density Multiple Dwelling District:

(a) **Addiction Treatment**;

24P2011 (a.1) **Assisted Living**

24P2014 (a.2) **Backyard Suite**;

(b) **Bed and Breakfast**;

(c) **Community Entrance Feature**;

(d) **Custodial Care**;

(d.1) *deleted* *17P2009* *28P2021*

(e) **Home Occupation – Class 2**;

(f) **Place of Worship – Small**;

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

(h) **Residential Care**;

(i) *deleted* *12P2010*

(i.1) *deleted* *12P2010, 24P2014*

(i.2) *deleted* *12P2010, 24P2014*

(j) **Sign – Class B**;

(k) **Sign – Class C**;

(k.1) **Sign – Class D**; *71P2008*

(l) **Sign – Class E**;

(m) **Single Detached Dwelling**;

(n) **Temporary Residential Sales Centre**;

(o) **Townhouse**; and

(p) **Utility Building**.

(3) The following is an additional ***discretionary use*** if located within an existing approved ***building*** and there is a maximum of one ***main residential building*** on the ***parcel***: *60P2025*

(a) **Child Care Service**.

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 *13P2008, 7P2011*

493 The maximum ***density*** for a ***parcel*** designated Residential – Low Density Multiple Dwelling District is:

(a) 50 ***units*** per hectare for **Rowhouse Buildings**; *24P2014*

(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**;

12P2010, 34P2010, 24P2014, 23P2016

(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

24P2014

(e) 5.0 metres for an individual ***parcel*** containing a **Dwelling Unit** in a **Rowhouse Building** or **Townhouse**.

Parcel Depth

12P2010, 34P2012, 24P2014, 23P2016

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**;

12P2010, 34P2010, 24P2014, 23P2016

(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

24P2014

(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**. *24P2014*

(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**. *24P2014*

(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.

24P2014

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

41P2009, 44P2022

503 (1) Where the ***development*** is a **Townhouse,** garbage and waste material must be stored, prior to collection, either:

(a) inside a ***building***; or

(b) in a garbage container enclosure approved by the ***Development Authority***.

41P2009

(2) A garbage container enclosure:

(a) must not be located 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***.

41P2009

(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 *24P2014*

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. *76P2019*

(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 ***parce***l 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**; *17P2009*

(b) **Home Occupation – Class 1**;

(c) **Manufactured Home**;

(d) **Park**;

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

(f) **Sign – Class A**; and *4P2012*

(g) *deleted* *4P2012*

(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;

(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, 44P2022

523 (1) Where the ***development*** is a **Manufactured Home Park**, garbage and waste material must be stored, prior to collection, either:

(a) inside a ***building***; or

(b) in a garbage container enclosure approved by the ***Development Authority***.

(2) A garbage container enclosure: *41P2009*

(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: *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

524 Recycling facilities must be provided for a **Manufactured Home Park**.

Division 11: Residential – Grade-Oriented Infill (R-CG) (R-CGex) District

17P2009, 4P2012, 9P2012, 24P2014, 62P2018, 21P2024

Purpose

525 **(1)** The Residential – Grade-Oriented Infill (R-CG) District: *62P2018*

(a) accommodates existing residential ***development***; *56P2022, 21P2024 9P2026*

(b) accommodates grade-oriented development in the form of Rowhouse Buildings, Townhouses, **Duplex Dwellings**, **Semi-detached Dwelling**s 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**. *62P2018*

Permitted Uses

526 **(1)** The following ***uses*** are ***permitted uses*** in the The Residential – Grade-Oriented Infill District:

(a) **Accessory Residential Building**;

(b) **Contextual Semi-detached Dwelling**;

(b.1) **Contextual Single 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**;

28P2021 (i) *deleted*

(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**;

56P2022 (s) **Temporary Residential Sales Centre**;

56P2022 (s.1) **Townhouse**; and

(t) **Utility Building.**

9P2026

(3) The following is an additional ***discretionary use*** if located within an existing approved ***building***:

(a) **Child Care Service**.

Permitted and Discretionary Uses for Parcels Designated R-CGex

527.1 **(1)** ***Parcels*** designated R-CGex have the same ***permitted uses*** referenced in Section 526 with the exclusion of: *62P2018*

(a) **Secondary Suite**.

(2) ***Parcels*** designated R-CGex have the same ***discretionary uses*** referenced in Section 527 with the exclusion of: *62P2018*

(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 *15P2016*

531 The minimum ***parcel width*** is 7.5 metres for a ***parcel*** containing a **Duplex Dwelling**.

Facade Width *15P2016*

532 The minimum width of a ***street*** facing façade of a ***unit*** is 4.2 metres.

At Grade Orientation of Units *56P2022*

533 **(1)** All ***units*** must provide individual, separate, direct access to ***grade***.

(2) ***Units*** with an exterior wall facing a ***street*** must provide:

(a) an entrance that is visible from the ***street***; and

(b) sidewalks that provide direct exterior access to the ***unit***.

Parcel Coverage *15P2016*

534 **(1)** *deleted* *62P2018*

(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**, **Contextual Single Detached Dwelling**, **Cottage Housing Cluster**, **Rowhouse Building, Semi-Detached Dwelling**, **Single Detached Dwelling** or **Townhouse** is: *62P2018, 56P2022, 21P2024 9P2026*

(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 permi***t for a ***development*** with a ***density*** of 40 ***units*** per hectare or greater and less than 50 ***units*** per hectare; or

(c) 55.0 per cent of the area of the ***parcels*** subject to a single ***development permit*** for a ***development*** with a ***density*** of 50 ***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. *15P2016, 62P2019 56P2022*

Building Depth and Separation

535 **(1)** Unless otherwise referenced in subsections (2) and (3) the maximum ***building depth*** is 65.0 per cent of the ***parcel depth*** for a ***building*** containing a ***unit***.

25P2026

(2) For any ***development*** where a ***development permit*** application was submitted prior to August 5, 2026 on a ***laned parcel***, there is no maximum ***building depth*** for a ***main residential building*** wholly contained to the rear of 40.0 per cent ***parcel depth*** where:

(a) there is more than one ***main residential building*** on the ***parcel***;

(b) 50.0 per cent or more of the ***units*** on the ***parcel*** are contained in ***main residential buildings*** located within the first 60.0 per cent of the ***parcel depth***; and

(c) where the minimum separation distance of the ***main residential buildings*** on the front portion of the ***parcel*** and the ***main residential buildings*** contained on the rear portion of the ***parcel*** is 6.5 metres.

(3) For a ***main residential building*** that is located on a ***corner parcel*** there is no maximum ***building depth*** where the minimum ***building setback*** from the ***side property line*** shared with another ***parcel*** is 3.0 metres for any portion of the ***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***.

15P2016

Building Setback Areas

56P2022

536 The minimum depth of all ***setback areas*** must be equal to the minimum ***building setback*** required in sections 535, 537, 538, 539, and 540.

56P2022
61P2018,
15P2016,
62P2018

Building Setback from Front Property Line

537 The minimum ***building setback*** from a ***front property line*** is 3.0 metres.

15P2016

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.

15P2016,
62P2018
56P2022
9P2026

Building Setback from Side Property Line

539 **(1)** Subject to subsections (3) through (9), the minimum ***building setback*** from any ***side property line*** is 1.2 metres.

(2) Subject to subsections (3) through (7), 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) There is no requirement for a ***building setback*** from a ***property line*** upon which a party wall is located.

(4) *deleted*

(5) *deleted*

(6) For a ***corner parcel***, the minimum ***building setback*** from a ***side property line*** shared with a ***street*** is 0.6 metres.

(7) *deleted*

(8) Unless otherwise referenced in subsection (9), 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.

(9) 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***.

15P2016, 62P2018 56P2022

Building Setback from Rear Property Line

540 (1) Unless otherwise referenced in subsection (2) the minimum ***building setback*** from a ***rear property line*** is 7.5 metres.

(2) On a ***laned*** or ***corner parcel***, the minimum ***building setback*** from a ***rear property line*** is 1.2 metres.

62P2018, 9P2026

Fences for Rowhouse Buildings

540.1 (1) For a **Rowhouse Building**, 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 immediately adjacent ***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.

(c) 2.5 metres at the highest point of a gate that is not more than 2.5 metres in length.

15P2016, 62P2018,56P2022 9P2026

Building Height

541 **(1)** Unless otherwise referenced in subsections (2), (3) and (4), the maximum ***building height*** is 10.0 metres measured from ***grade***.

9P2026

(2) Where a ***building setback*** is required from a ***property line*** shared with another ***parcel*** designated with a ***low density residential district***, the M-CG or H-GO 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 10.0 metres measured from ***grade***.

56P2022

(3) On a ***corner parcel***, 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.

56P2022

(4) Where not located on a ***corner parcel***, the maximum ***building height*** is 8.6 metres for any portion of a ***main residential building*** located between the ***rear property line*** and 60.0 per cent ***parcel depth*** or the ***contextual building depth average***, whichever is greater.

56P2022

(5) *deleted*

15P2016,62P2018, 56P2022

Landscaping Requirements

542 **(1)** For ***developments*** of three ***units*** or more, ***landscaped areas*** must be provided in accordance with a landscape plan approved by the ***Development Authority***.

(2) For ***developments*** of two ***units*** or less the General Landscaping Rules of Section 346.1 apply.

(3) 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***.

(4) All ***setback areas adjacent*** to a ***street***, except for those portions specifically required for motor vehicle access, must be a ***landscaped area***.

(5) ***Amenity space*** provided outdoors at ***grade*** must be included in the calculation of a ***landscaped area***.

(6) 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***.

(7) A minimum of 30.0 per cent of the ***landscaped area*** must be covered with ***soft surfaced landscaping***.

(8) All ***soft surfaced landscaped area*** must be irrigated by an underground irrigation system, unless otherwise provided by a ***low water irrigation system***.

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

(10) 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.

Landscape Plan Requirements *56P2022*

542.1 For ***developments*** of three ***units*** or more, a landscape plan for the entire development must be submitted as part of each ***development permit*** application where changes are proposed to ***buildings*** or the site plan, and must show at least the following:

(a) the existing and proposed site grading;

(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***, ***soft surfaced landscaped area*** and ***hard surfaced landscaped areas***;

(d) ***private amenity space*** or ***common amenity space***;

(e) the types, species, sizes and numbers of plant material and the types of ***hard surfaced landscaped areas***;

(f) details of the irrigation system; and

(g) for ***landscaped areas*** with a ***building*** or other structure 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.

56P2022

Planting Requirements

542.2 (1) Trees required by this section:

(a) may be provided though the planting of new trees or the preservation of existing trees; and

(b) where approved by the ***Development Authority***, may be provided on a boulevard ***adjacent*** to the ***parcel***.

(2) A minimum of 1.0 tree and 3.0 shrubs must be provided for each 110.0 square meters of ***parcel area***.

(3) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

(4) 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.

(5) 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.

(6) The requirement for the provision of 3.0 trees is met where an existing deciduous tree with a ***calliper*** greater than 100 millimeters is preserved.

(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) 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.

Amenity Space

15P2016, 62P2018, 56P2022

543 **(1)** For ***developments*** of three ***units*** or more, each ***unit*** and ***suite*** must have ***amenity space*** that is located outdoors and is labelled on the required landscape plan.

(2) ***Amenity space*** may be provided as ***common amenity space***, ***private amenity space*** or a combination of both.

Balconies

15P2016, 62P2018, 56P2022, 9P2026

544 **(1)** Where a ***balcony*** is located on the roof of the first or second ***storey*** of a ***main residential building*** and does not overhang any façade of the ***storey*** below, the ***balcony*** may have a maximum floor area that equals 50.0 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***.

62P2018 **545** *deleted*

15P2016,62P2018, 56P2022, 21P2024 9P2026 **Motor Vehicle Parking Stall**

546 **(1)** The minimum number of ***motor vehicle parking stalls*** is calculated based on the sum of all ***units*** and ***suites*** at a rate of 1.0 stalls per ***unit*** or ***suite***.

(2) Notwithstanding subsection (1), the minimum number of ***motor vehicle parking stalls*** is calculated based on the sum of all ***units*** and ***suites*** at a rate of 0.5 stalls per ***unit*** or ***suite*** for the area listed in Table 2.1 below.

21P2024

Table 2.1 – Communities with 0.5 Parking Stalls			
ACADIA	DOWNTOWN WEST END	LINCOLN PARK	ROSEMONT
ALBERT PARK/ RADISSON HEIGHTS	EAGLE RIDGE	LOWER MOUNT ROYAL	ROSSCARROCK
ALTADORE	EAU CLAIRE	MANCHESTER	ROXBORO
BANFF TRAIL	ELBOW PARK	MAPLE RIDGE	RUTLAND PARK
BANKVIEW	ELBOYA	MARLBOROUGH	SCARBORO
BAYVIEW	ERLTON	MAYFAIR	SHAGANAPPI
BEL-AIRE	FAIRVIEW	MAYLAND HEIGHTS	SOUTH CALGARY
BELTLINE	FOREST HEIGHTS	MEADOWLARK PARK	SOUTHVIEW
BONAVISTA DOWNS	FOREST LAWN	MISSION	SOUTHWOOD
BOWNESS	GARRISON GREEN	MONTGOMERY	SPRUCE CLIFF
BRAESIDE	GARRISON WOODS	MOUNT PLEASANT	ST. ANDREWS HEIGHTS
BRENTWOOD	GLAMORGAN	NORTH GLENMORE PARK	SUNALTA
BRIDGELAND/ RIVERSIDE	GLENBROOK	NORTH HAVEN	SUNALTA WEST
BRITANNIA	GLENDALE	NORTH HAVEN UPPER	SUNNYSIDE
CAMBRIAN HEIGHTS	GREENVIEW	OAKRIDGE	THORNCLIFFE
CANYON MEADOWS	HAYSBORO	OGDEN	TUXEDO PARK
CAPITOL HILL	HIGHLAND PARK	PALLISER	UNIVERSITY DISTRICT
CHARLESWOOD	HIGHWOOD	PARKDALE	UNIVERSITY HEIGHTS
CHINATOWN	HILLHURST	PARKHILL	UPPER MOUNT ROYAL

CHINOOK PARK	HOUNSFIELD HEIGHTS/ BRIAR HILL	POINT MCKAY	VARSITY
CLIFF BUNGALOW	HUNTINGTON HILLS	PUMP HILL	VISTA HEIGHTS
COLLINGWOOD	INGLEWOOD	QUEENS PARK VILLAGE	WEST HILLHURST
CRESCENT HEIGHTS	KELVIN GROVE	RAMSAY	WESTGATE
CURRIE BARRACKS	KILLARNEY/ GLENGARRY	RENFREW	WILDWOOD
DALHOUSIE	KINGSLAND	RICHMOND	WILLOW PARK
DOWNTOWN COMMERCIAL CORE	LAKE BONAVISTA	RIDEAU PARK	WINDSOR PARK
DOWNTOWN EAST VILLAGE	LAKEVIEW	ROSEDALE	WINSTON HEIGHTS/ MOUNTVIEW

(3) Notwithstanding subsection (1), and (2) the minimum number of ***motor vehicle parking stalls*** is calculated based on the sum of all ***units*** and ***suites*** at a rate of 0.5 stalls per ***unit*** or ***suite*** for development within 600.0 metres of an existing ***LRT platform*** or ***BRT Station***.

56P2022, 21P2024 59P2025 9P2026

Mobility Storage

546.1 *deleted*

56P2022, 21P2024 9P2026

Bicycle Parking Stalls

546.2 The minimum number of ***bicycle parking stalls – class 1*** is calculated based on the sum of all ***units*** and ***suites*** at a rate of 1.0 stall per ***unit*** or ***suite*** where a ***unit*** or ***suite*** is not provided a ***motor vehicle parking stall*** located in a ***private garage***.

Waste, Recycling and Organics

56P2022

546.3 For ***developments*** of three or more ***units***, garbage, recycling, and organics must be stored in a ***screened*** location approved by the Development Authority.

15P2016

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 (1) 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) *deleted* *28P2021*

(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**.

(2) The following is an additional ***discretionary use*** if located within an existing approved ***building***: *60P2025*

(a) **Child Care Service**.

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. *46P2019*

(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: *46P2019*

(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.

16P2018 **(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.

59P2025 **(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 for a **Duplex Dwelling**, **Semi-detached Dwelling**, **Single Detached Dwelling** or **Rowhouse Building** are provided in a ***private garage***.

59P2025 **(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 for a **Duplex Dwelling**, **Semi-detached Dwelling**, **Single Detached Dwelling** or **Rowhouse Building** are provided in a ***private garage***.

59P2025 **(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 for a **Duplex Dwelling**, **Semi-detached Dwelling**, **Single Detached Dwelling** or **Rowhouse Building**:

(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***. *40P2015*

(6) ***Landings*** not exceeding 2.5 square metres, ramps other than wheel-chair 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***. *13P2008, 7P2011*

(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***. *13P2008, 10P2009*

(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.

(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.

33P2019 **(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.

46P2019 **(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

44P2013

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

Low Water Deciduous Trees	
Botanical Name	Common Name
Acer ginnala	Amur Maple
deleted	***deleted***
Prunus padus commutate	Mayday
Prunus pennsylvanica	Pin Cherry
Prunus virginiana var. melanocarpa	Chokecherry
Pyrus ussuriensis	Ussurian pear
Quercus macrocarpa	Bur oak

10P2009

10P2009

Low Water Coniferous Trees	
Botanical Name	Common Name
Picea Pungens	Blue Spruce
Pinus aristata	Bristlecone Pine
Pinus banksiana	Jack pine
Pinus contorta var. latifolia	Lodgepole pine
Pinus flexilis	Limber Pine
Pinus ponderosa	Ponderosa pine upright

Table 4: Low Water Shrubs

Low Water Shrubs	
Botanical Name	Common Name
Amelanchier alnifolia	Saskatoon berry
Arctostaphylos uva-ursi	Bearberry
deleted	***deleted***
deleted	***deleted***
Crataegus spp.	Hawthorn
Elaeagnus commutate	Wolf willow
deleted	***deleted***
Juniperus spp.	Juniper (various)
deleted	***deleted***
Pinus mugo	Mugo pine
Potentilla fruticosa	Cinquefoil
Prinsepia sinensis	Cherry prinsepia
Prunus fruticosa	European dwarf cherry
Prunus tenella	Russian almond
Prunus tomentosa	Nanking cherry
Prunus triloba	Double flowering plum
Prunus x cistena	Cistina cherry
Rhus trilobata	Skunk Bush

10P2009

10P2009

10P2009

10P2009

Table 4: Low Water Shrubs - continued

Low Water Shrubs	
Ribes alpinum	Alpine currant
Ribes aureum	Golden currant
Ribes oxycanthoides	Wild gooseberry
Sambucus racemosa (excluding var. pubens)	European red elder
Shepherdia argentea	Silver buffaloberry
Sorbaria sorbifolia	Ural false spirea
Spiraea trilobata	Three-lobed spirea
Symphoricarpos occidentalis	Western snowberry
Syringa spp.	Lilac
Viburnum lantana	Wayfaring tree
Viburnum lentago	Nannyberry

10P2009

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***.

56P2022

Motor Vehicle Parking Stall Requirements

558 The minimum ***motor vehicle parking stall*** requirement is calculated:

(a) based on the sum for all **Dwelling Units** and ***suites*** where the rate is 0.625 stalls per **Dwelling Unit** or ***suite***; and

(b) for each **Live Work Unit** is:

(i) 0.625 stalls per ***unit*** for resident parking; and

(ii) 0.5 ***visitor parking stalls***.

Bicycle Parking Stall Requirements in Multi-Residential Development *56P2022*

559 The minimum number of ***bicycle parking stalls*** is calculated based on the sum for all ***units*** and ***suites*** where the rate is:

(a) 0.5 ***bicycle parking stall – class 1*** per ***unit***; *61P2025*

(b) 0.5 ***bicycle parking stall – class 1*** per ***suite***; and *61P2025*

(c) 0.1 ***bicycle parking stalls – class 2*** per ***unit*** for ***developments*** of 20 ***units*** or more, with a minimum of 2.0 stalls.

Reduction for Transit Supportive Multi-Residential Development *47P2008, 56P2022*

560 The required number of ***motor vehicle parking stalls*** in section 558 is reduced by 25.0 per cent for a ***development*** on a ***parcel*** located within:

(a) 600.0 metres of an existing or approved capital funded ***LRT platform***;

(b) 400.0 metres of an existing or approved capital funded ***BRT station***; or

(c) 200.0 metres of ***primary transit service***.

Parking Maximums Close to LRT Stations

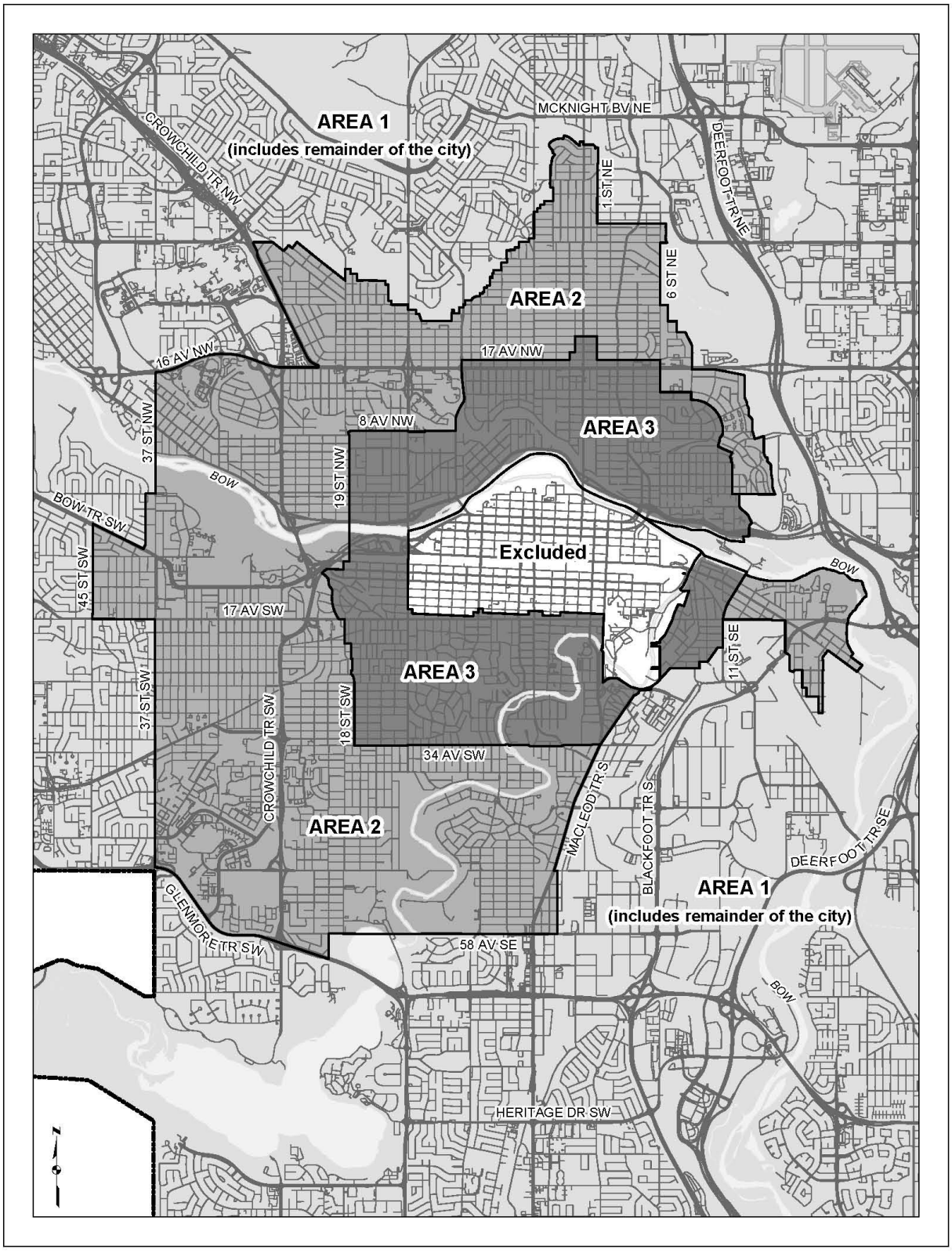
561 Where a ***building*** contains three or more ***units*** with shared entrance facilities in a **Multi-Residential Development** and **Multi-Residential Development – Minor** located on a **parcel** within 600.0 metres of an existing or approved Capital funded ***LRT Platform***, the maximum number of ***motor vehicle parking stalls*** is: *47P2008, 1P2009*

(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.

9P2012

Map 7:
Parking Areas Map



Minimum Motor Vehicle Parking Stall Requirements for Commercial Multi-Residential Uses

562 *deleted* *48P2020*

Accessory Residential Buildings

563 **(1)** An **Accessory Residential Building**:

(a) may have an ***amenity space*** in the form of a ***deck*** or a ***patio***; *13P2008*

(b) Unless specified in subsection (4) must not be located in a required ***setback area***; and *41P2009*

(c) must not be located between any ***building*** and a public ***street***. *41P2009*

(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 *27P2011*

(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***.

41P2009 **(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

34P2022 **564** **(1)** *deleted*

34P2022 **(2)** *deleted*

34P2022 **(3)** *deleted*

(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***.

43P2016 **(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***.

(4) *deleted* *9P2012, 16P2018, 34P2022*

(5) In the ***Developed Area*** a driveway accessing a ***street*** must not be constructed, altered or replaced except where: *56P2022*

(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.

Garbage

44P2022 **566** **(1)** Garbage containers and waste material must be stored, prior to collection, either:

(a) inside a ***building***; or

(b) in a garbage container enclosure approved by the ***Development Authority***.

41P2009 **(2)** A garbage container enclosure:

(a) must not be located between a ***building*** and a public ***street***; and

(b) unless specified in subsection (3) must not be located in a ***setback area***.

41P2009 **(3)** Where the ***main residential building*** is a **Multi-Residential Development** a garbage container enclosure may be located in a ***setback area*** from another ***parcel*** provided that:

(a) the wall of the enclosure is constructed of maintenance free materials; and

(b) there is no overhang of eaves onto an ***adjacent parcel*** or ***lane***.

Recycling Facilities

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

Mechanical Screening

27P2021 **568** Mechanical systems or equipment located outside of a ***building*** shall be positioned, camouflaged or screened from view of a ***public space***, or from view of a ***parcel*** designated as a ***residential district***, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above ***grade***.

Visibility Setback

13P2008 **569** 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

570 **(1)** A ***retaining wall*** must be less than 1.2 metres in height when measured from the lowest ***grade*** at any point ***adjacent*** to the ***retaining wall*** to the highest ***grade*** retained by the ***retaining wall***. *16P2018*

(2) A minimum horizontal separation of 1.0 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

571 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 *68P2008*

(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

571.1 **(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:

(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: *67P2008*

(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.

43P2016

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).

16P2018

(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**.

16P2018

(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, Secondary Suites and Backyard Suites

46P2009, 12P2010 24P2014, 56P2022, 59P2025

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** that is not combined with a **Multi-Residential Development**; *56P2022, 59P2025*

(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.

School Portables

34P2026

575.1 Where a **School Authority – School** is legally existing or approved, proposed ***school portables*** must comply with the rules of the S-SPR District.

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**; *17P2009*

(b) **Home Occupation – Class 1**;

(c) *deleted* *46P2009*

(d) **Park**;

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

(e.1) **Secondary Suite**; *33P2011*

(f) **Sign – Class A**; and *4P2012*

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**;

24P2014 (b.1) **Backyard Suite**;

(c) **Bed and Breakfast**;

(d) **Community Entrance Feature**;

(e) **Custodial Care**;

(f) **Duplex Dwelling**;

17P2009
28P2021 (f.1) *deleted*

(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**;

33P2011 (n) *deleted*

12P2010, 24P2014 (n.1) *deleted*

12P2010, 24P2014 (n.2) *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**; 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***: 22P2016

(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***.

13P2008

(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***, the M-CG or H-GO District: *13P2008,56P2022*

(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***, the M-CG or H-GO District: *13P2008,56P2022*

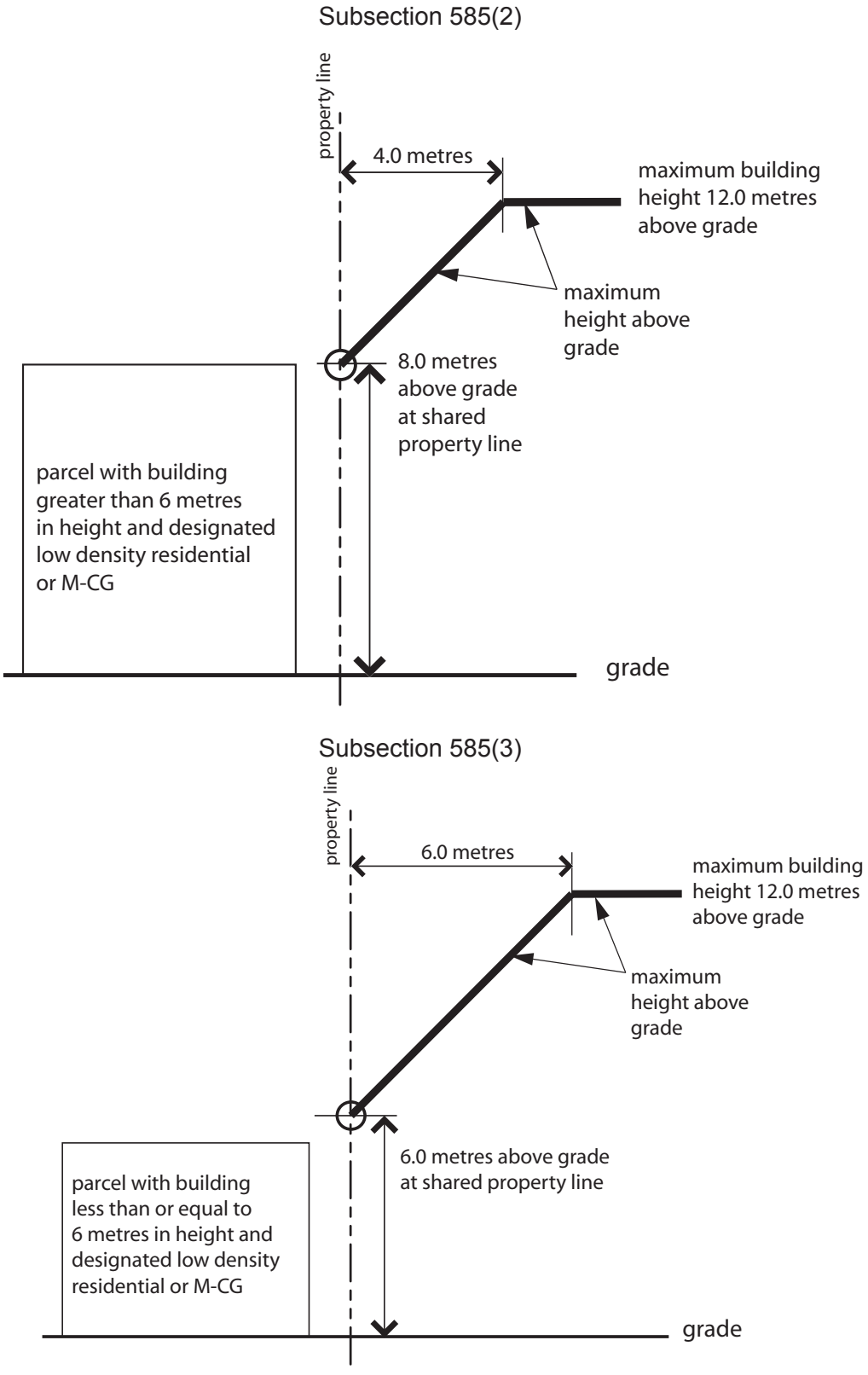
(a) is 6.0 metres measured from ***grade*** at the shared ***property line***; and

(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***.

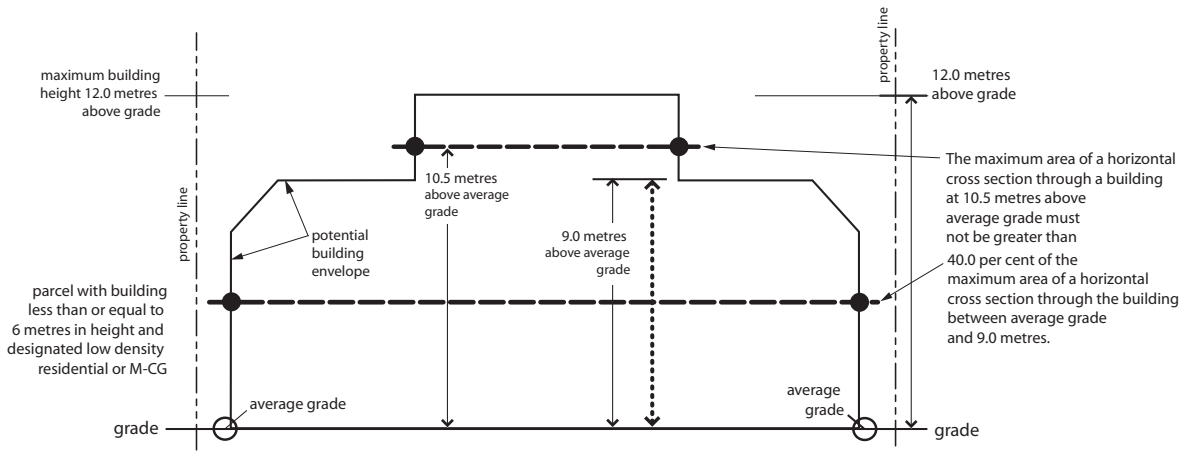
(4) The maximum area of a horizontal cross section through a ***building*** at 10.5 metres above ***average grade*** must not be greater than 40.0 per cent of the maximum area of a horizontal cross section through the ***building*** between ***average grade*** and 9.0 metres.

(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(4)



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**;

24P2014 (b.1) **Backyard Suite**;

(c) **Bed and Breakfast**;

(d) **Child Care Service**;

(e) **Community Entrance Feature**;

(f) **Custodial Care**;

(g) **Duplex Dwelling**;

17P2009, 28P2021 (g.1) *deleted*

(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**;

34P2010, 33P2011 (n.1) *deleted*

34P2010, 24P2014 (n.2) *deleted*

34P2010, 24P2014 (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**; 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 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***: 22P2016

(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:

51P2008 (a) C-N1, C-COR1, CC-X or CC-COR District; or

51P2008 (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

593 At least 90.0 per cent of the required ***landscaped area*** must be provided at ***grade***.

Building Height and Cross Section

594 **(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***, the M-CG or H-GO District, the maximum ***building height***: *56P2022*

(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:

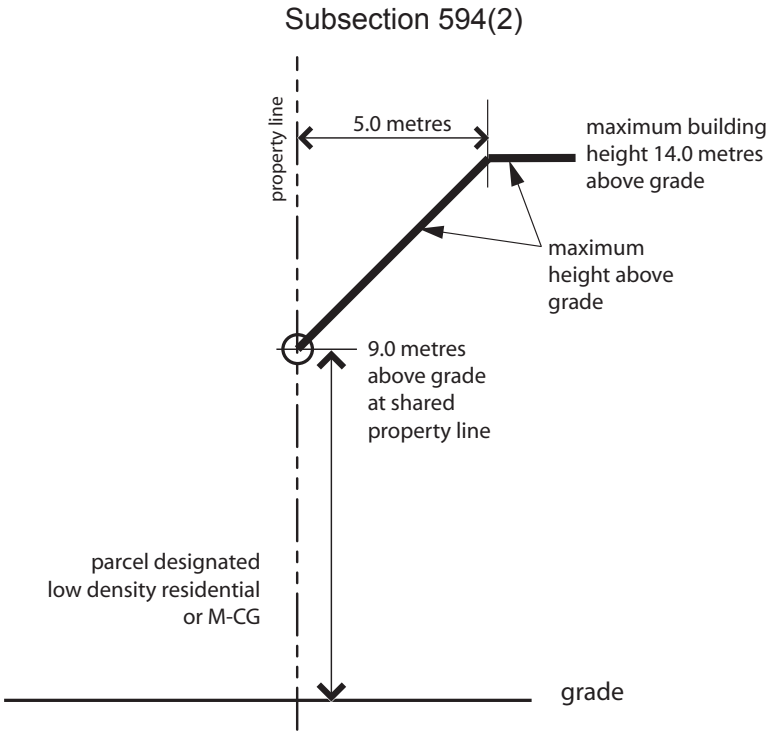
(a) 10.0 metres measured from ***grade*** within 3.0 metres of that shared ***property line***; and

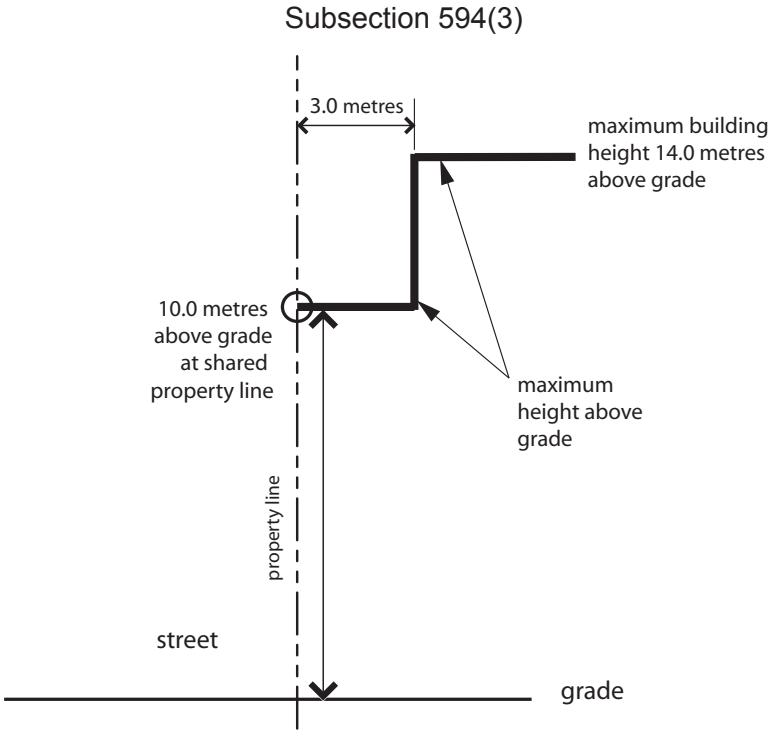
(b) 14.0 metres measured from ***grade*** at a distance greater than 3.0 metres from that shared ***property line***.

(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.

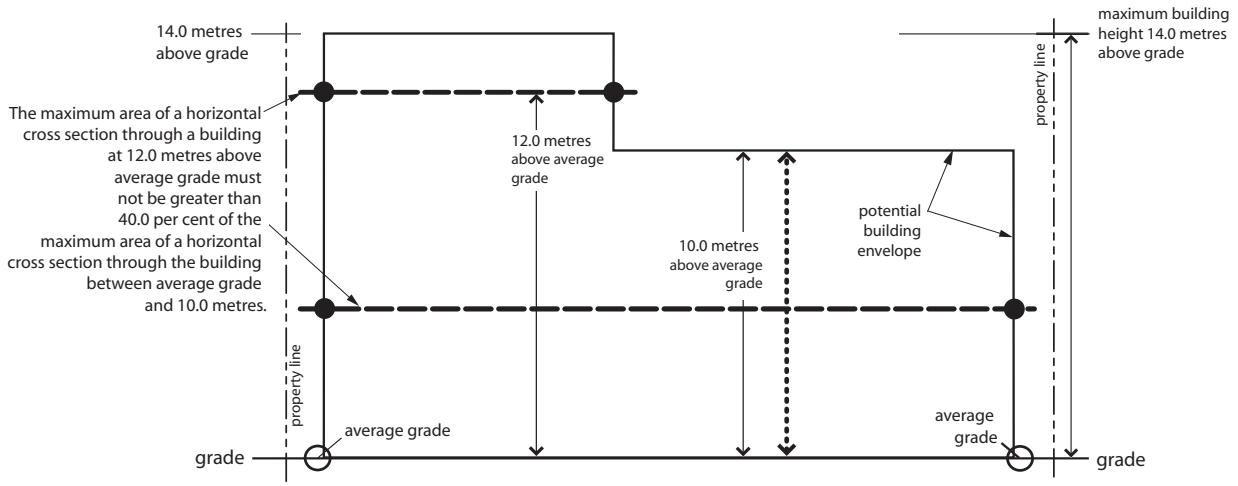
(5) The following diagrams illustrate the rules of subsections (2), (3) and (4):

Illustration 4:
Building Height and Cross Section in the Multi-Residential Contextual Low Profile (M-C1) District





Subsection 594(4)



Division 4: Multi-Residential – Contextual Medium Profile (M-C2) (M-C2f#d#) District

7P2011

Purpose

595 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

596 (1) 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**; 17P2009

(b) **Home Occupation – Class 1**;

(c) **Park**;

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

33P2011 (d.1) **Secondary Suite**;

4P2012 (e) **Sign – Class A**; and

4P2012 (f) *deleted*

(g) **Utilities**.

53P2008 **(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

597 **(1)** The following ***uses*** are ***discretionary uses*** in the Multi-Residential – Contextual Medium Profile District:

(a) **Addiction Treatment**;

(b) **Assisted Living**;

24P2014 (b.1) **Backyard Suite**;

(c) **Bed and Breakfast**;

(d) **Child Care Service**;

(e) **Community Entrance Feature**;

(f) **Custodial Care**;

(g) **Duplex Dwelling**;

17P2009, 28P2021 (g.1) *deleted*

(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**;

34P2010,33P2011 (n.1) *deleted*

34P2010, 24P2014 (n.2) *deleted*

34P2010, 24P2014 (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**; 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 **Community Recreation Facility** or **School Authority – School** in the Multi-Residential – Contextual Medium Profile District: 53P2008

(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***: 22P2016

(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

44P2013 (d) the applicable rules for the Special Purpose – Community Service District for those ***uses*** referenced in sections 596(2) and 597(2) and (3).

7P2011 ### 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.

13P2008 ### 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 *51P2008*

(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**. *51P2008*

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***, the M-CG or H-GO District, the maximum ***building height***: *56P2022*

(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:

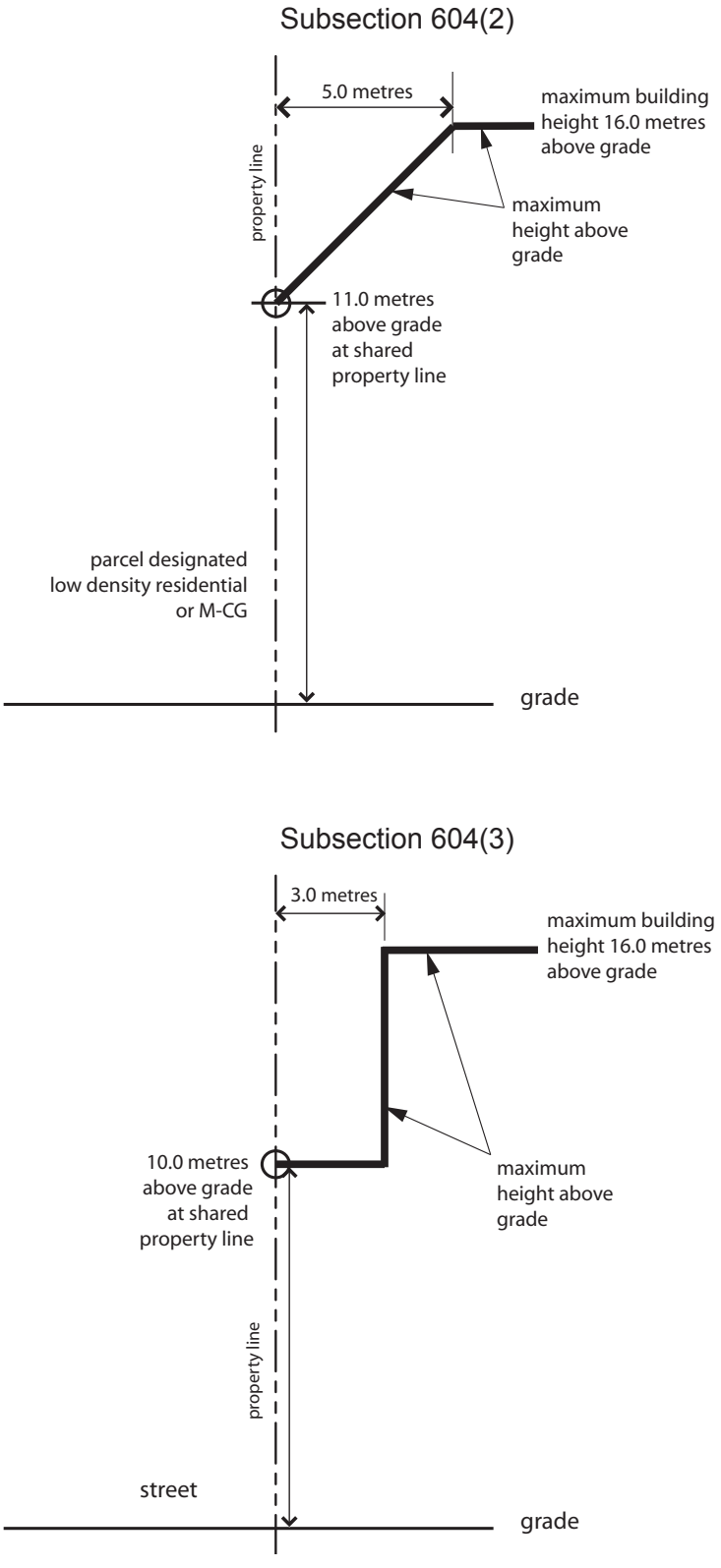
(a) 10.0 metres measured from ***grade*** within 3.0 metres of that shared ***property line***; and

(b) 16.0 metres measured from ***grade*** at a distance greater than 3.0 metres from that shared ***property line***.

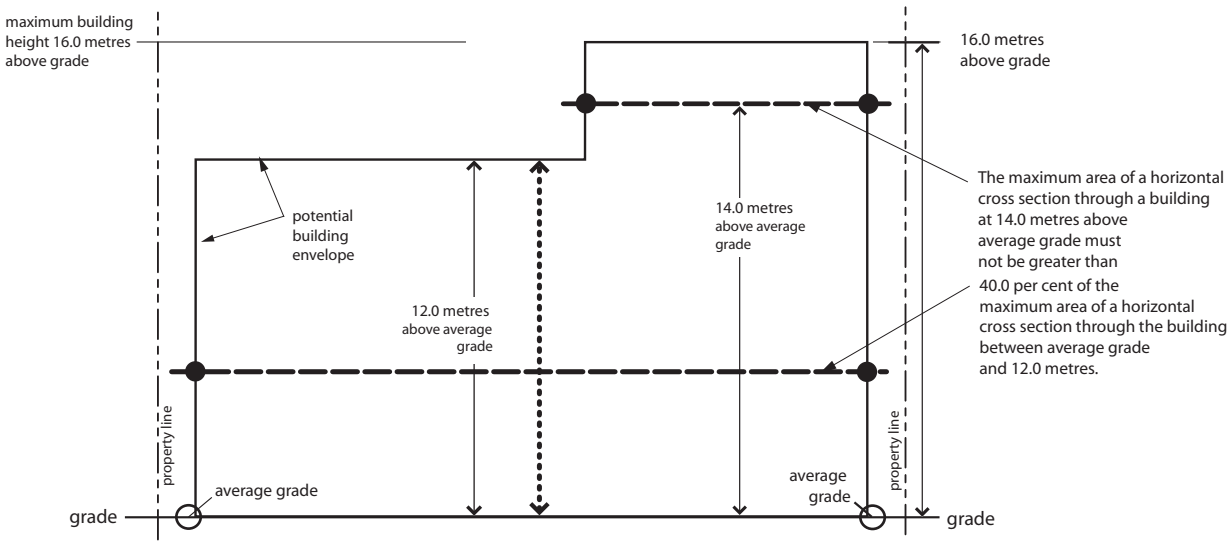
(4) The maximum area of a horizontal cross section through a ***building*** at 14.0 metres above ***average grade*** must not be greater than 40.0 per cent of the maximum area of a horizontal cross section through the ***building*** between ***average grade*** and 12.0 metres.

(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(4)



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*

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**;

33P2019 (p) **Temporary Residential Sales Centre**;

33P2019 (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

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

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: *9P2012*

(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* *7P2011*

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

7P2011

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**; *17P2009*

(b) **Home Occupation – Class 1**;

(c) **Multi-Residential Development – Minor**;

(d) **Park**;

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

(f) **Sign – Class A**; and *4P2012*

4P2012 (g) *deleted*

(h) **Utilities**.

Discretionary Uses

618 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**;

33P2019 (q) **Temporary Residential Sales Centre**;

33P2019 (q.1) **Urban Agriculture**; and

(r) **Utility Building**.

Rules

619 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:

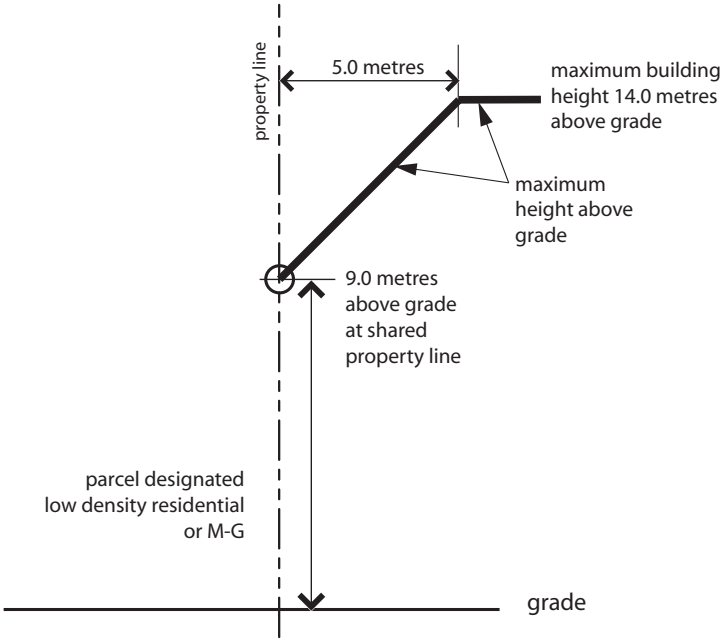
(a) 10.0 metres measured from ***grade*** within 3.0 metres of that shared ***property line***; and

(b) 14.0 metres measured from ***grade*** at a distance greater than 3.0 metres from that shared ***property line***.

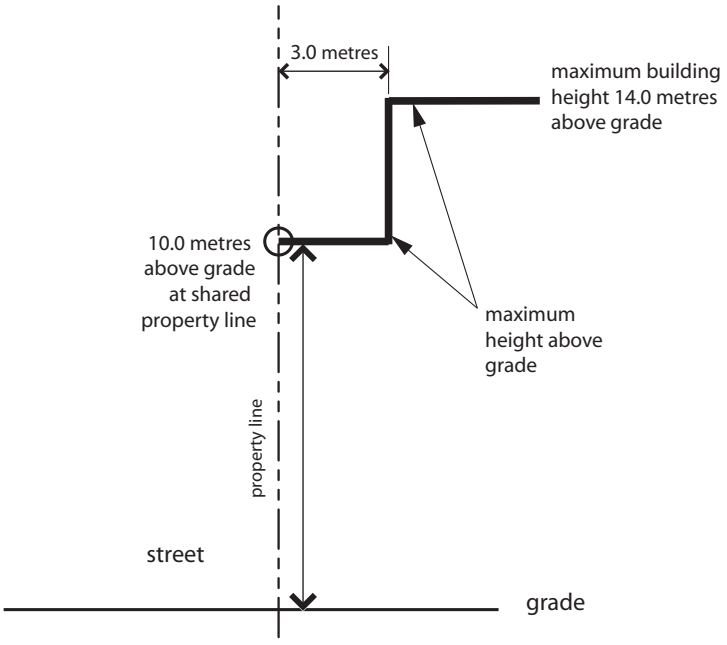
(4) The following diagrams illustrate the rules of subsections (2) and (3):

Illustration 6:
Building Height in the Multi-Residential Low Profile (M-1) District

Subsection 624(2)



Subsection 624(3)



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**; 17P2009

(c) **Multi-Residential Development – Minor**;

(d) **Park**;

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

4P2012 (f) **Sign – Class A**; and

4P2012 (g) *deleted*

(h) **Utilities**.

Discretionary Uses

627 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**;

33P2019 (q) **Temporary Residential Sales Centre**;

33P2019 (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

7P2011

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

13P2008

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.

(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

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:

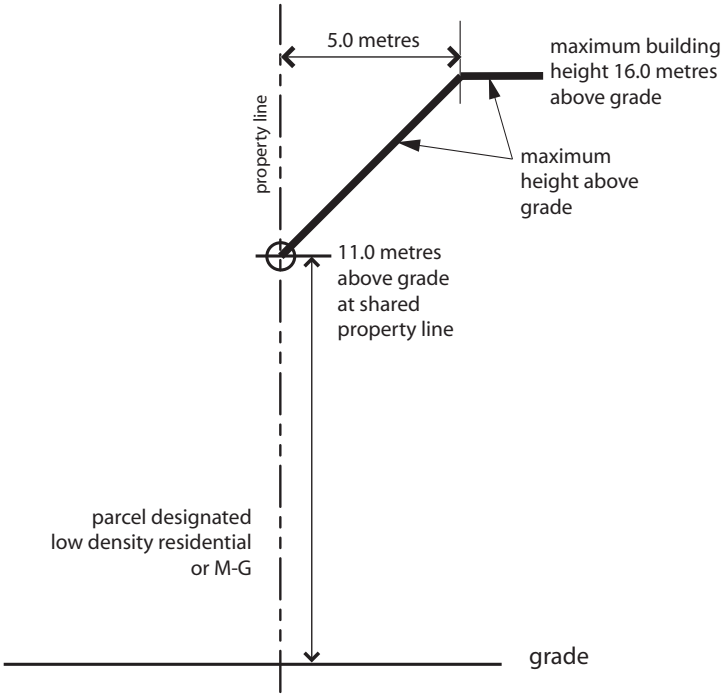
(a) 10.0 metres measured from ***grade*** within 3.0 metres of that shared ***property line***; and

(b) 16.0 metres measured from ***grade*** at a distance greater than 3.0 metres from that shared ***property line***.

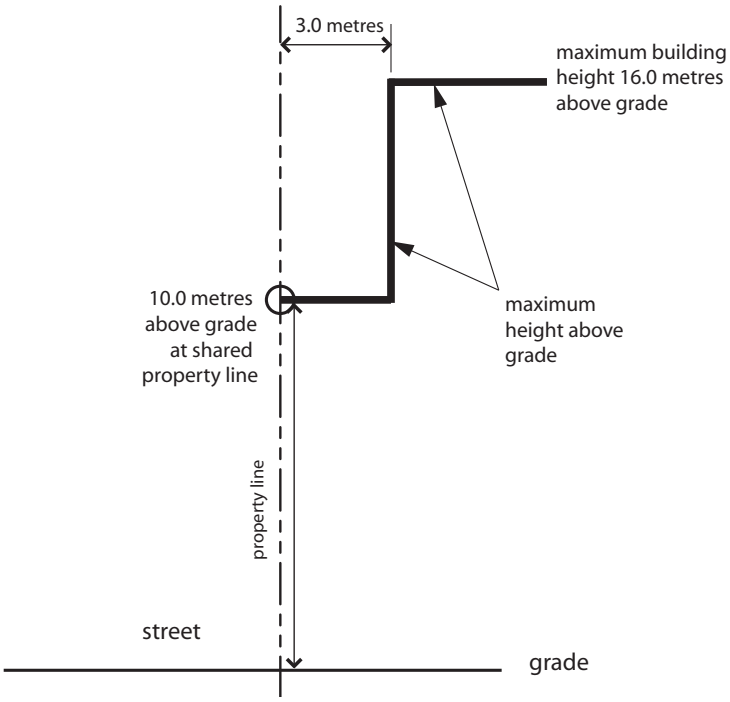
(4) The following diagrams illustrate the rules of subsection (2) and (3):

Illustration 7:
Building Height in the Multi-Residential Medium Profile (M-2) District

Subsection 634(2)



Subsection 634(3)



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

7P2011

Purpose

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

(a) is intended to provide for **Multi-Residential Development** in the ***Developed Area*** and the ***Developing Area***;

(b) has **Multi-Residential Development** that will provide ***development*** with higher numbers of **Dwelling Units** and traffic generation;

(c) provides for **Multi-Residential Development** in a variety of forms;

(d) has tall **Multi-Residential Development** with high ***density***;

(e) has **Multi-Residential Development** where intensity is measured by ***floor area ratio*** to provide flexibility in ***building*** form and **Dwelling Unit** size and number;

(f) is intended to be typically located at community nodes and transit and transportation corridors and nodes;

(g) requires that **Multi-Residential Development** achieves a minimum ***density***;

(h) includes a limited range of support ***commercial multi-residential uses***, restricted in size and location within the ***building***;

(i) provides outdoor space for social interaction; and

(j) provides landscaping to complement the design of the ***development*** and to help screen and buffer elements of the ***development*** that may have impacts on residents or nearby ***parcels***.

Permitted Uses

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

(a) **Accessory Residential Building**;

(a.1) **Home Based Child Care – Class 1**; 17P2009

(b) **Home Occupation – Class 1**;

(c) **Park**;

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

33P2011 (d.1) **Secondary Suite**;

4P2012 (e) **Sign – Class A**; and

4P2012 (f) *deleted*

(g) **Utilities**.

34P2010 **Discretionary Uses**

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

(a) **Addiction Treatment**;

42P2019 (a.1) **Artist's Studio**;

(b) **Assisted Living**;

(c) **Child Care Service**;

(d) **Community Entrance Feature**;

(e) **Convenience Food Store**;

46P2021 (f) *deleted*

(g) **Custodial Care**;

46P2021 (g.1) **Health Care Service**;

(h) **Home Occupation – Class 2**;

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

(j) **Live Work Unit**;

(k) **Multi–Residential Development**;

(l) **Office**;

(m) **Outdoor Café**;

(n) **Place of Worship – Medium**;

(o) **Place of Worship – Small**;

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

(q) **Print Centre**;

(r) **Residential Care**;

27P2021 (s) **Restaurant: Food Service Only**;

27P2021 (s.1) **Restaurant: Licensed**;

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

(u) **Service Organization**;

(v) **Sign – Class B**;

(w) **Sign – Class C**;

(x) **Sign – Class D**;

(y) **Sign – Class E**;

(z) **Specialty Food Store**;

(aa) *deleted*; 65P2023

(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 – 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**; 24P2014

(a.1) **Duplex Dwelling**; 24P2014

(b) *deleted* 33P2011

(c) *deleted* 24P2014

(d) *deleted* 24P2014

(e) **Semi-detached Dwelling**; and

(f) **Single Detached Dwelling**.

Rules

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 7P2011

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. 13P2008

(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***;

9P2012 (c) ***special purpose district***; or

51P2008 (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***.

7P2011

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***, H-GO, 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***. *56P2022*

(5) Where a ***parcel*** shares a ***property line*** with a ***parcel*** designated as a ***commercial***, ***industrial*** or ***special purpose district***, the maximum ***building height*** referenced in subsection (1) or (2) is reduced to 10.0 metres measured from ***grade*** within 1.2 metres of that shared ***property line***.

Rules for Commercial Multi-Residential Uses

645 **(1)** ***Commercial multi-residential uses*** must:

(a) be located on the floor closest to ***grade*** of a ***main residential building***; *7P2011*

(b) be contained completely within the ***building*** with the exception of **Outdoor Café *uses***; *16P2018*

(c) not be located above any **Dwelling Unit**;

(d) not share an internal hallway with **Dwelling Units**; and

(e) have a separate exterior entrance from that of the **Dwelling Units**.

(2) *deleted* *7P2011*

(3) The maximum ***use area*** for each ***commercial multi-residential use*** is 325.0 square metres. *27P2021*

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

(4) Parking areas for ***commercial multi-residential uses*** must:

(a) be separated from residential parking areas;

(b) provide pedestrian access to the ***commercial multi-residential uses***; and

(c) be located a minimum distance of 5.0 metres from a ***parcel*** designated as a ***low density residential district***, in the case of a surface parking area.

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

7P2011

Purpose

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

(a) is intended to provide for **Multi-Residential Development** on selected ***parcels*** in the ***Developed Area*** and the ***Developing Area***;

(b) has **Multi-Residential Development** that will provide intense ***development***, with higher numbers of **Dwelling Units** and traffic generation;

(c) provides for **Multi-Residential Development** in a variety of forms;

(d) has taller **Multi-Residential Development** with higher ***density***;

(e) has **Multi-Residential Development** where intensity is measured by ***floor area ratio*** to provide flexibility in ***building*** form and **Dwelling Unit** size and number;

(f) is located on strategic ***parcels***, including landmark locations, transit and transportation corridors and nodes and employment concentrations;

(g) requires that **Multi-Residential Development** achieves a minimum ***density***;

(h) includes a limited range of support ***commercial multi-residential uses***, restricted in size and location within the ***building***;

(i) provides outdoor space for social interaction; and

(j) provides landscaping to complement the design of the ***development*** and to help screen and buffer elements of the ***development*** that may have impacts on residents or nearby ***parcels***.

Permitted Uses

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

(a) **Accessory Residential Building**;

(a.1) **Home Based Child Care – Class 1**; 17P2009

(b) **Home Occupation – Class 1**;

(c) **Park**;

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

33P2011 (d.1) **Secondary Suite**;

4P2012 (e) **Sign – Class A**; and

4P2012 (f) *deleted*

(g) **Utilities**.

34P2010 **Discretionary Uses**

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

(a) **Addiction Treatment**;

42P2019 (a.1) **Artist's Studio**;

(b) **Assisted Living**;

(c) **Child Care Service**;

(d) **Community Entrance Feature**;

(e) **Convenience Food Store**;

46P2021 (f) *deleted*

(g) **Custodial Care**;

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

46P2021 (h.1) **Health Care Service**;

(i) **Home Occupation – Class 2**;

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

(k) **Live Work Unit**;

(l) **Multi-Residential Development**;

(m) **Office**;

(n) **Outdoor Café**;

(o) **Place of Worship – Medium**;

(p) **Place of Worship – Small**;

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

(r) **Print Centre**;

(s) **Residential Care**;

27P2021 (t) **Restaurant: Food Service Only**;

27P2021 (u) **Restaurant: Licensed**;

27P2021 (u.1) *deleted*

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

(w) **Service Organization**;

(x) **Sign – Class B**;

(y) **Sign – Class C**;

(z) **Sign – Class D**;

(aa) **Sign – Class E**;

(bb) **Specialty Food Store**;

(cc) *deleted* 65P2023

(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**: 24P2014

(a) **Backyard Suite**; 24P2014

(a.1) **Duplex Dwelling**; 33P2011

(b) *deleted* 24P2014

(c) *deleted* 24P2014

(d) *deleted*

(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 13P2008

651 (1) The minimum ***density*** for ***parcels*** designated M-H2 District is 150 ***units*** per hectare.

(2) There is no maximum ***density*** for ***parcels*** designated M-H2 District, unless established as referenced in subsection (3).

(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

652 The depth of all ***setback areas*** must be equal to the minimum ***building setback*** required in section 653.

Building Setbacks

653 **(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 when that ***parcel*** is designated as a:

(a) ***low density residential district***; or

56P2022

(b) H-GO, M-CG, M-C1, M-G, M-1 or M-X1 District.

(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

51P2008

(d) M-C2, M-2, M-H1, M-H2, M-H3, M-X2, CC-MH or CC-MHX District.

Landscaping

654 At least 25.0 per cent of the required ***landscaped area*** must be provided at ***grade***.

Building Height 7P2011

655 **(1)** Unless otherwise referenced in subsections (2), (3), (4) and (5), the maximum ***building height*** is 50.0 metres.

(2) The maximum ***building height*** for ***parcels*** designated M-H2 is the number following the letter "h" indicated on the Land Use District Maps, expressed in metres, which must be less than 50.0 metres.

(3) Where a ***parcel*** shares a ***property line*** with a ***street*** or a ***parcel*** designated as a M-C2, M-2, M-H1, M-H2, M-H3, or M-X2 District, the maximum ***building height*** referenced in subsection (1) or (2) is reduced to 10.0 metres measured from ***grade*** within 4.0 metres of that shared ***property line***.

(4) Where a ***parcel*** shares a ***property line*** with a ***lane***, the maximum ***building height*** referenced in subsection (1) or (2) is reduced to 10.0 metres measured from ***grade*** within 6.0 metres of that shared ***property line***.

(5) Where a ***parcel*** shares a ***property line*** with a ***parcel*** designated as a ***commercial***, ***industrial*** or ***special purpose district***, the maximum ***building height*** referenced in subsection (1) or (2) is reduced to 10.0 metres measured from ***grade*** within 1.2 metres of that shared ***property line***.

Rules for Commercial Multi-Residential Uses

656 **(1)** Unless otherwise referenced in subsection (2), ***commercial multi-residential uses*** must: 7P2011

(a) be contained completely within the ***building*** with the exception of **Outdoor Café *uses***; 16P2018

(b) be located on the floor closest to ***grade*** of a ***main residential building***; and

(c) not share a hallway with **Dwelling Units**.

(2) A **Health Care Service**, **Information and Service Provider**, **Office** or **Service Organization** may be located on the second ***storey*** of the ***main residential building*** provided they: 7P2011, 27P2021

(a) are contained completely within the ***building***; and

(b) do not share a hallway with **Dwelling Units**.

(3) The maximum ***use area*** for each ***commercial multi-residential use*** is 325.0 square metres. 27P2021

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

(4) Parking areas for ***commercial multi-residential uses*** must:

(a) be separated from residential parking areas; and

(b) be located a minimum distance of 5.0 metres from a ***parcel*** designated as a ***low density residential district*** in the case of a surface parking area.

Division 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**; *17P2009*

(b) **Home Occupation – Class 1**;

(c) **Park**;

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

33P2011 (d.1) **Secondary Suite**;

4P2012 (e) **Sign – Class A**; and

4P2012 (f) *deleted*

(g) **Utilities**.

34P2010 **Discretionary Uses**

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

(a) **Addiction Treatment**;

42P2019 (a.1) **Artist's Studio**;

(b) **Assisted Living**;

(c) **Child Care Service**;

(d) **Community Entrance Feature**;

(e) **Convenience Food Store**;

46P2021 (f) *deleted*

(g) **Custodial Care**;

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

46P2021 (h.1) **Health Care Service**;

(i) **Home Occupation – Class 2**;

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

(k) **Live Work Unit**;

(l) **Multi-Residential Development**;

(m) **Office**;

(n) **Outdoor Café**;

(o) **Place of Worship – Medium**;

(p) **Place of Worship – Small**;

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

(r) **Print Centre**;

(s) **Residential Care**;

27P2021 (t) **Restaurant: Food Service Only**;

27P2021 (u) **Restaurant: Licensed**;

27P2021 (u.1) *deleted*;

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

(w) **Service Organization**;

(x) **Sign – Class B**;

(y) **Sign – Class C**;

(z) **Sign – Class D**;

(aa) **Sign – Class E**;

(bb) **Specialty Food Store**;

(cc) *deleted* *65P2023*

(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 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**; *24P2014*

(a.1) **Duplex Dwelling**; *24P2014*

(b) *deleted* *33P2011*

(c) *deleted* *24P2014*

(d) *deleted* *24P2014*

(e) **Semi-detached Dwelling**; and

(f) **Single Detached Dwelling**.

Rules

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 *13P2008*

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***;

9P2012

(c) ***special purpose district***; or

51P2008

(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: *7P2011*

(a) be contained completely within the ***building*** with the exception of **Outdoor Café *uses***; *16P2018*

(b) be located on the floor closest to ***grade*** of a ***main residential building***; and

(c) not share a hallway with **Dwelling Units**.

(2) A **Health Care Service**, **Information and Service Provider**, **Office** or **Service Organization** may be located on the second ***storey*** of the ***main residential building*** provided they: *7P2011, 27P2021*

(a) are contained completely within the ***building***; and

(b) do not share a hallway with **Dwelling Units**.

(3) The maximum ***use area*** for each ***commercial multi-residential use*** is 325.0 square metres. *27P2021*

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

(4) Parking areas for ***commercial multi-residential uses*** must:

(a) be separated from residential parking areas; and

(b) be located a minimum distance of 5.0 metres from a ***parcel*** designated as a ***low density residential district*** in the case of a surface parking area.

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

Purpose

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

(a) is intended to provide for **Multi-Residential Development** with support commercial ***uses*** in the ***Developed Area*** and the ***Developing Area***;

(b) has **Multi-Residential Developments** that will typically provide higher numbers of **Dwelling Units** and traffic generation than low density residential dwellings, and the M-G and M-CG Districts;

(c) provides for **Multi-Residential Development** in a variety of forms;

(d) includes a limited range of support ***commercial multi-residential uses***, restricted in size and location within the ***building***;

(e) has **Multi-Residential Development** of low height and medium ***density***;

(f) is in close proximity to low density residential ***development***;

(g) requires that **Multi-Residential Development** achieves a minimum ***density***;

(h) provides outdoor space for social interaction; and

(i) provides landscaping to complement the design of the ***development*** and to help screen and buffer elements of the ***development*** that may have impacts on residents or nearby ***parcels***.

Permitted Uses

669 The following ***uses*** are ***permitted uses*** in the Multi-Residential – Low Profile Support Commercial District:

(a) **Accessory Residential Building**;

(a.1) **Home Based Child Care – Class 1**; *17P2009*

(b) **Home Occupation – Class 1**;

(c) **Park**;

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

(d.1) **Secondary Suite**; *33P2011*

(e) **Sign – Class A**; and *4P2012*

4P2012 (f) *deleted*

(g) **Utilities**.

34P2010 **Discretionary Uses**

392010, 7P2011 **670 (1)** The following ***uses*** are ***discretionary uses*** in the Multi-Residential – Low Profile Support Commercial District:

(a) **Addiction Treatment**;

42P2019 (a.1) **Artist's Studio**;

(b) **Assisted Living**;

(c) **Child Care Service**;

(d) **Community Entrance Feature**;

(e) **Convenience Food Store**;

46P2021 (f) *deleted*

(g) **Custodial Care**;

46P2021 (g.1) **Health Care Service**;

(h) **Home Occupation – Class 2**;

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

(j) **Live Work Unit**;

(k) **Multi–Residential Development**;

(l) **Office**;

(m) **Outdoor Café**;

(n) **Place of Worship – Medium**;

(o) **Place of Worship – Small**;

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

(q) **Print Centre**;

(r) **Residential Care**;

27P2021 (s) **Restaurant: Food Service Only**;

27P2021 (s.1) **Restaurant: Licensed**;

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

(u) **Service Organization**;

(v) **Sign – Class B**;

(w) **Sign – Class C**;

(x) **Sign – Class D**;

(y) **Sign – Class E**;

(z) **Specialty Food Store**;

(aa) *deleted* 65P2023

(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**: 24P2014

(a) **Backyard Suite**; 24P2014

(a.1) **Duplex Dwelling**; 33P2011

(b) *deleted* 24P2014

(c) *deleted* 24P2014

(d) *deleted*

(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 13P2008

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.

51P2008

(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:

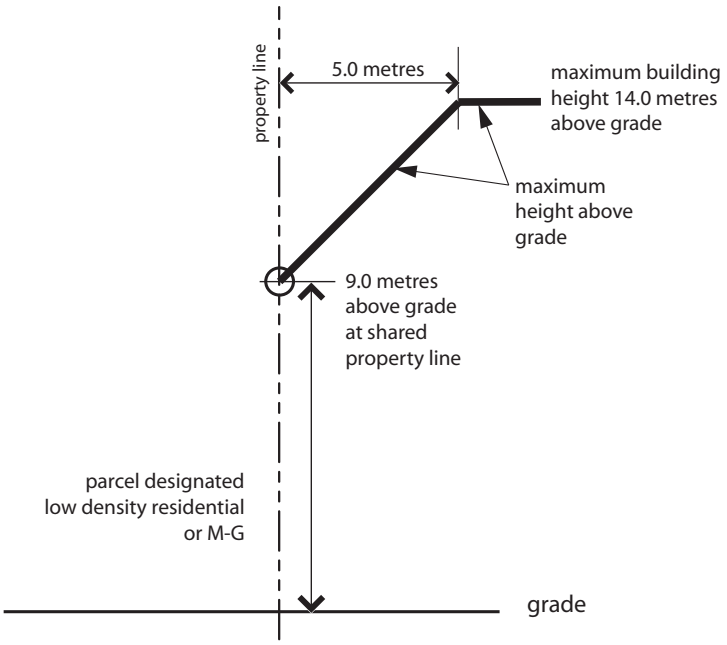
(a) 10.0 metres measured from ***grade*** within 3.0 metres of that shared ***property line***; and

(b) 14.0 metres measured from ***grade*** at a distance greater than 3.0 metres from that shared ***property line***.

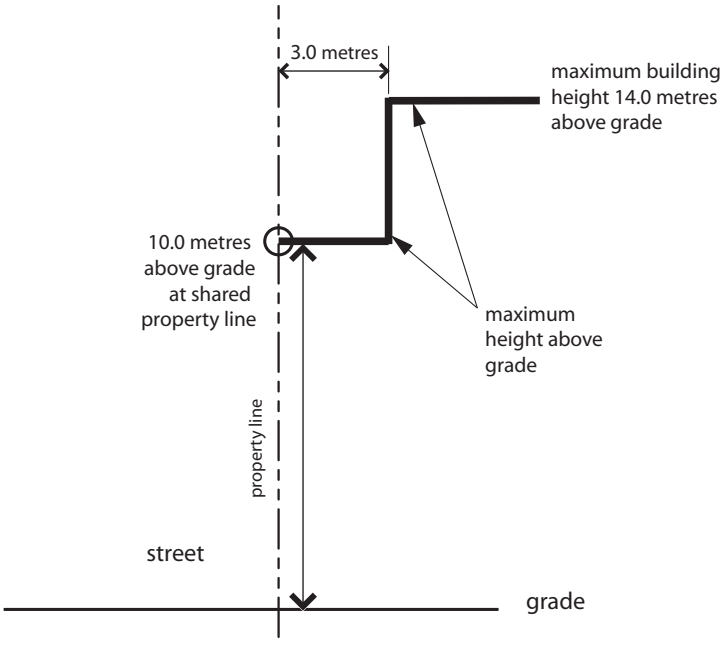
(4) The following diagrams illustrate the rules of subsections (2) and (3):

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

Subsection 676(2)



Subsection 676(3)



Rules for Commercial Multi-Residential Uses

7P2011 **677** **(1)** All **Multi-Residential Development** must have a minimum of 300.0 square metres to accommodate ***commercial multi-residential uses***.

(2) ***Commercial multi-residential uses*** must:

7P2011 (a) be located on the floor closest to ***grade*** of a ***main residential building***;

16P2018 (b) be contained completely within the ***building*** with the exception of **Outdoor Café *uses***;

(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**.

7P2011 **(3)** *deleted*

27P2021 **(4)** The maximum ***use area*** for each ***commercial multi-residential use*** is 325.0 square metres.

27P2021 **(4.1)** The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.

(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

7P2011

Purpose

678 The Multi-Residential – Medium Profile Support Commercial District:

(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

679 The following ***uses*** are ***permitted uses*** in the Multi-Residential – Medium Profile Support Commercial District:

(a) **Accessory Residential Building**;

17P2009 (a.1) **Home Based Child Care – Class 1**;

(b) **Home Occupation – Class 1**;

(c) **Park**;

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

33P2011 (d.1) **Secondary Suite**;

4P2012 (e) **Sign – Class A**; and

4P2012 (f) *deleted*

(g) **Utilities**.

34P2010 ### Discretionary Uses

39P2010, 7P2011 **680** **(1)** The following ***uses*** are ***discretionary uses*** in the Multi-Residential – Medium Profile Support Commercial District:

(a) **Addiction Treatment**;

42P2019 (a.1) **Artist's Studio**;

(b) **Assisted Living**;

(c) **Child Care Service**;

(d) **Community Entrance Feature**;

(e) **Convenience Food Store**;

46P2021 (f) *deleted*

(g) **Custodial Care**;

46P2021 (g.1) **Health Care Service**;

(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**; *27P2021*

(s.1) **Restaurant: Licensed**; *27P2021*

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

(u) **Service Organization**;

(v) **Sign – Class B**;

(w) **Sign – Class C**;

(x) **Sign – Class D**;

(y) **Sign – Class E**;

(z) **Specialty Food Store**;

(aa) *deleted* *65P2023*

(bb) **Temporary Residential Sales Centre**; *33P2019*

(bb.1) **Urban Agriculture**; and *33P2019*

(cc) **Utility Building**.

(2) The following ***uses*** are additional ***discretionary uses*** in the Multi Residential – Medium Profile Support Commercial District if they are located on a ***parcel*** in the ***developed area*** that is used or was previously used as **Duplex Dwelling**, **Semi-detached Dwelling** or **Single Detached Dwelling**:

(a) **Backyard Suite**; *24P2014*

(a.1) **Duplex Dwelling**; *24P2014*

(b) *deleted* *33P2011*

(c) *deleted* *24P2014*

(d) *deleted* *24P2014*

(e) **Semi-detached Dwelling**; and

(f) **Single Detached Dwelling**.

Rules

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

(a) the General Rules for Multi-Residential Land Use Districts referenced in Part 6, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

7P2011

Floor Area Ratio

682 **(1)** The maximum ***floor area ratio*** is 3.0.

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

Density

13P2008

683 **(1)** The minimum ***density*** for ***parcels*** designated M-X2 District is 60 ***units*** per hectare.

(2) There is no maximum ***density*** for ***parcels*** designated M-X2 District, unless established as referenced in subsection (3).

(3) The maximum ***density*** for ***parcels*** designated M-X2 District followed by the letter "d" and a number indicated on the Land Use District Maps:

(a) is the number expressed in ***units*** per hectare; and

(b) the number after the letter "d" must not be less than the minimum ***density*** referenced in subsection (1).

Setback Areas

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

Building Setbacks

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.

51P2008

(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

687 **(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***.

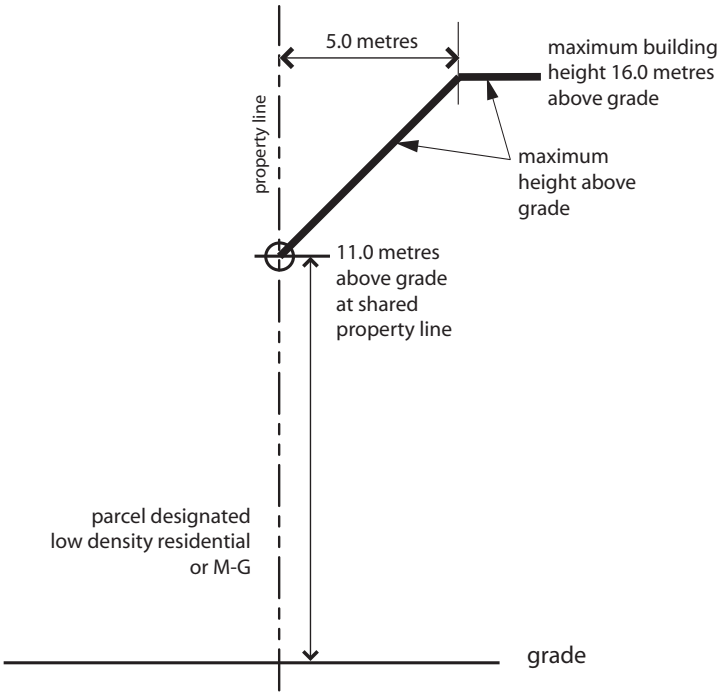
(3) Where a ***parcel*** shares a ***property line*** with a ***street***, the maximum ***building height*** is:

(a) 10.0 metres measured from ***grade*** within 3.0 metres of that shared ***property line***; and

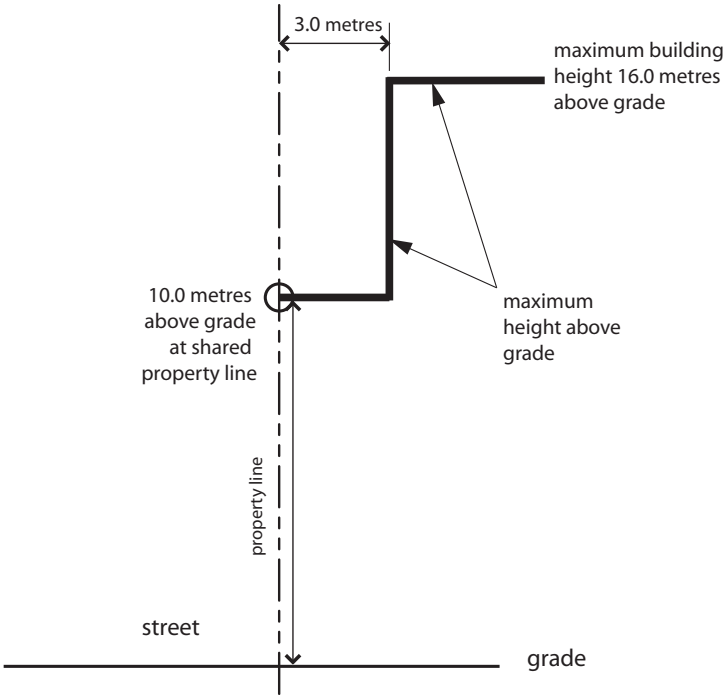
(b) 16.0 metres measured from ***grade*** at a distance greater than 3.0 metres from that shared ***property line***.

(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***. *7P2011*

(2) ***Commercial multi-residential uses*** must:

(a) be located on the floor closest to ***grade*** of a ***main residential building***; *7P2011*

(b) be contained completely within the ***building*** with the exception of **Outdoor Café *uses***; *16P2018*

(c) not be located above any **Dwelling Unit**;

(d) not share an internal hallway with **Dwelling Units**; and

(e) have a separate exterior entrance from that of the **Dwelling Units**.

(3) *deleted* *7P2011*

(4) The maximum ***use area*** for each ***commercial multi-residential use*** is 325.0 square metres. *27P2021*

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

(5) Parking areas for ***commercial multi-residential uses*** must:

(a) be separated from residential parking areas;

(b) provide pedestrian access to the ***commercial multi-residential uses***; and

(c) be located a minimum distance of 5.0 metres from a ***parcel*** designated as a ***low density residential district*** in the case of a surface parking area.

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.

33P2019 **(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: *13P2008*

(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

48P2020

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

Table 4.1

48P2020

District	Minimum Required Motor Vehicle Parking Stalls
C-N1 where the ***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

27P2021

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

Garbage

697 (1) Garbage containers and waste material must be stored, prior to collection, either: *44P2022*

(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***. *68P2008*

(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 *38P2013*

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 ***development***s 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***: *39P2010, 17P2009, 32P2009*

(a) *deleted* *65P2023*

(b) **Convenience Food Store**;

(c) *deleted* *27P2021*

(d) **Financial Institution**;

(e) **Fitness Centre**;

27P2021 (f) **Health Care Service**;

(g) **Home Based Child Care – Class 1**;

(h) **Home Occupation – Class 1**;

42P2019 (h.1) **Information and Service Provider**;

(i) **Instructional Facility**;

(j) **Library**;

27P2021 (k) *deleted*

(l) **Office**;

(m) **Pet Care Service**;

(n) **Print Centre**;

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

27P2021 (p) **Restaurant: Food Service Only**;

65P2023 (q) **Retail and Consumer Service**; and

65P2023 (r) **Specialty Food Store.**

65P2023 (s) *deleted*

Discretionary Uses

703 **(1)** ***Uses*** listed in subsection 702(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Commercial – Neighbourhood 1 District.

(2) ***Uses*** listed in subsection 702(2) are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district.

(3) The following ***uses*** are ***discretionary uses*** in the Commercial – Neighbourhood 1 District:

(a) **Addiction Treatment**;

(b) **Artist's Studio**;

24P2011 (b.1) **Assisted Living**;

22P2016 (b.2) **Brewery, Winery and Distillery**;

25P2018, 27P2021 (b.3) *deleted*

26P2018 (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) *deleted* *42P2019, 27P2021*

(k) **Outdoor Café**;

(l) **Place of Worship – Small**;

(l.1) **Power Generation Facility – Small**;

(m) **Residential Care**; *68P2008*

(n) *deleted*; *27P2021*

(n.1) **Restaurant: Licensed**; *27P2021*

(o) **Service Organization**;

(p) **Sign – Class C**;

(q) **Sign – Class E**;

(r) *deleted* *4P2013*

(s) **Social Organization**;

(t) **Special Function – Class 2**; *33P2019*

(t.1) *deleted* *4P2012*

(t.2) **Urban Agriculture**; and *33P2019*

(u) **Utility Building**. *10P2009, 4P2012*

Rules

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

(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.

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

(3) The following ***uses*** do not have a ***use area*** restriction:

(a) **Addiction Treatment**;

(a.1) **Assisted Living**; *24P2011*

(b) **Custodial Care**; and

(c) **Residential Care**.

Location of Uses within Buildings

712 **(1)** **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care** must not be located on the ground floor of a ***building***. *24P2011*

(2) "Commercial Uses" and **Live Work Units**:

(a) may be located on the same floor as **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care**; and

(b) must not share an internal hallway with **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** or **Residential Care**.

(3) Where this section refers to "Commercial Uses," it refers to the listed ***uses*** in sections 702 and 703, other than **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Unit**, **Live Work Unit** and **Residential Care**.

Front Setback Area

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

Rear Setback Area

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

(a) a ***commercial district***, there is no requirement for a ***rear setback area***;

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

(c) a ***residential district***, the ***rear setback area*** must have a minimum depth of 3.0 metres; and

(d) a ***special purpose district***, the ***rear setback area*** must have a minimum depth of 3.0 metres.

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

(a) an ***LRT corridor*** or ***street***, the ***rear setback area*** must have a maximum depth of 3.0 metres;

(b) a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***rear setback area*** must have a minimum depth of 3.0 metres; and

(c) a ***lane***, in all other cases, there is no requirement for a ***rear setback area***.

Side Setback Area

715 (1) Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***commercial district***, there is no requirement for a ***side setback area***;

(b) a ***residential district***, the ***side setback area*** must have a minimum depth of 3.0 metres;

(c) an ***industrial district***, the ***side setback area*** must have a minimum depth of 1.2 metres; and

(d) a ***special purpose district***, the ***side setback area*** must have a minimum depth of 3.0 metres.

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

(a) an ***LRT corridor*** or ***street***, the ***side setback area*** must have a maximum depth of 3.0 metres;

(b) a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***side setback area*** must have a minimum depth of 3.0 metres; and

(c) a ***lane***, in all other cases, there is no requirement for a ***side setback area***.

Landscaping In Setback Areas

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

(2) Where a ***setback area*** shares a ***property line*** with a ***lane*** and approved access to the ***parcel*** is from the ***lane***, there is no requirement for a ***soft*** or ***hard surfaced landscaped area*** for that ***setback area***.

(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* *48P2020*

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***: *39P2010*

(a) *deleted* *65P2023*

(b) **Catering Service – Minor**;

(c) **Convenience Food Store**;

27P2021 (d) *deleted*

(e) **Financial Institution**;

(f) **Fitness Centre**;

27P2021 (g) **Health Care Service**;

(h) **Home Based Child Care – Class 1**;

(i) **Home Occupation – Class 1**;

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

(k) **Instructional Facility**;

(l) **Library**;

27P2021 (m) *deleted*

(n) **Office**;

(o) **Pet Care Service**;

(p) **Print Centre**;

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

27P2021 (r) **Restaurant: Food Service Only**;

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

65P2023 (t) **Specialty Food Store**; and

65P2023 (u) *deleted*

(v) **Veterinary Clinic**.

Discretionary Uses

723 **(1)** ***Uses*** listed in subsection 722(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Commercial – Neighbourhood 2 District.

(2) ***Uses*** listed in subsection 722(2) are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district.

(3) The following ***uses*** are ***discretionary uses*** in the Commercial – Neighbourhood 2 District:

(a) **Addiction Treatment**;

(b) **Artist's Studio**;

(b.1) **Assisted Living**; *24P2011*

(c) **Auto Service – Minor**;

(c.1) **Brewery, Winery and Distillery**; *22P2016*

(d) **Car Wash – Single Vehicle**;

(d.1) *deleted* *25P2018, 27P2021*

(d.2) **Cannabis Store**; *26P2018*

(e) **Child Care Service**;

(f) **Computer Games Facility**;

(g) **Custodial Care**;

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

(i) **Drive Through**;

(j) **Dwelling Unit**;

(j.1) **Food Production**; *49P2017*

(k) **Gas Bar**;

(l) **Home Occupation – Class 2**;

(m) **Liquor Store**;

(n) **Live Work Unit**;

(n.1) *deleted* *28P2016, 25P2018*

(n.2) *deleted* *42P2019, 27P2021*

(o) **Outdoor Café**;

(o.1) **Payday Loan**; *43P2015*

(p) **Place of Worship – Small**;

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

(r) **Residential Care**;

(s) *deleted* *27P2021*

(s.1) **Restaurant: Licensed**; *27P2021*

(t) **Seasonal Sales Area**;

(u) **Service Organization**;

(v) **Sign – Class C**;

(w) **Sign – Class E**;

4P2013 (x) *deleted*

(y) **Social Organization**;

4P2012 (z) **Special Function – Class 2**;

10P2009, 4P2012 (z.1) *deleted*

33P2019 (z.2) **Urban Agriculture**;

(aa) **Utility Building**; and

(bb) **Vehicle Rental – Minor**.

22P2016 **(4)** The following ***uses*** are additional discretionary ***uses*** on a ***parcel*** that has an existing ***building*** used as a **Place of Worship – Large or Place of Worship – Medium** provided any new ***development*** proposed does not result in the increase of any ***assembly area***:

(a) **Place of Worship – Large**; and

(b) **Place of Worship – Medium**.

Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Parcel Area

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

Floor Area Ratio

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

Building Height

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

Use Area

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

(2) The maximum ***use area*** of a **Convenience Food Store**, or a **Convenience Food Store** combined with any other ***use***, is 465.0 square metres.

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

(3) The following ***uses*** do not have a ***use area*** restriction:

(a) **Addiction Treatment**;

(a.1) **Assisted Living**; *24P2011*

(b) **Custodial Care**; and

(c) **Residential Care**.

Location of Uses within Buildings

729 **(1)** **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care** must not be located on the ground floor of a ***building***. *24P2011*

(2) "Commercial Uses" and **Live Work Units**:

(a) may be located on the same floor as **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care**; and

(b) must not share an internal hallway with **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** or **Residential Care**.

(3) Where this section refers to "Commercial Uses," it refers to the listed ***uses*** in sections 722 and 723, other than **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Unit**, **Live Work Unit**, and **Residential Care**.

Front Setback Area

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

Rear Setback Area

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

(a) a ***commercial district***, there is no requirement for a ***rear setback area***;

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

(c) a ***residential district***, the ***rear setback area*** must have a minimum depth of 5.0 metres; and

(d) a ***special purpose district***, the ***rear setback area*** must have a minimum depth of 3.0 metres.

(2) Where the ***parcel*** shares a ***rear property line*** with a ***lane***, ***LRT corridor***, or ***street***, the ***rear setback area*** must have a minimum depth of 3.0 metres.

Side Setback Area

732 (1) Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***commercial district***, there is no requirement for a ***side setback area***;

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

(c) a ***residential district***, the ***side setback area*** must have a minimum depth of 5.0 metres; and

(d) a ***special purpose district***, the ***side setback area*** must have a minimum depth of 3.0 metres.

(2) Where the ***parcel*** shares a ***side property line*** with a ***lane***, ***LRT corridor***, or ***street***, the ***side setback area*** must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

733 (1) Where a ***setback area*** shares a ***property line*** with an ***LRT Corridor*** or ***street***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

(2) Where a ***setback area*** shares a ***property line*** with a ***parcel*** that is designated as a ***residential district***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***;

(b) provide a minimum of 1.0 trees:

(i) for every 30.0 square metres; or

(ii) for every 45.0 square metres, where irrigation is provided by ***low water irrigation system***; and

(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.

48P2020 **(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

738 **(1)** The Commercial – Community 1 District is intended to be characterized by:

(a) small to mid-scale commercial developments;

(b) developments located within a community or along a commercial ***street***;

(c) one or more commercial ***uses*** within a ***building***;

(d) motor vehicle access to sites;

(e) pedestrian connections from the public sidewalk to and between the ***buildings***;

(f) ***building*** location, ***setback areas*** and ***landscaping*** that limit the effect of commercial ***uses*** on nearby ***residential districts***; and

(g) opportunities for residential and office ***uses*** to be in the same ***building*** as commercial ***uses***.

(2) Areas of land greater than 3.2 hectares should not be designated Commercial – Community 1 District.

Permitted Uses

739 **(1)** The following ***uses*** are ***permitted uses*** in the Commercial – Community 1 District:

(a) **Park**;

(b) **Sign – Class A**;

(c) **Sign – Class B**;

(d) **Sign – Class D**; and

(e) **Utilities**.

(2) The following ***uses*** are ***permitted uses*** in the Commercial – Community 1 District if they are located within existing approved ***buildings***: *39P2010, 17P2009, 32P2009*

(a) *deleted* *65P2023*

(b) **Catering Service – Minor**;

(c) **Convenience Food Store**;

27P2021 (d) *deleted*

(e) **Financial Institution**;

(f) **Fitness Centre**;

27P2021 (g) **Health Care Service**;

(h) **Home Based Child Care – Class 1**;

(i) **Home Occupation – Class 1**;

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

(k) **Instructional Facility**;

(l) **Library**;

27P2021 (m) *deleted*

(n) **Museum**;

(o) **Office**;

(p) **Pet Care Service**;

(q) **Print Centre**;

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

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

27P2021 (t) *deleted*

27P2021 (u) **Restaurant: Food Service Only**;

27P2021 (u.1) *deleted*

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

(w) **Specialty Food Store**;

(x) **Supermarket**;

65P2023 (y) *deleted*

(z) **Vehicle Rental – Minor**; and

(aa) **Veterinary Clinic**.

27P2021 **(3)** Unless otherwise stated in subsection 740(2.1), the following ***uses*** are ***permitted uses*** in the Commercial – Community 1 District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less::

(a) **Restaurant: Licensed**;

Discretionary Uses

740 **(1)** ***Uses*** listed in subsection 739(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Commercial – Community 1 District.

(1.1) ***Uses*** listed in subsection 739(3) are ***discretionary uses*** in the Commercial – Community 1 District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres. *27P2021*

(1.2) The following uses are ***discretionary uses*** in the Commercial – Community 1 District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***: *27P2021*

(a) **Restaurant: Licensed**.

(2) ***Uses*** listed in subsection 739(2) are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district.

(2.1) The following uses are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district; *27P2021*

(a) **Restaurant: Licensed**.

(3) The following ***uses*** are ***discretionary uses*** in the Commercial – Community 1 District:

(a) **Addiction Treatment**;

(b) **Amusement Arcade**;

(c) **Artist's Studio**;

(c.1) **Assisted Living**; *24P2011*

(d) **Auto Service – Minor**;

(d.1) *deleted* *37P2014, 16P2018*

(d.2) **Beverage Container Quick Drop Facility**; *37P2014*

(e) **Billiard Parlor**;

(e.1) **Brewery**, **Winery and Distillery**; *22P2016*

(e.2) *deleted* *25P2018, 27P2021*

(e.3) **Cannabis Store**; *26P2018*

(f) **Car Wash – Single Vehicle**;

(g) **Child Care Service**;

(h) **Computer Games Facility**;

(i) **Custodial Care**;

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

(k) **Drinking Establishment – Medium**;

(l) **Drive Through**;

(m) **Dwelling Unit**;

49P2017 (m.1) **Food Production**;

(n) **Gas Bar**;

(o) **Home Occupation – Class 2**;

(p) **Indoor Recreation Facility**;

(q) **Liquor Store**;

(r) **Live Work Unit**;

5P2013, 42P2019, 27P2021 (r.1) *deleted*

28P2016, 25P2018 (r.2) *deleted*

(s) **Outdoor Café**;

(t) **Parking Lot – Grade**;

43P2015 (t.1) **Payday Loan**;

(u) **Place of Worship – Small**;

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

16P2018 (v.1) **Recyclable Material Drop-Off Depot;**

(w) **Residential Care**;

27P2021 (x) **Restaurant: Licensed**;

27P2021 (y) *deleted*

(z) **Seasonal Sales Area**;

(aa) **Service Organization**;

(bb) **Sign – Class C**;

(cc) **Sign – Class E**;

4P2013 (dd) *deleted*

(ee) **Social Organization**;

4P2012 (ff) **Special Function – Class 2**;

10P2009, 4P2012 (ff.1) *deleted*

33P2019 (ff.2) **Urban Agriculture**;

(gg) **Utility Building**; and

(hh) **Vehicle Sales – Minor**.

Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Parcel Area

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

Floor Area Ratio

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

Building Height

744 The maximum ***building height*** is 10.0 metres.

Building Orientation

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

(2) ***Motor vehicle parking stalls*** and ***loading stalls*** must not be located between the ***building*** and the commercial ***street***.

Use Area

746 **(1)** Unless otherwise provided in subsections (2), (3), and (4), the maximum ***use area*** in the Commercial – Community 1 District is 1400.0 square metres.

(2) The maximum ***use area*** for a **Supermarket**, or a **Supermarket** combined with any other ***use***, is 5200.0 square metres.

(3) The maximum ***use area*** for a **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other ***use***, is 300.0 square metres.

(3.1) The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres. *27P2021*

(4) The following ***uses*** do not have a ***use area*** restriction:

(a) **Addiction Treatment**;

(a.1) **Assisted Living**; *24P2011*

(b) **Custodial Care**; and

(c) **Residential Care**.

24P2011

Rules for Location of Uses within Buildings

747 **(1)** **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care** must not be located on the ground floor of a ***building***.

(2) "Commercial Uses" and **Live Work Units**:

(a) may be located on the same floor as **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care**; and

(b) must not share an internal hallway with **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** or **Residential Care**.

(3) Where this section refers to "Commercial Uses", it refers to the listed ***uses*** in sections 739 and 740, other than **Addiction Treatment, Assisted Living**, **Custodial Care**, **Dwelling Unit**, **Live Work Unit** and **Residential Care**.

Front Setback Area

748 **(1)** Unless otherwise referenced in subsection (2), the ***front setback area*** must have a minimum depth of 3.0 metres.

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

Rear Setback Area

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

(a) a ***commercial district***, there is no requirement for a ***rear setback area***;

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

(c) a ***residential district***, the ***rear setback area*** must have a minimum depth of 5.0 metres; and

(d) a ***special purpose district***, the ***rear setback area*** must have a minimum depth of 3.0 metres.

(2) Where the ***parcel*** shares a ***rear property line*** with a ***lane***, ***LRT corridor***, or ***street***, the ***rear setback area*** must have a minimum depth of 3.0 metres.

Side Setback Area

750 **(1)** Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***commercial district***, there is no requirement for a ***side setback area***, unless otherwise referenced in subsection (2);

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

(c) a ***residential district***, the ***side setback area*** must have a minimum depth of 5.0 metres; and

(d) a ***special purpose district***, the ***side setback area*** must have a minimum depth of 3.0 metres.

(2) Where the ***parcel*** shares a ***side property line*** with, and fronts on the same commercial ***street*** as, a ***parcel*** designated Commercial – Neighbourhood 1 or Commercial – Corridor 1 District, the side ***setback area*** from that ***property line*** must not exceed a depth of 3.0 metres.

(3) Where the ***parcel*** shares a ***side property line*** with a ***lane***, ***LRT corridor***, or ***street***, the ***side setback area*** must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

751 **(1)** Where a ***setback area*** shares a ***property line*** with, and fronts on the same ***street*** as, a ***parcel*** designated Commercial – Neighbourhood 1 and Commercial – Corridor 1 District, the ***setback area*** must be ***hard surfaced landscaped area***.

(2) Where a ***setback area*** shares a ***property line*** with an ***LRT corridor***, or ***street***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***; and

(b) have a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

(3) Where a ***setback area*** shares a ***property line*** with a ***parcel*** designated as a ***residential district***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***;

(b) provide a minimum of 1.0 trees:

(iii) for every 30.0 square metres; or

(iv) for every 45.0 square metres, where irrigation is provided by a ***low water irrigation system***; and

(c) provide trees planted in a linear arrangement along the length of the ***setback area***.

(4) Where a ***setback area*** shares a ***property line*** with a lane or a ***parcel*** designated as a ***commercial***, ***industrial*** or ***special purpose district***, the ***setback area***:

(a) must be a ***soft surfaced landscaped area***;

(b) may have a sidewalk along the length of the ***building***; and

(c) must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

Minimum Required Motor Vehicle Parking Stalls

48P2020 **752** *deleted*

Reductions of Minimum Motor Vehicle Parking Requirement

753 *deleted* *48P2020*

Exclusive Use of Motor Vehicle Parking Stalls

754 *deleted* *48P2020*

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 *48P2020*

(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***. *48P2020*

(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.

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

Purpose

757 **(1)** The Commercial – Community 2 District is intended to be characterized by:

(a) large commercial developments;

(b) developments that are on the boundary of several communities;

(c) developments that are comprehensively designed with several ***buildings***;

(d) ***development*** that has a wide range of ***use*** sizes and types;

(e) ***buildings*** that are slightly higher than nearby low density residential areas;

(f) opportunities for commercial ***uses*** to be combined with office and residential ***uses*** in the same development;

(g) ***building*** locations, ***setback areas*** and landscaping that buffer ***residential districts*** from commercial developments;

(h) motor vehicle access to sites;

(i) pedestrian connections from public sidewalks, to and between ***buildings***;

(j) varying ***building*** density established through maximum ***floor area ratios*** for individual ***parcels***; and

(k) varying ***building height*** established through maximum ***building height*** for individual ***parcels***.

(2) Areas of land greater than 12 hectares and less than 3.2 hectares should not be designated Commercial – Community 2 District.

Permitted Uses

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

(a) **Park**;

(b) **Sign – Class A**;

(c) **Sign – Class B**;

(d) **Sign – Class D**; and

(e) **Utilities**.

71P2008, 17P2009 32P2009, 39P2010

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

65P2023 (a) *deleted*

(b) **Amusement Arcade**;

37P2014, 16P2018 (b.1) *deleted*

(c) **Catering Service – Minor**;

(d) **Computer Games Facility**;

(e) **Convenience Food Store**;

27P2021 (f) *deleted*

(g) **Financial Institution**;

(h) **Fitness Centre**;

27P2021 (i) **Health Care Service**;

(j) **Home Based Child Care – Class 1**;

(k) **Home Occupation – Class 1**;

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

(m) **Instructional Facility**;

(n) **Library**;

27P2021 (o) *deleted*

(p) **Museum**;

(q) **Office**;

(r) **Pawn Shop**;

(s) **Pet Care Service**;

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

(u) **Print Centre**;

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

16P2018 (v.1) **Recyclable Material Drop-Off Depot;**

27P2021 (w) *deleted*

27P2021 (x) *deleted*

27P2021 (x.1) *deleted*

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

(z) **Service Organization**;

(aa) **Specialty Food Store**;

(bb) **Supermarket**;

(cc) *deleted* 65P2023

(dd) **Vehicle Rental – Minor**;

(ee) **Vehicle Sales – Minor**; and

(ff) **Veterinary Clinic**.

(3) Unless otherwise stated in subsection 759(2.1), the following ***uses*** are ***permitted uses*** in the Commercial – Community 2 District if they are located within existing approved ***buildings*** and if the ***public area*** is less than 300.0 square metres: 27P2021

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

(4) Unless otherwise stated in subsection 759(2.1), the following ***uses*** are ***permitted uses*** in the Commercial – Community 2 District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less: 27P2021

(a) **Restaurant: Licensed**.

Discretionary Uses

759 (1) ***Uses*** listed in subsection 758(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Commercial – Community 2 District.

(1.1) ***Uses*** listed in subsections 758(3) are ***discretionary uses*** in the Commercial – Community 2 District if they are located within existing approved ***buildings*** and if the ***public area*** is 300.0 square metres or greater. 27P2021

(1.2) ***Uses*** listed in subsections 758(4) are ***discretionary uses*** in the Commercial – Community 2 District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres. 27P2021

(1.3) The following uses are ***discretionary uses*** in the Commercial – Community 2 District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***: 27P2021

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

(b) **Restaurant: Licensed**.

(2) ***Uses*** listed in subsection 758(2) are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district.

27P2021 **(2.1)** The following uses are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district;

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

(b) **Restaurant: Licensed**.

(3) The following ***uses*** are ***discretionary uses*** in the Commercial – Community 2 District:

(a) **Artist's Studio**;

(b) **Auto Service – Major**;

(c) **Auto Service – Minor**;

37P2014 (c.1) **Beverage Container Quick Drop Facility**;

(d) **Billiard Parlour**;

22P2016 (d.1) **Brewery**, **Winery and Distillery**;

25P2018, 27P2021 (d.2) *deleted*

26P2018 (d.3) **Cannabis Store**;

(e) **Car Wash – Multi Vehicle**;

(f) **Car Wash – Single Vehicle**;

(g) **Child Care Service**;

(h) **Cinema**;

67P2008 (h.1) **Conference and Event Facility**;

(i) **Dinner Theatre**;

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

(k) **Drinking Establishment – Medium**;

(l) **Drive Through**;

(m) **Dwelling Unit**;

49P2017 (m.1) **Food Production**;

(n) **Funeral Home**;

(o) **Gas Bar**;

(p) **Home Occupation – Class 2**;

(q) **Hotel**;

(r) **Indoor Recreation Facility**;

(s) **Liquor Store**;

(t) **Live Work Unit**;

(t.1) *deleted* *5P2013, 42P2019, 27P2021*

(t.2) *deleted* *28P2016, 25P2018*

(u) **Outdoor Café**;

(v) **Parking Lot – Grade**;

(w) **Parking Lot – Structure**;

(w.1) **Payday Loan**; *43P2015*

(x) **Performing Arts Centre**;

(y) **Place of Worship – Small**;

(z) **Post-secondary Learning Institution**;

(aa) **Power Generation Facility – Medium**;

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

(cc) *deleted* *27P2021*

(dd) *deleted* *27P2021*

(ee) *deleted* *27P2021*

(ff) *deleted* *27P2021*

(gg) **Seasonal Sales Area**;

(hh) **Sign – Class C**;

(ii) **Sign – Class E**;

(jj) **Social Organization**;

(kk) **Special Function – Class 2**; *4P2012*

(kk.1) *deleted* *10P2009, 4P2012*

(kk.2) **Urban Agriculture**; *33P2019*

(ll) **Utility Building**; and

(mm) **Vehicle Rental – Major**.

Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Parcel Area

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

Floor Area Ratio

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

Building Height

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

Use Area

764 **(1)** Unless otherwise provided in subsections (2), (3), and (4), the maximum ***use area*** in the Commercial – Community 2 District is 6000.0 square metres.

(2) The maximum ***use area*** for a **Supermarket** or a **Supermarket** combined with any other ***use***, is 7500.0 square metres.

(3) The maximum ***use area*** for a **Catering Service – Minor** or a **Catering Service – Minor** combined with any other ***use***, is 300.0 square metres.

(4) **Hotels** do not have a ***use area*** restriction.

Location of Uses within Buildings

765 **(1)** **Dwelling Units** and **Live Work Units** must not be located on the ground floor of a ***building***.

(2) "Commercial Uses" and **Live Work Units**:

(a) may be located on the same floor as **Dwellings Units**; and

(b) must not share an internal hallway with **Dwelling Units**.

(3) Where this section refers to "Commercial Uses", it refers to the listed ***uses*** in sections 758 and 759, other than **Dwelling Unit** and **Live Work Unit**.

Front Setback Area

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

Rear Setback Area

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

(a) a ***commercial district***, there is no requirement for a ***rear setback area***;

(b) an ***industrial district***, the ***rear setback area*** must have a minimum depth of 3.0 metres;

(c) a ***residential district***, the ***rear setback area*** must have a minimum depth of 6.0 metres; and

(d) a ***special purpose district***, the ***rear setback area*** must have a minimum depth of 6.0 metres.

(2) Where the ***parcel*** shares a ***rear property line*** with a ***lane***, ***LRT corridor*** or ***street***, the ***rear setback area*** must have a minimum depth of 6.0 metres.

Side Setback Area

768 (1) Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***commercial district***, there is no requirement for a ***side setback area***;

(b) an ***industrial district***, the ***side setback area*** must have a minimum depth of 3.0 metres;

(c) a ***residential district***, the ***side setback area*** must have a minimum depth of 6.0 metres; and

(d) a ***special purpose district***, the ***side setback area*** must have a minimum depth of 6.0 metres.

(2) Where the ***parcel*** shares a ***side property line*** with a ***lane***, ***LRT corridor*** or ***street***, the ***side setback area*** must have a minimum depth of 6.0 metres.

Landscaping In Setback Areas

769 (1) Where a ***setback area*** shares a ***property line*** with an ***LRT corridor*** or ***street***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

(2) Where a ***setback area*** shares a ***property line*** with a ***parcel*** designated as a ***residential district***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***;

(b) provide a minimum of 1.0 trees:

(i) for every 30.0 square metres; or

(ii) for every 45.0 square metres, where irrigation is provided by ***low water irrigation system***; and

(c) provide trees planted in a linear arrangement along the length of the ***setback area***.

(3) Where a ***setback area*** shares a ***property line*** with a ***lane*** or ***parcel*** designated as a ***commercial***, ***industrial*** or ***special purpose district***, the ***setback area***:

(a) must be a ***soft surfaced landscaped area***;

(b) may have a sidewalk along the length of the ***building***; and

(c) must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

Minimum Required Motor Vehicle Parking Stalls

48P2020 **770** *deleted*

Reductions of Minimum Motor Vehicle Parking Requirement

48P2020 **771** *deleted*

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* *48P2020*

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***. *48P2020*

(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***. *48P2020*

(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 f#h# (C-COR1f#h#) District

Purpose

776 The Commercial – Corridor 1 District is intended to be characterized by:

(a) storefronts along a continuous block face;

(b) commercial developments on both sides of a ***street***;

(c) ***buildings*** that are close to each other, the ***street*** and the public sidewalk;

(d) ***lanes*** for motor vehicle access to parking and ***buildings***;

(e) ***building*** location, ***setback areas***, and ***landscaping*** that limit the effect of commercial ***uses*** on adjoining ***residential districts***;

(f) opportunities for commercial ***uses*** on the ground floor of ***buildings*** and residential and office ***uses*** on upper floors;

(g) varying ***building*** density established through maximum ***floor area ratios*** for individual ***parcels***; and

(h) varying ***building height*** established through maximum ***building height*** for individual ***parcels***.

Permitted Uses

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

(a) **Park**;

(b) **Sign – Class A**;

(c) **Sign – Class B**;

(d) **Sign – Class D**; and

(e) **Utilities**.

39P2010, 17P2009 **(2)** The following ***uses*** are ***permitted uses*** in the Commercial – Corridor 1 District if they are located within existing approved ***buildings***:

65P2023 (a) *deleted*

(b) **Catering Service – Minor**;

(c) **Convenience Food Store**;

27P2021 (d) *deleted*

(e) **Financial Institution**;

(f) **Fitness Centre**;

27P2021 (g) **Health Care Service**;

(h) **Home Based Child Care – Class 1**;

(i) **Home Occupation – Class 1**;

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

(k) **Library**;

27P2021 (l) *deleted*

(m) **Museum**;

(n) **Office**;

(o) **Pet Care Service**;

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

(q) **Print Centre**;

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

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

27P2021 (t) *deleted*

27P2021 (t.1) *deleted*

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

(v) **Service Organization**;

(w) **Specialty Food Store**; and

65P2023 (x) *deleted*

(y) **Veterinary Clinic**.

27P2021 **(3)** Unless otherwise stated in subsection 778(2.1), the following ***uses*** are ***permitted uses*** in the Commercial – Corridor 1 District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less:

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

(b) **Restaurant: Licensed**.

Discretionary Uses

778 **(1)** ***Uses*** listed in subsection 777(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Commercial – Corridor 1 District.

(1.1) ***Uses*** listed in subsections 777(3) are ***discretionary uses*** in the Commercial – Corridor 1 District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres. *27P2021*

(1.2) The following ***uses*** are ***discretionary uses*** in the Commercial – Corridor 1 District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***: *27P2021*

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

(b) **Restaurant: Licensed**.

(2) ***Uses*** listed in subsection 777(2) are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district.

(2.1) The following ***uses*** are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district; *27P2021*

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

(b) **Restaurant: Licensed**.

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

(a) *deleted* *65P2023*

(b) **Addiction Treatment**;

(c) **Artist's Studio**;

(c.1) **Assisted Living**; *24P2014*

(d) **Billiard Parlour**;

(d.1) **Brewery**, **Winery and Distillery**; *22P2016*

(d.2) *deleted* *25P2018, 27P2021*

(d.3) **Cannabis Store**; *26P2018*

(e) **Child Care Service**;

(f) **Cinema**;

(g) **Computer Games Facility**;

(g.1) **Conference and Event Facility**; *67P2008*

(h) **Custodial Care**;

(i) **Drinking Establishment – Medium**;

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

(k) **Dwelling Unit**;

49P2017 (k.1) **Food Production**;

(l) **Home Occupation – Class 2**;

(m) **Hotel**;

32P2009 (n) **Indoor Recreation Facility**;

(o) **Instructional Facility**;

46P2019 (o.1) **Kennel**;

(p) **Liquor Store**;

(q) **Live Work Unit**;

5P2013, 42P2019, 27P2021 (q.1) *deleted*

28P2016, 25P2018 (q.2) *deleted*

(r) **Outdoor Café**;

(s) **Parking Lot – Grade**;

(t) **Parking Lot – Structure**;

(u) **Pawn Shop**;

43P2015 (u.1) **Payday Loan**;

(v) **Place of Worship – Small**;

(w) **Post-secondary Learning Institution**;

(x) **Residential Care**;

27P2021 (y) *deleted*

27P2021 (z) *deleted*

27P2021 (aa) *deleted*

(bb) **Seasonal Sales Area**;

14P2010 (cc) **Sign – Class C**;

(dd) **Sign – Class E**;

(ee) **Sign – Class F**;

(ff) **Social Organization**;

4P2012 (gg) **Special Function – Class 2**;

10P2009, 4P2012 (gg.1) *deleted*

33P2019 (hh) **Supermarket**;

(hh.1) **Urban Agriculture**; and 33P2019

(ii) **Utility Building**.

Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Floor Area Ratio

780 The maximum ***floor area ratio*** for ***parcels*** designated Commercial – Corridor 1 District is the number following the letter "f" indicated on the Land Use District Maps.

Building Height

781 The maximum ***building height*** for ***parcels*** designated Commercial – Corridor 1 District is the number following the letter "h" and a number indicated on the Land Use District Maps, expressed in metres.

Building Orientation

782 **(1)** The main ***public entrance*** to a ***building*** must face the ***property line*** shared with a commercial ***street***.

(2) The maximum ***building setback*** from a ***property line*** shared with a commercial ***street*** is 3.0 metres.

(3) ***Motor vehicle parking stalls*** and ***loading stalls*** must not be located between a ***building*** and a commercial ***street***.

Building Façade

783 **(1)** The length of the ***building*** façade that faces the commercial ***street*** must be a minimum of 80.0 per cent of the length of the ***property line*** it faces.

(2) In calculating the length of the ***building*** façade, the depth of any required ***rear*** or ***side setback areas*** referenced in sections 788 and 789 will not be included as part of the length of the ***property line***.

Vehicle Access

784 **(1)** Unless otherwise referenced in subsections (2) and (3), where the ***parcel*** shares a ***rear*** or ***side property line*** with a ***lane***, all vehicle access to the ***parcel*** must be from the ***lane***.

(2) Where a ***corner parcel*** shares a ***property line*** with a ***lane***, those ***parcels*** may have vehicle access from either the ***lane*** or the ***street***.

(3) Where a ***parcel*** shares a ***rear*** or ***side property line*** with a ***lane***, but access from the ***lane*** is not physically feasible due to elevation differences between the ***parcel*** and the ***lane***, all vehicle access must be from a ***street***.

Use Area

785 **(1)** Unless otherwise referenced in subsection (3), the maximum ***use area*** for ***uses*** on the ground floor of ***buildings*** in the Commercial – Corridor 1 District is 465.0 square metres.

(2) Unless otherwise referenced in subsection (3), there is no maximum ***use area*** requirement for ***uses*** located on upper floors in the Commercial – Corridor 1 District.

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

(a) **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other ***use***, is 300.0 square metres;

(b) **Cinema**, or a **Cinema** combined with any other ***use***, is 550.0 square metres; and

(c) **Supermarket**, or a **Supermarket** combined with any other ***use***, is 1400.0 square metres.

27P2021

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

(4) The following ***uses*** do not have a ***use area*** restriction:

(a) **Addiction Treatment**;

24P2011

(a.1) **Assisted Living**;

(b) **Custodial Care**;

(c) **Hotel**; and

(d) **Residential Care**.

24P2011, 24P2011, 32P2009, 27P2021

Location of Uses within Buildings

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

(a) **Assisted Living**;

(b) **Catering Service - Minor**;

(c) **Child Care Service**;

(d) **Dwelling Unit**;

(e) **Health Care Service**;

(f) **Instructional Facility**;

(g) **Live Work Unit**;

(h) **Office**;

(i) **Place of Worship – Small**;

(j) **Post-secondary Learning Institution**;

(k) **Residential Care**;

(l) **Social Organization**; and

(m) **Veterinary Clinic.**

(2) A minimum of 20.0 per cent of the ***gross floor area*** of ***buildings*** in the Commercial – Corridor 1 District must contain "Commercial Uses".

(3) "Commercial Uses" and **Live Work Units**: *54P2008, 24P2011*

(a) may be located on the same floor as **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care**; and

(b) must not share an internal hallway with **Addiction Treatmen**t, **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**. *47P2008, 24P2011*

Front Setback Area

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

Rear Setback Area

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

(a) a ***commercial district***, there is no requirement for a ***rear setback area***;

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

(c) a ***residential district***, the ***rear setback area*** must have a minimum depth of 3.0 metres; and

(d) a ***special purpose district***, the ***rear setback area*** must have a minimum depth of 3.0 metres.

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

(a) an ***LRT corridor*** or ***street***, the ***rear setback area*** must have a maximum depth of 3.0 metres;

(b) a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***rear setback area*** must have a minimum depth of 3.0 metres; and

(c) a ***lane***, in all other cases, there is no requirement for a ***rear setback area***.

Side Setback Area

789 **(1)** Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***commercial district***, there is no requirement for a ***side setback area***;

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

(c) a ***residential district***, the ***side setback area*** must have a minimum depth of 3.0 metres; and

(d) a ***special purpose district***, the ***side setback area*** must have a minimum depth of 3.0 metres.

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

(a) an ***LRT corridor*** or ***street***, the ***side setback area*** must have a maximum depth of 3.0 metres;

(b) a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***side setback area*** must have a minimum depth of 3.0 metres; and

(c) a ***lane***, in all other cases, there is no requirement for a ***side setback area***.

Landscaping In Setback Areas

790 **(1)** Where a ***setback area*** shares a ***property line*** with a ***street***, the ***setback area*** must be a ***hard surfaced landscaped area***.

(2) Where a ***setback area*** shares a ***property line*** with a ***lane*** and approved access to the ***parcel*** is from the ***lane***, there is no requirement for ***soft surfaced landscaped area*** or ***hard surfaced landscaped area*** for that ***setback area***.

(3) Where a ***setback area*** shares a ***property line*** with an ***LRT corridor*** or a ***parcel*** designated as a ***residential district***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***;

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(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.

Exclusive Use of Motor Vehicle Parking Stalls

48P2020 **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

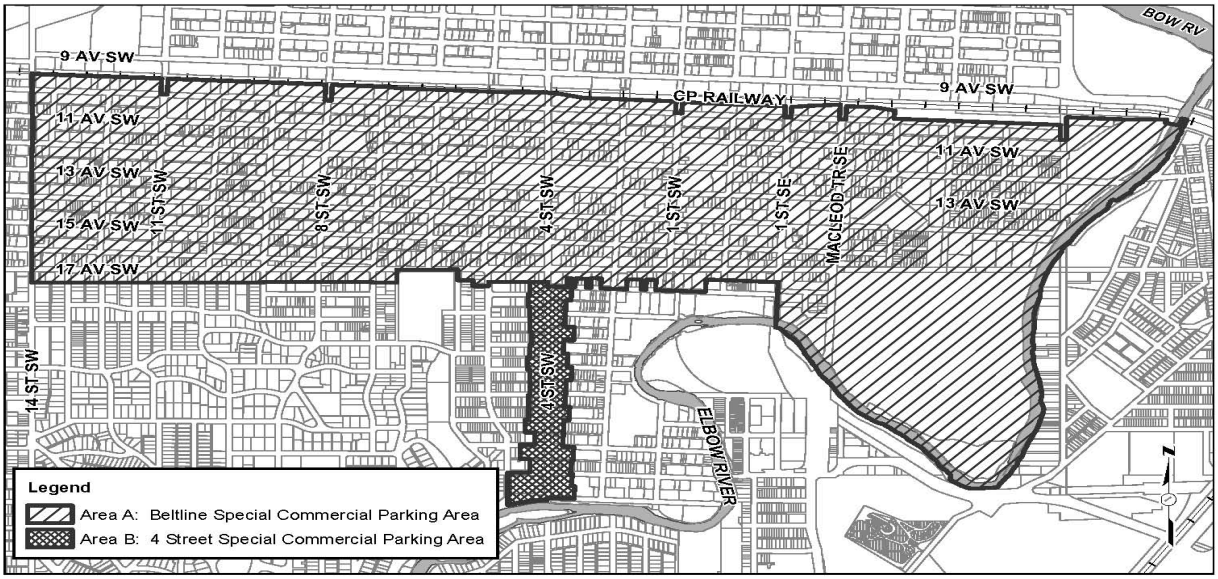
(ii) 0.1 stalls per ***unit*** for ***developments*** of more than 20 ***units***; and

(b) all other ***uses*** is 5.0 per cent of the ***motor vehicle parking stalls***. *48P2020*

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 *38P2009*



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

Purpose

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

(a) commercial development on both sides of ***streets***;

(b) ***buildings*** located varying distances from ***streets***;

(c) limited automotive ***uses***;

(d) primary access for motor vehicles to ***parcels*** from ***streets*** and ***lanes***;

(e) parking located on any of the front, side or rear of ***buildings***;

(f) pedestrian connections from public sidewalks, to and between ***buildings***;

(g) opportunities for residential and office ***uses*** to be in the same ***building***;

(h) varying ***building*** density established though maximum ***floor area ratios*** for individual ***parcels***; and

(i) varying ***building height*** established through maximum ***building height*** for individual ***parcels***.

Permitted Uses

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

(a) **Park**;

(b) **Sign – Class A**;

(c) **Sign – Class B**;

(d) **Sign – Class D**; and

(e) **Utilities**. *39P2010, 71P2008, 17P2009*

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

(a) *deleted* *65P2023*

(b) *deleted* *65P2023*

(c) **Catering Service – Minor**;

(d) **Convenience Food Store**;

(e) *deleted* *27P2021*

(f) **Financial Institution**;

(g) **Fitness Centre**;

27P2021 (h) **Health Care Service**;

(i) **Home Based Child Care – Class 1**;

(j) **Home Occupation – Class 1**;

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

(l) **Library**;

27P2021 (m) *deleted*

(n) **Museum**;

(o) **Office**;

(p) **Pet Care Service**;

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

(r) **Print Centre**;

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

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

27P2021 (u) **Restaurant: Food Service Only**;

27P2021 (v) *deleted*

27P2021 (w) *deleted*

27P2021 (w.1) *deleted*

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

(y) **Service Organization**;

65P2023 (z) **Specialty Food Store**; and

65P2023 (aa) *deleted*

(bb) **Veterinary Clinic**.

27P2021 **(3)** Unless otherwise stated in 798(2.1), the following ***uses*** are ***permitted uses*** in the Commercial – Corridor 2 District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less:

(a) **Restaurant: Licensed**.

Discretionary Uses

798 **(1)** ***Uses*** listed in subsection 797(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Commercial – Corridor 2 District.

(1.1) The following ***uses*** are ***discretionary uses*** in the Commercial – Corridor 2 District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres: *27P2021*

(a) **Restaurant: Licensed**.

(1.2) The following ***uses*** are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***: *27P2021*

(a) **Restaurant: Licensed**.

(2) ***Uses*** listed in subsection 797(2) are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district.

(2.1) The following ***uses*** are ***discretionary uses*** in the Commercial – Corridor 2 District if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district; *27P2021*

(a) **Restaurant: Licensed**.

(3) The following ***uses*** are ***discretionary uses*** in the Commercial – Corridor 2 District:

(a) **Addiction Treatment**;

(b) **Amusement Arcade**;

(c) **Artist's Studio**;

(c.1) **Assisted Living**; *24P2011*

(d) **Auto Service – Major**;

(e) **Auto Service – Minor**;

(f) **Billiard Parlour**;

(f.1) **Brewery**, **Winery and Distillery**; *22P2016*

(f.2) *deleted* *25P2018, 27P2021*

(f.3) **Cannabis Store**; *26P2018*

(g) **Car Wash – Multi-Vehicle**;

(h) **Car Wash – Single Vehicle**;

(i) **Child Care Service**;

(j) **Cinema**;

(k) **Computer Games Facility**;

67P2008 (k.1) **Conference and Event Facility**;

(l) **Custodial Care**;

(m) **Dinner Theatre**;

(n) **Drinking Establishment – Medium**;

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

(p) **Drive Through**;

(q) **Dwelling Unit**;

49P2017 (q.1) **Food Production**;

(r) **Funeral Home**;

(s) **Gas Bar**;

(t) **Health Services Laboratory – Without Clients**;

(u) **Home Occupation – Class 2**;

(v) **Hotel**;

(w) **Indoor Recreation Facility**;

32P2009 (x) **Instructional Facility**;

46P2019 (x.1) **Kennel**;

(y) **Liquor Store**;

(z) **Live Work Unit**;

5P2013, 42P2019, 27P2021 (z.1) *deleted*

28P2016, 25P2018 (z.2) *deleted*

(aa) **Outdoor Café**;

(bb) **Parking Lot – Grade**;

(cc) **Parking Lot – Structure**;

(dd) **Pawn Shop**;

43P2015 (dd.1) **Payday Loan**;

(ee) **Performing Arts Centre**;

(ff) **Place of Worship – Small**;

(gg) **Post-secondary Learning Institution**;

(hh) **Power Generation Facility – Medium**;

(ii) **Residential Care**;

27P2021 (jj) *deleted*

(kk) **Seasonal Sales Area**;

(ll) **Sign – Class C**;

(mm) **Sign – Class E**;

(nn) **Sign – Class F**;

(oo) **Social Organization**;

(pp) **Special Function – Class 2**; *4P2012*

(pp.1) *deleted* *10P2009, 4P2012*

(qq) **Supermarket**;

(qq.1) **Urban Agriculture**; *33P2019*

(rr) **Utility Building**;

(ss) **Vehicle Rental – Major**;

(tt) **Vehicle Rental – Minor**;

(uu) **Vehicle Sales – Major**; and

(vv) **Vehicle Sales – Minor**.

(4) The following ***uses*** are additional ***discretionary uses*** on a ***parcel*** that has an existing ***building*** used as a **Place of Worship – Large** or **Place of Worship – Medium** provided any new ***development*** proposed does not result in the increase of any ***assembly area***: *22P2016*

(a) **Place of Worship – Large**; and

(b) **Place of Worship – Medium**.

Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Parcel Area

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

Floor Area Ratio

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

Building Height

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

Use Area

803 **(1)** Unless otherwise referenced in subsection (3), the maximum ***use area*** for ***uses*** on the ground floor of ***buildings*** is 930.0 square metres.

(2) Unless otherwise referenced in subsection (3), there is no maximum ***use area*** for ***uses*** located on upper floors.

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

(a) **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other ***use***, is 300.0 square metres;

(b) **Cinema**, or a **Cinema** combined with any other ***use***, is 550.0 square metres; and

(c) **Supermarket**, or a **Supermarket** combined with any other ***use***, is 2500.0 square metres.

27P2021 **(3.1)** The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.

(4) The following ***uses*** do not have a ***use area*** restriction:

(a) **Addiction Treatment**;

24P2011 (a.1) **Assisted Living**;

(b) **Custodial Care**;

(c) **Hotel**; and

(d) **Residential Care**.

Location of Uses within Buildings

804 **(1)** A minimum of 20.0 per cent of the ***gross floor area*** of ***buildings*** in the Commercial – Corridor 2 District must contain "Commercial Uses".

24P2011 **(2)** **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care** must not be located in the same ***building*** as an automotive ***use***.

24P2011 **(3)** **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care** must not be located on the ground floor of a ***building***.

24P2011 **(4)** "Commercial Uses" and **Live Work Units**:

(a) may be located on the same floor as **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care**; and

(b) must not share an internal hallway with **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care**.

(5) Where this section refers to "Commercial Uses", it refers to the listed ***uses*** at sections 797 and 798, other than **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units**, **Live Work Units** and **Residential Care**. *47P2008, 24P2011*

Front Setback Area

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

Rear Setback Area

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

(a) a ***commercial district***, there is no requirement for a ***rear setback area***;

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

(c) a ***residential district***, the ***rear setback area*** must have a minimum depth of 5.0 metres; and

(d) a ***special purpose district***, the ***rear setback area*** must have a minimum depth of 5.0 metres.

(2) Where the ***parcel*** shares a ***rear property line*** with a ***lane***, ***LRT corridor*** or ***street***, the ***rear setback area*** must have a minimum depth of 3.0 metres.

Side Setback Area

807 **(1)** Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***commercial district***, there is no requirement for a ***side setback area***;

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

(c) a ***residential district***, the ***side setback area*** must have a minimum depth of 5.0 metres; and

(d) a ***special purpose district***, the ***side setback area*** must have a minimum depth of 5.0 metres.

(2) Where the ***parcel*** shares a ***side property line*** with a ***lane***, ***LRT corridor*** or ***street***, the ***side setback area*** must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

808 **(1)** Where a ***setback area*** shares a ***property line*** with an ***LRT corridor*** or ***street***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

(2) Where a ***setback area*** shares a ***property line*** with a ***parcel*** designated as a ***residential district*** or with a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***;

(b) provide a minimum of 1.0 trees:

(i) for every 30.0 square metres; or

(ii) for every 45.0 square metres, where irrigation is provided by a ***low water irrigation system***; and

(c) provide trees planted in a linear arrangement along the length of the ***setback area***.

(3) Where a ***setback area*** shares a ***property line*** with a ***lane*** and the approved access to the ***parcel*** is from the ***lane***, there is no requirement for ***soft surfaced landscaped area*** or ***hard surfaced landscaped area*** for that ***setback area***.

(4) Where a ***setback area*** shares a ***property line*** with a ***lane*** and there is no approved access to the ***parcel*** from the ***lane***, or a ***parcel*** designated as a ***commercial***, ***industrial*** or ***special purpose district***, the ***setback area***:

(a) must be a ***soft surfaced landscaped area***;

(b) may have a sidewalk along the length of the ***building***; and

(c) must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

Minimum Required Motor Vehicle Parking Stalls

39P2010 ,48P2020

809 *deleted*

Reductions of Minimum Motor Vehicle Parking Requirement

13P2008, 9P2012,48P2020

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

48P2020

(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 f#h# (C-COR3 f#h#) District

Purpose

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

(a) sites of various sizes;

(b) locations along major roads;

(c) locations in industrial areas to accommodate mid-scale retail, and medium to large eating and drinking ***uses***;

(d) motor vehicles having direct access from the road to the development;

(e) perimeter ***landscaping*** that separates commercial activities from the road and surrounding development;

(f) ***uses*** of various sizes;

(g) limited large retail ***uses*** and no residential ***uses***;

(h) varying ***building*** density established through maximum ***floor area ratio*** for individual ***parcels***; and

(i) varying ***building heights*** established through maximum ***building height*** for individual ***parcels***.

Permitted Uses

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

(a) **Park**;

(b) **Sign – Class A**;

(c) **Sign – Class B**;

(d) **Sign – Class D**; and

(e) **Utilities**.

(2) The following ***uses*** are ***permitted uses*** in the Commercial Corridor – 3 District if they are located within existing approved ***buildings***: *39P2010*

(a) *deleted* *65P2023*

(b) *deleted* *65P2023*

(b.1) **Artist's Studio**; *42P2019*

(c) **Auction Market – Other Goods**;

37P2014, 16P2018 (c.1) *deleted*

37P2014 (c.2) **Beverage Container Quick Drop Facility**;

(d) **Catering Service – Minor**;

(e) **Convenience Food Store**;

27P2021 (f) *deleted*

(g) **Financial Institution**;

(h) **Fitness Centre**;

27P2021 (i) **Health Care Service**;

(j) **Health Services Laboratory – Without Clients**;

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

(l) **Instructional Facility**;

(m) **Library**;

27P2021 (n) *deleted*

(o) **Museum**;

(p) **Office**;

(q) **Pet Care Service**;

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

(s) **Print Centre**;

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

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

16P2018 (u.1) **Recyclable Material Drop-Off Depot;**

27P2021 (v) *deleted*

27P2021 (w) *deleted*

27P2021 (x) *deleted*

27P2021 (y) *deleted*

21P2021 (y.1) *deleted*

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

(aa) **Service Organization**;

(bb) **Specialty Food Store**;

(cc) **Supermarket**;

(dd) *deleted* 65P2023

(ee) **Vehicle Rental – Minor**;

(ff) **Vehicle Sales – Minor**; and

(gg) **Veterinary Clinic**.

(3) Unless otherwise stated in subsection 815(2.1), the following ***uses*** are ***permitted uses*** in the Commercial – Corridor 3 District if they are located within existing approved ***buildings*** and if the ***public area*** is less than 300.0 square metres: 27P2021

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

(b) **Restaurant: Licensed**.

Discretionary Uses

815 (1) ***Uses*** listed in subsection 814(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Commercial – Corridor 3 District.

(1.1) The following ***uses*** are ***discretionary uses*** in the Commercial – Corridor 3 District if they are located within existing approved ***buildings*** and if the ***public area*** is 300.0 square metres or greater: 27P2021

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

(b) **Restaurant: Licensed**.

(1.2) The following ***uses*** are ***discretionary uses*** in the Commercial – Corridor 3 District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***: 27P2021

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

(b) **Restaurant: Licensed**.

(2) ***Uses*** listed in subsection 814(2) are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district.

(2.1) The following ***uses*** are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district; 27P2021

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

(b) **Restaurant: Licensed**.

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

(a) **Amusement Arcade**;

(b) **Auto Body and Paint Shop**;

(c) **Auto Service – Major**;

(d) **Auto Service – Minor**;

37P2014 (e) *deleted*

(f) **Billiard Parlour**;

22P2016 (f.1) **Brewery**, **Winery and Distillery**;

25P2018, 27P2021 (f.2) *deleted*

26P2018, (f.3) **Cannabis Store**;

(g) **Car Wash – Multi-Vehicle**;

(h) **Car Wash – Single Vehicle**;

(i) **Child Care Service**;

(j) **Cinema**;

(k) **Computer Games Facility**;

67P2008 (k.1) **Conference and Event Facility**;

(l) **Dinner Theatre**;

(m) **Drinking Establishment – Large**;

(n) **Drinking Establishment – Medium**;

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

(p) **Drive Through**;

49P2017 (p.1) **Food Production**;

(q) **Funeral Home**;

(r) **Gaming Establishment – Bingo**;

(s) **Gas Bar**;

(t) **Hotel**;

(u) **Indoor Recreation Facility**;

46P2019 (u.1) **Kennel**;

67P2008, 46P2019 (u.2) **Large Vehicle Sales**;

(v) **Liquor Store**;

(w) *deleted* *27P2021*

(w.1) *deleted* *28P2016, 25P2018*

(x) **Night Club**;

(y) **Outdoor Café**;

(z) **Parking Lot – Grade**;

(aa) **Parking Lot – Structure**;

(bb) **Pawn Shop**;

(bb.1) **Payday Loan**; *43P2015*

(cc) **Performing Arts Centre**;

(dd) **Place of Worship – Small**;

(ee) **Post-secondary Learning Institution**; *9P2012*

(ff) **Power Generation Facility – Medium**; *9P2012*

(gg) **Printing, Publishing and Distributing**;

(hh) **Recreational Vehicle Sales**;

(ii) *deleted* *27P2021*

(jj) *deleted* *27P2021*

(kk) **Seasonal Sales Area**;

(ll) **Sign – Class C**;

(mm) **Sign – Class E**;

(nn) **Sign – Class F**;

(nn.1) **Sign – Class G**; *30P2011*

(oo) **Social Organization**;

(pp) **Special Function – Class 2**; *4P2012*

(pp.1) *deleted* *10P2009, 4P2012*

(pp.2) **Urban Agriculture**; *33P2019*

(qq) **Utility Building**;

(rr) **Vehicle Rental – Major**; *38P2013*

(ss) **Vehicle Sales – Major**; *38P2013*

(tt) **Wind Energy Conversion System – Type 1**; and *38P2013*

(uu) **Wind Energy Conversion System – Type 2**. *38P2013*

Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Parcel Area

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

Floor Area Ratio

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

Building Height

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

Use Area

820 **(1)** Unless otherwise referenced in subsections (2) and (3), there is no ***use area*** restriction in the Commercial – Corridor 3 District.

39P2010

(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; *67P2008*

(b) a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***rear setback area*** must have a minimum depth of 6.0 metres; and

(c) a ***lane***, in all other cases, the ***rear setback area*** must have a minimum depth of 3.0 metres.

Side Setback Area

823 (1) Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***commercial district***, the ***side setback area*** must have a minimum depth of 3.0 metres;

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

(c) a ***residential district***, the ***side setback area*** must have a minimum depth of 6.0 metres; and

(d) a ***special purpose district***, the ***side setback area*** must have a minimum depth of 6.0 metres.

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

(a) an ***LRT corridor*** or ***street***, the ***side setback area*** must have a minimum depth of 6.0 metres; *67P2008*

(b) a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***side setback area*** must have a minimum depth of 6.0 metres; and

(c) a ***lane***, in all other cases, the ***side setback area*** must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

824 (1) Where a ***setback area*** shares a ***property line*** with an ***LRT corridor*** or ***street***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

(2) Where a ***setback area*** shares a ***property line*** with a ***parcel*** designated as a ***residential district*** or with a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***;

(b) provide a minimum of 1.0 trees:

(i) for every 30.0 square metres; or

(ii) for every 45.0 square metres, where irrigation is provided by a ***low water irrigation system***; and

(c) provide trees planted in a linear arrangement along the length of the ***setback area***.

(3) Where a ***setback area*** shares a ***property line*** with a ***lane*** and approved access to the ***parcel*** is from the ***lane***, there is no requirement for ***soft surfaced landscaped area*** or ***hard surfaced landscaped area*** for that ***setback area***.

(4) Where a ***setback area*** shares a ***property line*** with a ***lane*** but there is no approved access to the ***parcel*** from the ***lane*** or with a ***parcel*** designated as a ***commercial***, ***industrial*** or ***special purpose district***, the ***setback area***:

(a) must be a ***soft surfaced landscaped area***;

(b) may have a sidewalk along the length of the ***building***; and

(c) must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

Minimum Required Motor Vehicle Parking Stalls

48P2020 **825** *deleted*

Reductions of Minimum Motor Vehicle Parking Requirement

48P2020 **826** *deleted*

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***. *48P2020*

(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***. *48P2020*

(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 f#h# (C-O f#h#) District

Purpose

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

(a) ***buildings*** containing select ***uses*** that contribute to locations of high employment;

(b) a limited number of other ***uses*** that support **Offices**;

(c) locations along or near major roads and transit facilities;

(d) pedestrian connections;

(e) varying ***building*** density established through maximum ***floor area ratios*** for individual ***parcels***; and

(f) varying ***building height*** established through maximum ***building height*** for individual ***parcels***.

Permitted Uses

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

(a) **Park**;

(b) **Sign – Class A**;

(c) **Sign – Class B**;

(d) **Sign – Class D**; and

(e) **Utilities**.

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

(a) *deleted* *27P2021*

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

(c) **Instructional Facility**; *32P2009*

(d) *deleted* *27P2021*

(e) **Office**; and

(f) **Post-secondary Learning Institution**.

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

65P2023 (a) *deleted*

39P2010 (b) they are located on or below the ground floor of the ***building***:

65P2023 (i) *deleted*

42P2019 (i.1) **Artist's Studio**;

(ii) **Computer Games Facility**;

(iii) **Convenience Food Store**;

(iv) **Financial Institution**;

(v) **Fitness Centre**;

27P2021 (vi) **Health Care Service**;

(vii) **Indoor Recreation Facility**;

(viii) **Library**;

(ix) **Pet Care Service**;

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

(xi) **Print Centre**;

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

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

27P2021 (xiv) *deleted*

27P2021 (xv) *deleted*

65P2023 (xvi) **Retail and Consumer Service**; and

42P2019, 65P2023 (xvi.1) **Specialty Food Store.**

65P2023 (xvii) *deleted*

27P2021 **(4)** The following ***uses*** are ***permitted uses*** in existing approved ***buildings*** in the Commercial – Office District if:

65P2023 (a) *deleted*

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

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

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

(ii) **Restaurant: Licensed**.

Discretionary Uses

830 **(1)** ***Uses*** listed in subsection 829(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Commercial – Office District.

(1.1) The following ***uses*** are ***discretionary uses*** in the Commercial – Office District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres: *27P2021*

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

(b) **Restaurant: Licensed**.

(2) ***Uses*** listed in subsection 829(2) are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district.

(3) ***Uses*** listed in subsection 829(3) are ***discretionary uses*** in the Commercial – Office District if:

(a) they are proposed for a new ***building*** or new addition to a ***building***; or *65P2023*

(b) *deleted* *65P2023*

(c) they are located above the ground floor of the ***building***.

(3.1) The following ***uses*** are ***discretionary uses*** in the Commercial – Office District if: *27P2021*

(a) they are proposed for a new ***building*** or new addition to a ***building***; or *65P2023*

(b) *deleted* *65P2023*

(c) they are located above the ground floor of the ***building***:

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

(ii) **Restaurant: Licensed**.

(4) The following ***uses*** are ***discretionary uses*** in the Commercial – Office District:

(a) *deleted* *25P2018, 27P2021*

(a.1) **Child Care Service**; *67P2008, 25P2018*

(a.2) **Conference and Event Facility**; *25P2018*

(b) **Drinking Establishment – Medium**;

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

49P2017 (c.1) **Food Production**;

28P2016, 49P2017, 25P2018 (c.2) *deleted*

(d) **Outdoor Café**;

43P2015 (d.1) **Payday Loan**;

(e) **Power Generation Facility – Medium**;

27P2021 (f) *deleted*

27P2021 (g) *deleted*

27P2021 (g.1) *deleted*

(h) **Sign – Class C**;

(i) **Sign – Class E**;

(j) **Sign – Class F**;

30P2011 (j.1) **Sign – Class G**;

4P2012 (k) **Special Function – Class 2**;

10P2009,4P2012 (k.1) *deleted*

33P2019 (k.2) **Urban Agriculture**;

38P2013 (l) **Utility Building**;

38P2013 (m) **Veterinary Clinic**; and

39P2010 (n) *deleted*

38P2013 (o) **Wind Energy Conversion System – Type 1**.

Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Floor Area Ratio

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

Building Height

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

Use Area

834 **(1)** Unless otherwise referenced in subsection (2), there is no ***use area*** restriction for ***uses*** in the Commercial – Office District.

(2) The maximum ***use area*** for a **Retail and Consumer Service**, or a **Retail and Consumer Service** combined with any other ***use***, is 465.0 square metres. *39P2010*

(3) The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres. *27P2021*

Front Setback Area

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

Rear Setback Area

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

(a) a ***commercial district***, the ***rear setback area*** must have a minimum depth of 3.0 metres;

(b) an ***industrial district***, the ***rear setback area*** must have a minimum depth of 3.0 metres;

(c) a ***residential district***, the ***rear setback area*** must have a minimum depth of 6.0 metres; and

(d) a ***special purpose district***, the ***rear setback area*** must have a minimum depth of 6.0 metres.

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

(a) an ***LRT corridor*** or ***street***, the ***rear setback area*** must have a minimum depth of 6.0 metres; *67P2008*

(b) a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***rear setback area*** must have a minimum depth of 6.0 metres; and

(c) a ***lane***, in all other cases, the ***rear setback area*** must have a minimum depth of 3.0 metres.

Side Setback Area

837 **(1)** Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***commercial district***, the ***side setback area*** must have a minimum depth of 3.0 metres;

(b) an ***industrial district***, the ***side setback area*** must have a minimum depth of 3.0 metres;

(c) a ***residential district***, the ***side setback area*** must have a minimum depth of 6.0 metres; and

(d) a ***special purpose district***, the ***side setback area*** must have a minimum depth of 6.0 metres.

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

67P2008

(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* *48P2020*

Excess Motor Vehicle Parking Stalls

841 Where the number of ***motor vehicle parking stalls*** provided for ***uses*** is in excess of 6.0 stalls per 100.0 square metres of ***gross usable floor area***, those excess stalls must be located in either underground or structured parking.

Required Bicycle Parking Stalls

842 **(1)** The ***uses*** listed in section 830 must provide 1.0 ***bicycle parking stall – class 1*** per 1000.0 square metres ***gross usable floor area*** of the ***use***.

(2) The ***uses*** listed in section 830 must provide 1.0 ***bicycle parking stall – class 2*** per 1000.0 square metres of ***gross usable floor area*** of the ***use***.

(3) The minimum required number of ***bicycle parking stalls*** for all other ***uses*** is the minimum requirement referenced in Part 4.

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

Purpose

843 **(1)** The Commercial – Regional 1 District is intended to be characterized by:

(a) large "big box" single entry, mostly single ***use buildings***;

(b) large retail sales activities where the product is displayed outdoors;

(c) large ***building*** supply contractors and garden centres selling and keeping product outdoors that would not be appropriate in other commercial or industrial districts;

(d) locations on or near major roads or along major commercial corridors;

(e) locations in industrial areas;

(f) primary access by motor vehicles to ***parcels*** from ***streets***;

(g) pedestrian connections from public sidewalks to and between ***buildings***;

(h) ***parcels*** that, through ***building*** location, ***setback areas*** and landscaping, limit the effect of large ***uses*** on nearby residential areas;

(i) be compatible with Industrial Business, Industrial Edge and Industrial General Districts;

(j) higher standards of ***building*** and ***parcel*** design only where development is along major roads, gateways and in instances where visibility and aesthetics are identified as planning concerns; and

(k) varying ***building*** density established through maximum ***floor area ratios*** for individual ***parcels***.

(2) Areas of land greater than 6.0 hectares should not be designated Commercial – Regional 1 District.

Permitted Uses

844 The following ***uses*** are ***permitted uses*** in the Commercial – Regional 1 District:

(a) **Park**;

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

(c) **Sign – Class A**;

(d) **Sign – Class B**;

(e) **Sign – Class D**; and

(f) **Utilities**.

Discretionary Uses

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

42P2019 (a) **Artist's Studio**;

(a.1) **Auction Market – Other Goods**;

(b) **Auction Market – Vehicles and Equipment**;

(c) **Auto Service – Major**;

(d) **Auto Service – Minor**;

26P2018 (d.1) **Cannabis Store**;

(e) **Car Wash – Multi-Vehicle**;

(f) **Car Wash – Single Vehicle**;

(g) **Convenience Food Store**;

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

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

(j) **Drive Through**;

(k) **Fitness Centre**;

49P2017 (k.1) **Food Production**;

(l) **Gaming Establishment – Bingo**;

(m) **Gas Bar**;

(n) **Indoor Recreation Facility**;

42P2019 (n.1) **Information and Service Provider**;

(o) **Liquor Store**;

27P2021 (p) *deleted*

42P2019 (p.1) **Office**;

(q) **Outdoor Café**;

44P2013 (q.1) **Parking Lot – Grade**;

44P2013 (q.2) **Parking Lot – Structure**;

42P2019 (q.3) **Print Centre**;

27P2021 (r) **Restaurant: Food Service Only**;

(s) *deleted* *27P2021*

(t) **Restaurant: Licensed**; *27P2021*

(u) *deleted* *27P2021*

(u.1) *deleted* *27P2021*

(v) **Restored Building Products Sales Yard**;

(w) **Retail Garden Centre**;

(x) **Retail and Consumer Service**; *39P2010*

(y) **Seasonal Sales Area**;

(z) **Sign – Class C**;

(aa) **Sign – Class E**;

(bb) **Sign – Class F**;

(bb.1) **Sign – Class G**; *30P2011*

(cc) **Special Function – Class 2**; *4P2012*

(cc.1) *deleted* *10P2009, 4P2012*

(cc.2) **Specialty Food Store**; *42P2019*

(dd) **Supermarket**;

(dd.1) **Urban Agriculture**; *33P2019*

(ee) **Utility Building**;

(ff) **Vehicle Rental – Major**;

(gg) **Vehicle Rental – Minor**;

(hh) **Vehicle Sales – Major**; *38P2013*

(ii) **Vehicle Sales – Minor**; *38P2013*

(jj) **Wind Energy Conversion System – Type 1**; and *38P2013*

(kk) **Wind Energy Conversion System – Type 2**. *38P2013*

Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Parcel Area

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

Floor Area Ratio

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

Building Height

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

Buildings

850 **(1)** Every ***parcel*** in the Commercial – Regional 1 District must have one ***building*** that is equal to or exceeds 3600.0 square metres of ***gross floor area***.

(2) In addition to the ***building*** required by subsection (1), a ***parcel*** may have up to two ***buildings***, so long as no additional ***building*** exceeds 360.0 square metres in ***gross floor area***.

(3) The maximum number of ***buildings*** on every ***parcel*** is three.

Use Area

42P2019

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

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

27P2021

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

Building Entrance Features

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

(a) arcades;

(b) arches;

(c) awnings;

(d) pitched or raised cornice roof forms;

(e) porticoes;

(f) recesses or projections; or

(g) windows.

Front Setback Area

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

Rear Setback Area

854 **(1)** 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.

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

(a) an ***LRT corridor*** or ***street***, the ***rear setback area*** must have a minimum depth of 6.0 metres; *67P2008*

(b) a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***rear setback area*** must have a minimum depth of 6.0 metres; and

(c) a ***lane***, in all other cases, the ***rear setback area*** must have a minimum depth of 3.0 metres.

Side Setback Area

855 **(1)** 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:

67P2008

(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* *48P2020*

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* *48P2020*

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***. *48P2020*

Division 11: Commercial – Regional 2 f# (C-R2 f#) 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***: *71P2008, 17P2009, 32P2009, 39P2010*

(a) *deleted* *65P2023*

(b) *deleted* *65P2023*

(c) **Amusement Arcade**;

37P2014, 42P2019 (c.1) **Artist's Studio**;

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

(d) **Billiard Parlour**;

(e) **Catering Service – Minor**;

(f) **Cinema**;

(g) **Computer Games Facility**;

(h) **Convenience Food Store**;

27P2021 (i) *deleted*

(j) **Dinner Theatre**;

(k) **Financial Institution**;

(l) **Fitness Centre**;

(m) **Funeral Home**;

27P2021 (n) **Health Care Service**;

(o) **Home Based Child Care – Class 1**;

(p) **Home Occupation – Class 1**;

(q) **Indoor Recreation Facility**;

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

(s) **Instructional Facility**;

(t) **Library**;

27P2021 (u) *deleted*

(v) **Museum**;

(w) **Office**;

(x) **Pawn Shop**;

(y) **Performing Arts Centre**;

(z) **Pet Care Service**;

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

(bb) **Print Centre**;

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

(dd) **Restaurant: Food Service Only**; 27P2021

(ee) *deleted* 27P2021

(ff) *deleted* 27P2021

(gg) *deleted* 27P2021

(hh) *deleted* 27P2021

(hh.1) *deleted* 27P2021

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

(jj) **Service Organization**;

(kk) **Specialty Food Store**;

(ll) **Supermarket**;

65P2023

(mm) *deleted*

(nn) **Vehicle Rental – Minor**;

(oo) **Vehicle Sales – Minor**; and

(pp) **Veterinary Clinic**.

(3) Unless otherwise stated in subsection 863(2.1), the following ***uses*** are ***permitted uses*** in the Commercial – Regional 2 District if they are located within existing approved ***buildings*** and if the ***public area*** is less than 300.0 square metres: 27P2021

(a) **Restaurant: Licensed**.

Discretionary Uses

863 **(1)** ***Uses*** listed in subsection 862(2) are ***discretionary uses*** if they are located in new ***buildings*** or new additions to existing ***buildings*** in the Commercial – Regional 2 District.

(1.1) The following ***uses*** are ***discretionary uses*** in the Commercial – Regional 2 District if they are located within existing approved ***buildings*** and if the ***public area*** is 300.0 square metres or greater: 27P2021

(a) **Restaurant: Licensed**.

(1.2) The following ***uses*** are ***discretionary uses*** in the Commercial – Regional 2 District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***: 27P2021

(a) **Restaurant: Licensed**.

(2) ***Uses*** listed in subsection 862(2) are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district.

27P2021 **(2.1)** The following ***uses*** are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district;

(a) **Restaurant: Licensed**.

(3) The following ***uses*** are ***discretionary uses*** in the Commercial – Regional 2 District:

(a) **Auto Service – Major**;

(b) **Auto Service – Minor**;

16P2018 (c) *deleted*

22P2016 (c.1) **Brewery, Winery and Distillery**;

25P2018, 27P2021 (c.2) *deleted*

26P2018 (c.3) **Cannabis Store**;

(d) **Car Wash – Multi Vehicle**;

(e) **Car Wash – Single Vehicle**;

(f) **Child Care Service**;

67P2008 (f.1) **Conference and Event Facility**;

(g) **Drinking Establishment – Large**;

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

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

(j) **Drive Through**;

(k) **Dwelling Unit**;

49P2017 (k.1) **Food Production**;

(l) **Gaming Establishment – Bingo**;

(m) **Gas Bar**;

(n) **Home Occupation – Class 2**;

(o) **Hotel**;

(p) **Liquor Store**;

(q) **Live Work Unit**;

5P2013, 42P2019, 27P2021 (q.1) *deleted*

28P2016, 25P2018 (q.2) *deleted*

(r) **Night Club**;

(s) **Outdoor Café**;

(t) **Parking Lot – Grade**;

(u) **Parking Lot – Structure**;

(u.1) **Payday Loan**; *43P2015*

(v) **Place of Worship – Medium**;

(w) **Place of Worship – Small**;

(x) **Post-secondary Learning Institution**;

(y) **Power Generation Facility – Medium**;

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

(z.1) **Recyclable Material Drop-Off Depot;** *16P2018*

(aa) *deleted* *27P2021*

(bb) **Seasonal Sales Area**;

(cc) **Sign – Class C**;

(dd) **Sign – Class E**;

(ee) **Special Function – Class 2**; *4P2012*

(ee.1) *deleted* *10P2009, 4P2012*

(ee.2) **Urban Agriculture**; *33P2019*

(ff) **Utility Building**;

(gg) **Vehicle Rental – Major**; and

(hh) **Vehicle Sales – Major**.

Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Parcel Area

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

Buildings

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

(a) is not less than 40,000.0 square metres;

(b) contains a number of separate ***uses***; and

(c) has an internal hallway for customers.

(2) ***Parcels*** may have ***buildings***, in addition to the ***building*** required by section (1), providing the combined ***gross floor area*** of all ***use areas*** in those ***buildings*** does not exceed 20.0 per cent of the ***gross floor area*** of the "Enclosed Mall" ***building*** located on the ***parcel***.

(3) In this section, "Enclosed Mall" means a ***building*** containing two or more retail ***uses*** accessible by an enclosed common corridor.

Floor Area Ratio

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

Building Height

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

Location of Uses within Buildings

869 (1) **Dwelling Units** and **Live Work Units** must not be located on the ground floor of a ***building***.

(2) "Commercial Uses" and **Live Work Units**:

(a) may be located on the same floor as **Dwellings Units**; and

(b) must not share an internal hallway with **Dwelling Units**.

(3) Where this section refers to "Commercial Uses", it refers to the listed ***uses*** at sections 862 and 863, other than **Dwelling Unit** and **Live Work Unit**.

Front Setback Area

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

Rear Setback Area

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

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

Side Setback Area

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

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

Landscaping In Setback Areas

873 **(1)** Where a ***setback area*** shares a ***property line*** with an ***LRT corridor*** or ***street***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***; and

(b) have a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by ***low water irrigation system***.

(2) Where a ***setback area*** shares a ***property line*** with a ***parcel*** designated as a ***residential district***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***;

(b) provide a minimum of 1.0 trees:

(i) for every 30.0 square metres; or

(ii) for every 45.0 square metres, where irrigation is provided by ***low water irrigation system***;

(c) provide trees planted in a linear arrangement along the length of the ***setback area***; and

(d) be ***screened*** by a ***fence*** that is a maximum height of 2.0 metres.

(3) Where a ***setback area*** shares a ***property line*** with a ***lane*** or a ***parcel*** designated as a ***commercial***, ***industrial*** or ***special purpose district***, the ***setback area***:

(a) must be a ***soft surfaced landscaped area***;

(b) may provide a sidewalk along the length of the ***building***; and

(c) must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by ***low water irrigation system***.

Minimum Required Motor Vehicle Parking Stalls

874 *deleted* *48P2020*

Reductions of Minimum Motor Vehicle Parking Requirement

48P2020 **875** *deleted*

Excess Motor Vehicle Parking Stalls

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

Exclusive Use of Motor Vehicle Parking Stalls

48P2020 **877** *deleted*

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***. *48P2020*

(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***. *48P2020*

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 f#h# (C-R3 f#h#) District

Purpose

880 **(1)** The Commercial – Regional 3 District is intended to be characterized by:

(a) comprehensively planned and designed subdivision and ***development*** with multiple ***buildings*** on multiple ***parcels***;

(b) orderly phased subdivision and ***development*** of large tracts of land over time;

(c) opportunities for a variety of ***building*** sizes and ***use areas***;

(d) ***parcels*** that are created and designed to support efficient access to the ***uses*** intended for those and nearby ***parcels***;

(e) ***buildings***, ***uses***, vehicle access and pedestrian features on a site that link with each other and ***adjacent parcels***;

(f) pedestrian access from public transit, to and between ***buildings*** and pedestrian amenities;

(g) flexibility regarding a ***building's*** density, established through individual ***floor area ratios*** for individual ***parcels***; and

(h) varying ***building height*** established through maximum ***building heights*** for individual ***parcels***.

(2) Areas of land less than 6.0 hectares should not be designated Commercial – Regional 3 District.

Permitted Uses

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

(a) **Park**;

(b) **Sign – Class A**;

(c) **Sign – Class B**;

(d) **Sign – Class D**; and

(e) **Utilities**.

71P2008, 32P2009, 39P2010

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

65P2023 (a) *deleted*

65P2023 (b) *deleted*

(c) **Amusement Arcade**;

37P2014, 16P2018 (c.1) *deleted*

37P2014 (c.2) **Beverage Container Quick Drop Facility**;

(d) **Catering Service – Minor**;

(e) **Computer Games Facility**;

(f) **Convenience Food Store**;

27P2021 (g) *deleted*

(h) **Dinner Theatre**;

(i) **Financial Institution**;

(j) **Fitness Centre**;

(k) **Funeral Home**;

27P2021 (l) **Health Care Service**;

(m) **Indoor Recreation Facility**;

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

(o) **Instructional Facility**;

(p) **Library**;

27P2021 (q) *deleted*

(r) **Museum**;

(s) **Office**;

(t) **Pawn Shop**;

(u) **Performing Arts Centre**;

(v) **Pet Care Service**;

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

(x) **Print Centre**;

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

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

16P2018 (z.1) **Recyclable Material Drop-Off Depot;**

27P2021 (aa) *deleted*

27P2021 (bb) *deleted*

(cc) *deleted* 27P2021

(dd) *deleted* 27P2021

(dd.1) *deleted* 27P2021

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

(ff) **Service Organization**;

(gg) **Specialty Food Store**;

(hh) **Supermarket**;

(ii) *deleted* 65P2023

(jj) **Vehicle Rental – Minor**;

(kk) **Vehicle Sales – Minor**; and

(ll) **Veterinary Clinic**.

(3) Unless otherwise stated in subsection 882(2.1), the following ***uses*** are ***permitted uses*** in the Commercial – Regional 3 District if they are located within existing approved ***buildings*** and if the ***public area*** is less than 300.0 square metres: 27P2021

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

(b) **Restaurant: Licensed**.

Discretionary Uses

882 **(1)** ***Uses*** listed in subsection 881(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Commercial – Regional 3 District.

(1.1) The following ***uses*** are ***discretionary uses*** in the Commercial – Regional 3 District if they are located within existing approved ***buildings*** and if the ***public area*** is 300.0 square metres or greater: 27P2021

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

(b) **Restaurant: Licensed**.

(1.2) The following ***uses*** are ***discretionary uses*** in the Commercial – Regional 3 District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***: 27P2021

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

(b) **Restaurant: Licensed**.

(2) ***Uses*** listed in subsection 881(2) are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district.

27P2021 **(2.1)** The following ***uses*** are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one commercial ***use*** that has been approved after the ***parcel*** was designated as a commercial land use district;

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

(b) **Restaurant: Licensed**.

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

42P2019 (a) **Artist's Studio**;

(a.1) **Auto Service – Major**;

(b) **Auto Service – Minor**;

37P2014 (c) *deleted*

(d) **Billiard Parlour**;

22P2016 (d.1) **Brewery**, **Winery and Distillery**;

25P2018, 27P2021 (d.2) *deleted*

26P2018 (d.3) **Cannabis Store**;

(e) **Car Wash – Multi-Vehicle**;

(f) **Car Wash – Single Vehicle**;

(g) **Child Care Service**;

(h) **Cinema**;

67P2008 (h.1) **Conference and Event Facility**;

(i) **Drinking Establishment – Large**;

(j) **Drinking Establishment – Medium**;

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

(l) **Drive Through**;

49P2017 (l.1) **Food Production**;

(m) **Gaming Establishment – Bingo**;

(n) **Gas Bar**;

(o) **Hotel**;

(p) **Liquor Store**;

5P2013, 42P2019, 27P2021 (p.1) *deleted*

28P2016, 25P2018 (p.2) *deleted*

(q) **Night Club**;

(r) **Outdoor Café**;

(s) **Parking Lot – Grade**;

(t) **Parking Lot – Structure**;

(t.1) **Payday Loan**; *43P2015*

(u) **Place of Worship – Medium**;

(v) **Place of Worship – Small**;

(w) **Post-secondary Learning Institution**;

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

(y) *deleted* *27P2021*

(z) *deleted* *27P2021*

(aa) **Seasonal Sales Area**;

(bb) **Sign – Class C**;

(cc) **Sign – Class E**;

(dd) **Social Organization**;

(ee) **Special Function – Class 2**; *4P2012*

(ee.1) *deleted* *10P2009, 4P2012*

(ee.2) **Urban Agriculture**; *33P2019*

(ff) **Utility Building**;

(gg) **Vehicle Rental – Major**; *38P2013*

(hh) **Vehicle Sales – Major**; *38P2013*

(ii) **Wind Energy Conversion System – Type 1**; and *38P2013*

(jj) **Wind Energy Conversion System – Type 2**. *38P2013*

Rules

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

(a) the General Rules for Commercial Land Use Districts referenced in Part 7, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Floor Area Ratio

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

Building Height

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

Transportation

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

(a) road networks within ***parcels*** and motor vehicle access connections to existing or anticipated ***streets***;

(b) direct motor vehicle connections through ***parcels*** to provide access to ***adjacent parcels***; and

(c) motor vehicle connections between parking areas and the road networks.

Building Orientation and Design

887 **(1)** The main ***public entrance*** of ***buildings*** must be identifiable and accessible.

(2) ***Public entrances*** must be accentuated by a minimum of one example of three or more of the following features:

(a) arcades;

(b) arches;

(c) awnings;

(d) pitched or raised cornice roof forms;

(e) porticoes;

(f) recesses or projections; and

(g) windows.

(3) The finishing materials and design of the façade where the main ***public entrance*** is located must be used on the other façades of the ***building***.

Front Setback Area

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

Rear Setback Area

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

(a) Commercial – Regional 3 District, there is no requirement for a ***rear setback area***;

(b) any other ***commercial district***, the ***rear setback area*** must have a minimum depth of 3.0 metres;

(c) an ***industrial district***, the ***rear setback area*** must have a minimum depth of 3.0 metres;

(d) a ***residential district***, the ***rear setback area*** must have a minimum depth of 6.0 metres; and

(e) a ***special purpose district***, the ***rear setback area*** must have a minimum depth of 6.0 metres.

(2) Where the ***parcel*** shares a ***rear property line*** with an ***LRT corridor*** or ***street***, the ***rear setback area*** must have a minimum depth of 6.0 metres.

(3) Where the ***parcel*** shares a ***rear property line*** with a ***lane*** and the ***lane*** separates the ***parcel*** from a ***parcel*** designated as:

(a) a ***residential district***, the ***rear setback area*** must have a minimum depth of 6.0 metres; and

(b) a District, other than a ***residential district***, the ***rear setback area*** must have a minimum depth of 3.0 metres.

Side Setback Area

890 (1) Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) Commercial – Regional 3 District, there is no requirement for a ***side setback area***;

(b) any other ***commercial district***, the ***side setback area*** must have a minimum depth of 3.0 metres;

(c) an ***industrial district***, the ***side setback area*** must have a minimum depth of 3.0 metres;

(d) a ***residential district***, the ***side setback area*** must have a minimum depth of 6.0 metres; and

(e) a ***special purpose district***, the ***side setback area*** must have a minimum depth of 6.0 metres.

(2) Where the ***parcel*** shares a ***side property line*** with an ***LRT corridor*** or ***street***, the ***side setback area*** must have a minimum depth of 6.0 metres.

(3) Where the ***parcel*** shares a ***side property line*** with a ***lane*** and the ***lane*** separates the ***parcel*** from a ***parcel*** designated as:

(a) a ***residential district***, the ***side setback area*** must have a minimum depth of 6.0 metres;

(b) a District, other than a ***residential district***, the ***side setback area*** must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

891 **(1)** Where a ***setback area*** shares a ***property line*** with an ***LRT corridor*** or ***street***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

(2) Where a ***setback area*** shares a ***property line*** with a ***parcel*** designated as a ***residential district***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***;

(b) provide a minimum of 1.0 trees:

(i) for every 30.0 square metres; or

(ii) for every 45.0 square metres, where irrigation is provided by a ***low water irrigation system***; and

(c) provide trees planted in a linear arrangement along the length of the ***setback area***.

(3) Where a ***setback area*** shares a ***property line*** with a ***lane*** or a ***parcel*** designated as a ***commercial***, ***industrial*** or ***special purpose district***, the ***setback area***:

(a) must be a ***soft surfaced landscaped area***;

(b) may have a sidewalk along the length of the ***building***; and

(c) must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where the irrigation is provided by a ***low water irrigation system***.

Minimum Required Motor Vehicle Parking Stalls

48P2020 **892** *deleted*

Reductions of Minimum Motor Vehicle Parking Requirement

48P2020 **893** *deleted*

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* *48P2020*

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***. *48P2020*

(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.

33P2019 **(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

27P2021 **902** Unless otherwise referenced in a District, mechanical systems or equipment located outside of a ***building*** shall be positioned, camouflaged or screened from view of a ***public space***, or from view of a ***parcel*** designated as a ***residential district***, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above ***grade***.

Garbage

903 **(1)** Unless otherwise referenced in a District, garbage containers and waste material must be stored, prior to collection, either: *44P2022*

(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***.

(3) No materials shall be allowed to escape the ***parcel***. *44P2022*

Fences

904 **(1)** When a ***parcel*** shares a ***property line*** with a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, an ***LRT corridor***, or a ***commercial***, ***residential*** or ***special purpose districts***, a ***fence*** with a minimum height of 2.0 metres must be provided for ***screening*** along the ***property line***.

(2) There is no restriction to the height of a ***fence*** at any point along a ***property line*** shared with another ***industrial district***.

Solar Collectors *68P2008*

904.1 **(1)** A ***solar collector*** may only be located on the wall or roof of a ***building***.

(2) A ***solar collector*** mounted on a roof with a pitch of less than 4:12 may project a maximum of 2.0 metres from the surface of the roof.

(3) A ***solar collector*** mounted on a roof with a pitch of 4:12 or greater pitch:

(a) may project a maximum of 1.3 metres from the surface of the roof; and

(b) must not extend beyond the outermost edge of the roof.

(4) A ***solar collector*** that is mounted on a wall:

(a) must be located a minimum of 2.4 metres above ***grade***; and

(b) may project a maximum of 0.6 metres from the surface of that wall.

Display and Sales Area *32P2009*

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

(2) The maximum floor area of a display and sales area located in a ***building*** is the greater of:

(i) 38.0 square metres; or

(ii) 20.0 per cent of the ***gross floor area*** of the ***use*** to a maximum of 465.0 square metres

14P2010, 39P2010 **(3)** A display and sales area is not allowed if it would result in the ***use*** operating exclusively as a retail store.

32P2009 **Outdoor Product Display Area**

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

(a) the products displayed are associated with the ***use***;

16P2018 (b) it is not located within a required ***setback area***; and

16P2018 (c) it is separate and distinct from areas of the ***parcel*** used for the storage of materials, goods or equipment.

16P2018 (d) *deleted*

38P2013 **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***.

(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

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

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

Purpose

32P2009

906 The Industrial – General District is intended to be characterized by:

(a) a wide variety of light and medium general industrial ***uses*** and a limited number of support commercial ***uses***;

(b) ***parcels*** typically located in internal locations;

(c) *deleted* 44P2022

(d) a limited number of non-industrial ***uses*** that may be appropriate due to ***building*** or ***parcel*** requirements generally found in industrial areas;

(e) ***uses*** and ***buildings*** that may have little or no relationship to ***adjacent parcels***;

(f) appropriate controls to ensure ***screening*** of any outdoor activities; and

(g) limits on sales and office activities in order to preserve a diverse industrial land base.

Permitted Uses

32P2009

907 (1) The following ***uses*** are ***permitted uses*** in the Industrial – General District:

(a) **Park**;

(b) **Sign – Class A**;

(c) **Sign – Class B**;

(d) **Sign – Class D**; and

(e) **Utilities**.

(2) Unless otherwise referenced in subsection 908(1), the following ***uses*** are ***permitted uses*** in the Industrial – General District:

(a) **Auto Body and Paint Shop**;

(b) **Auto Service – Major**;

(c) **Auto Service – Minor**;

(d) *deleted* 16P2018

(d.1) **Beverage Container Quick Drop Facility**; 37P2014

(d.2) **Brewery, Winery and Distillery**; 49P2017

(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**;

16P2018 (y.2) **Recyclable Material Drop-Off Depot**;

14P2010 (y.1) **Sign – Class C**;

(z) **Specialty Food Store**;

44P2022 (aa) **Utility Building**; and

44P2022 (aa.1) **Vehicle Storage**.

44P2022 (bb) *deleted*

44P2022 (cc) *deleted*

44P2022 (dd) *deleted*

Discretionary Uses *32P2009*

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

(a) *deleted* *44P2022*

(b) on a ***parcel*** that does not have both sewer and water systems provided by the ***City***.

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

(a) **Auction Market – Other Goods**;

(b) **Auction Market – Vehicles and Equipment**;

(b.1) *deleted* *22P2016, 49P2017*

(c) **Building Supply Centre**;

(d) **Bulk Fuel Sales Depot**;

(d.1) **Cannabis Facility**; *25P2018*

(e) **Child Care Service**;

(f) **Convenience Food Store**;

(g) **Custodial Quarters**;

(h) **Drive Through**;

(i) *deleted* *44P2022*

(j) **Gas Bar**;

(k) **Instructional Facility**;

(l) **Kennel**;

(m) **Large Vehicle and Equipment Sales**; *9P2012*

(m.1) *deleted* *7P2014, 25P2018*

(n) **Office**;

(o) **Outdoor Café**;

(p) **Pet Care Service**;

(p.1) **Place of Worship – Large**; *36P2011*

(q) **Print Centre**;

(r) **Restaurant: Food Service Only**; *27P2021*

(s) *deleted* *27P2021*

(t) **Restaurant: Licensed**; *27P2021*

(u) *deleted* *27P2021*

(v) **Restored Building Product Sales Yard**;

(w) **Salvage Yard**;

(x) **Self Storage Facility**;

(y) **Storage Yard**;

(z) **Sign – Class E**;

30P2011 (aa) **Sign – Class F**;

4P2012 (aa.1) **Sign – Class G**;

4P2012 (bb) **Special Function – Class 2**;

(cc) *deleted*

38P2013, 65P2023 (dd) *deleted*

33P2019 (dd.1) **Urban Agriculture**;

44P2022 (dd.2) **Vehicle Rental – Minor**;

38P2013 (ee) **Vehicle Sales – Minor**;

38P2013 (ff) **Veterinary Clinic**;

38P2013 (gg) **Wind Energy Conversion System – Type 1**; and

(hh) **Wind Energy Conversion System – Type 2**.

26P2018 **(3)** The following ***uses*** are ***discretionary uses*** in the Industrial – General (I-G) District on a ***parcel*** with a **Cannabis Facility**:

(a) **Cannabis Store**.

Rules

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

(a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Building Size

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

27P2021 **Use Area**

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

Floor Area Ratio

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

Building Height

912 **(1)** Unless otherwise referenced in subsection (2), there is no maximum ***building height*** for a ***building*** located on a ***parcel*** in the Industrial – General District. *44P2022*

(2) Where the ***parcel*** shares a ***property line*** with a ***parcel*** in the S-SPR District or a ***residential district***, the maximum ***building height*** is 18.0 metres. *44P2022*

Building Setback

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

Storage of Goods, Materials and Supplies

913.1 **(1)** A ***use*** may have an outdoor area for the storage of goods, materials or supplies provided the storage area is: *32P2009*

(a) not located in a ***setback area***; and *16P2018*

(b) not located between a ***building*** and a ***major street*** or ***expressway***. *16P2018*

(c) *deleted* *16P2018*

(2) Goods, materials or supplies stored outside of a ***building*** within 5.0 metres of a ***property line*** have a maximum height of 5.0 metres.

(3) The height of goods, materials or supplies is measured from ***grade*** and includes any pallets, supports or other things on which the goods, materials or supplies are stacked.

Screening *32P2009*

914 Loading docks, outdoor activities and equipment located outside of a ***building*** must be ***screened*** from view of:

(a) an ***adjacent expressway***, ***major street***, ***LRT corridor*** or regional pathway; and

(b) a ***street*** or ***lane*** where the ***street*** or ***lane*** separates the ***parcel*** from a ***residential district*** or ***special purpose district***.

Gross Floor Area for Offices and Administration Areas *67P2008, 10P2009, 32P2009*

914.1 **(1)** Unless otherwise referenced in subsection (2), the cumulative ***gross floor area*** of **Office** ***uses*** in a ***building*** must not exceed 50.0 per cent of the ***gross floor area*** of the ***building***.

(2) Areas in a ***building*** used for administration or to provide work space to employees of a ***use*** will not be included when determining compliance with subsection (1) provided:

(a) the administration or work space area is located in the same ***use area*** as the ***use*** that it serves; and

(b) the principal ***use*** is not an **Office**.

(3) The ***Development Authority*** may consider a relaxation of subsection (1) where an **Office** is proposed in a ***building***:

(a) that was legally existing or approved prior to the effective date of this Bylaw; and

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

Front Setback Area

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

(a) an ***expressway*** or ***major street***, the ***front setback area*** must have a minimum depth of 6.0 metres; and

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

Rear Setback Area

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

(a) a ***commercial district***, the ***rear setback area*** must have a minimum depth of 1.2 metres;

(b) an ***industrial district***:

(i) the ***rear setback area*** must have a minimum depth of 1.2 metres; or

(ii) in the case where walls facing the ***rear property line*** are constructed of materials that do not require maintenance, there is no requirement for a ***rear setback area***; or

(iii) in the case where the ***parcel*** is ***adjacent*** to a rail line that terminates and there is no need for a spur line or the spur line is incorporated within the ***building***, there is no requirement for a ***rear setback area***;

(c) a ***residential district***, the ***rear setback area*** must have a minimum depth of 6.0 metres; and

(d) a ***special purpose district***, the ***rear setback area*** must have a minimum depth of 6.0 metres.

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

(a) an ***expressway*** or ***major street***, the ***rear setback area*** must have a minimum depth of 6.0 metres;

(b) the Headworks Canal operated by the Western Irrigation District, the ***rear setback area*** must have a minimum depth of 7.5 metres;

(c) a ***lane***, there is no requirement for a ***rear setback area***; and

(d) an ***LRT corridor*** or ***street***, not including an ***expressway*** or ***major street***, the ***rear setback area*** must have a minimum depth of 4.0 metres.

Side Setback Area

917 (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

918 (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 *32P2009*

921 *deleted*

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

Purpose

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

(a) prestige, high quality, manufacturing, research and office ***developments***; 32P2009

(b) ***parcels*** in desirable locations that contribute to employment centres or locations that are visible from ***expressways*** and ***major streets***;

(c) activities contained within ***buildings***;

(d) a limited range of small ***uses*** that provide services to the office and industrial ***uses*** within the immediate area;

(e) pedestrian pathway connections to and between ***buildings*** and to transit;

(f) flexibility in ***building*** density established through ***floor area ratios*** for individual ***parcels***; and

(g) varying ***building heights*** established through maximum ***building height*** for individual ***parcels***.

Permitted Uses

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

(a) **Park**;

(b) **Sign – Class A**;

(c) **Sign – Class B**;

(d) **Sign – Class D**; and

(e) **Utilities**.

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

(a) **Catering Service – Minor**;

(b) **Computer Games Facility**;

(c) **Convenience Food Store**;

(d) *deleted* 27P2021

(e) **Financial Institution**;

(e.1) **General Industrial – Light**; 44P2022

39P2010, 27P2021
(f) **Health Care Service**;

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

(h) **Library**;

(i) **Instructional Facility**;

(j) **Office**;

39P2010
(k) *deleted*

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

(m) **Print Centre**;

44P2022
(n) **Protective and Emergency Service**; and

44P2022
(o) **Radio and Television Studio**;

44P2022
(p) *deleted*

Discretionary Uses

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

32P2009, 39P2010
(2) The following ***uses*** are ***discretionary uses*** in the Industrial – Business District:

25P2018, 42P2019, 27P2021
(a) **Artist's Studio**; and

27P2021
(a.1) *deleted*

25P2018
(a.2) **Child Care Service**;

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

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

(d) **Drive Through**;

(e) **Fitness Centre**;

(f) **Gas Bar**;

27P2021
(g) *deleted*

(h) **Hotel**;

(i) **Indoor Recreation Facility**;

27P2021
(j) *deleted*

28P2016, 25P2018
(j.1) *deleted*

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

(l) **Outdoor Café**;

(m) **Parking Lot – Grade**;

(n) **Parking Lot – Structure**;

(n.1) **Payday Loan**; *43P2015*

(o) **Post-secondary Learning Institution**;

(p) **Power Generation Facility – Medium**;

(q) **Printing, Publishing and Distributing**;

(r) *deleted* *27P2021*

(s) *deleted* *27P2021*

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

(u) **Self Storage Facility**;

(v) **Sign – Class C**;

(w) **Sign – Class E**;

(x) **Sign – Class F**;

(x.1) **Sign – Class G**; *30P2011*

(y) **Special Function – Class 2**; *4P2012*

(z) *deleted* *4P2012*

(aa) **Specialty Food Store**;

(bb) *deleted* *65P2023*

(bb.1) **Urban Agriculture**; *33P2019*

(cc) **Utility Building**; *38P2013*

(dd) **Vehicle Rental – Minor**; and *32P2009, 38P2013*

(ee) **Wind Energy Conversion System – Type 1**. *38P2013*

(2.1) The following ***uses*** are ***discretionary uses*** in the Industrial – Business District if the ***public area*** is 150.0 square metres or less: *27P2021*

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

(b) **Restaurant: Licensed**.

(3) The following ***uses*** are ***discretionary uses*** in the Industrial – Business District if they are located within a ***building*** containing at least one ***use*** listed in subsection 923(2):

(a) **Brewery, Winery and Distillery**; *22P2016*

(a.1) **Drinking Establishment – Medium**; *22P2016*

(b) *deleted* *27P2021*

(c) *deleted* *27P2021*

27P2021 **(3.1)** The following ***uses*** are ***discretionary uses*** in the Industrial – Business District if they are located within a ***building*** containing at least one use listed in subsection 923(2), and the ***public area*** is greater than 150.0 square metres:

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

(b) **Restaurant: Licensed**.

Rules

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

(a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Floor Area Ratio

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

Building Height

57P2008 **927** The maximum ***building height*** for ***parcels*** designated Industrial – Business District is:

(a) 12.0 metres; or

(b) the number following the letter "h" indicated on the Land Use District Maps, expressed in metres.

Use Area

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

32P2009, 39P2010 **(2)** The maximum ***use area*** for a **Retail and Consumer Service** and any ***use*** combined with them is 465.0 square metres.

27P2021 **(3)** The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.

32P2009 **Storage of Goods, Materials and Supplies**

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

Front Setback Area

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

Rear Setback Area

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

(a) a ***commercial district***, the ***rear setback area*** must have a minimum depth of 1.2 metres;

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

(c) a ***residential district***, the ***rear setback area*** must have a minimum depth of 6.0 metres; and

(d) a ***special purpose district***, the ***rear setback area*** must have a minimum depth of 6.0 metres.

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

(a) an ***LRT corridor*** or ***street***, the ***rear setback area*** must have a minimum depth of 6.0 metres;

(b) a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***rear setback area*** must have a minimum depth of 3.0 metres; and

(c) a ***lane***, in all other cases, the ***rear setback area*** must have a minimum depth of 1.2 metres.

Side Setback Area

931 **(1)** Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***commercial district***, the ***side setback area*** must have a minimum depth of 1.2 metres;

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

(c) a ***residential district***, the ***side setback area*** must have a minimum depth of 6.0 metres; and

(d) a ***special purpose district***, the ***side setback area*** must have a minimum depth of 6.0 metres.

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

(a) an ***LRT corridor*** or ***street***, the ***side setback area*** must have a minimum depth of 6.0 metres;

(b) a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***side setback area*** must have a minimum depth of 3.0 metres; and

(c) a ***lane***, in all other cases, the ***side setback area*** must have a minimum depth of 1.2 metres.

Landscaping In Setback Areas

932 **(1)** Where a ***setback area*** shares a ***property line*** with a ***street***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***; and

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

(2) Where a ***setback area*** shares a ***property line*** with a ***lane*** that does not separate the ***parcel*** from a ***parcel*** designated as a ***residential district***, there is no requirement for a ***soft surfaced landscaped area*** or ***hard surfaced landscaped area***.

(3) Where a ***setback area*** shares a ***property line*** with a ***parcel*** designated as a ***residential district*** or a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***;

(b) provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 30.0 square metres; or

(ii) for every 35.0 square metres, where irrigation is provided by a ***low water irrigation system***; and

(c) provide trees and shrubs planted in a linear arrangement along the length of the ***setback area***.

(4) Where a ***setback area*** shares a ***property line*** with an ***LRT corridor*** or ***parcel*** designated as a ***commercial***, ***industrial*** or ***special purpose district***, the ***setback area***:

(a) must be a ***soft surfaced landscaped area***;

(b) may provide a sidewalk in the ***setback area*** along the length of the ***building***; and

(c) must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

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* *48P2020*

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

Purpose

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

(a) locations on the perimeter of industrial areas where the industrial ***parcel*** shares a ***property line*** with a ***residential district***, local ***street*** or ***lane*** abutting a ***residential district***;

(b) a limited range and size of ***uses***; and

(c) limitations on outside activities, vehicular access, and parking and loading, aimed at mitigating the impact of ***uses*** on nearby non – industrial ***parcels***.

Permitted Uses

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

(a) **Park**;

(b) **Sign – Class A**;

(c) **Sign – Class B**;

(d) **Sign – Class D**; and

(e) **Utilities**.

(2) The following ***uses*** are ***permitted uses*** in the Industrial – Edge District if they are located within existing approved ***buildings***: *32P2009, 39P2010*

(a) **Catering Service – Minor**;

(b) **Computer Games Facility**;

(c) **Convenience Food Store**;

(d) *deleted* *27P2021*

(e) **Financial Institution**;

(e.1) **Health Care Service**; *27P2021*

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

(g) **Instructional Facility**;

(h) **Office**;

(i) **Pawn Shop**;

(j) **Pet Care Service**;

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

(l) **Print Centre**;

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

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

27P2021 (o) **Restaurant: Food Service Only**;

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

(q) **Veterinary Clinic**.

Discretionary Uses

939 **(1)** ***Uses*** listed in subsection 938(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Industrial – Edge District.

32P2009 **(2)** The following ***uses*** are ***discretionary uses*** in the Industrial – Edge District:

22P2016 (a) **Artist's Studio**;

9P2012, 22P2016 (a.1) **Auto Service – Minor**;

9P2012, 37P2014, 22P2016 (a.2) **Beverage Container Quick Drop Facility**;

37P2014, 22P2016 (a.3) **Brewery, Winery and Distrillery**;

22P2016, 25P2018, 27P2021 (a.4) *deleted*

26P2018 (a.5) **Cannabis Store**;

25P2018 (a.6) **Car Wash – Single Vehicle**;

(b) **Child Care Service**;

(c) **Custodial Quarters**;

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

(e) **Fitness Centre**;

(f) **General Industrial – Light**;

27P2021 (g) *deleted*

(h) **Indoor Recreation Facility**;

(i) **Liquor Store**;

27P2021 (j) *deleted*

28P2016, 25P2018 (j.1) *deleted*

(k) **Outdoor Café**;

(k.1) **Place of Worship – Large**; *36P2011*

(k.01) **Payday Loan**; *43P2015*

(l) **Power Generation Facility – Medium**;

(m) **Restaurant: Licensed**; *27P2021*

(n) *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) *deleted* *38P2013, 65P2023*

(v.1) **Urban Agriculture**; *33P2019*

(w) **Utility Building**; and *38P2013*

(x) **Wind Energy Conversion System – Type 1**. *38P2013*

Rules

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

(a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Floor Area Ratio

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

Building Height

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

Activities and Objects Prohibited

943 **(1)** Where a ***parcel*** shares a ***street*** or ***lane*** with a ***residential district*** or Special Purpose – Community Institution District, the area between any ***buildings*** on that ***parcel*** and that ***street*** or ***lane*** must not contain:

(a) entrances to the ***parcel***;

(b) garbage enclosures;

(c) loading areas; or

(d) outside activities.

(2) Where a ***parcel*** shares a ***street*** or ***lane*** with a ***residential district*** or Special Purpose – Community Institution District, there must not be any vehicle entrance or overhead doors on the façade of the ***building*** facing those Districts, ***lanes*** or ***streets***.

Use Area

944 **(1)** Unless otherwise referenced in subsection (2), the maximum ***use area*** is 300.0 square metres.

32P2009

(2) The following ***uses*** do not have a ***use area*** restriction:

(a) **Convenience Food Store**;

(b) **General Industrial – Light**;

(c) **Self Storage Facility**; and

(d) **Specialty Food Store**;

27P2021

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

32P2009

Storage of Goods, Materials and Supplies

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

Front Setback Area

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

Rear Setback Area

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

(a) a ***commercial district***, the ***rear setback area*** must have a minimum depth of 1.2 metres;

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

(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

32P2009

953 The Industrial – Commercial District is intended to be characterized by:

(a) locations on the perimeter of industrial areas, along ***major streets*** and ***expressways***;

(b) light industrial ***uses*** that are unlimited in size;

(c) small scale commercial ***uses*** that are compatible with and complement light industrial ***uses***;

(d) controls to ensure that ***developments*** provide a transition between other land use districts and the Industrial – General District or between highly visible industrial ***parcels*** and the Industrial – General District;

(e) setbacks, ***screening***, landscaping and ***building*** design that addresses aesthetic concerns associated with highly visible locations; and

(f) ***parcels*** located within 200.0 metres of a ***major street*** or ***expressway***.

Permitted Uses

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

(a) **Park**;

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

(c) **Sign – Class A**;

(d) **Sign – Class B**;

(e) **Sign – Class D**; and

(f) **Utilities**.

(2) The following ***uses*** are ***permitted uses*** in the Industrial – Commercial District if they are located within existing approved ***buildings***: *32P2009, 39P2010*

(a) **Artist's Studio**;

(b) *deleted* *16P2018*

(b.1) **Beverage Container Quick Drop Facility**; *37P2014*

(c) **Building Supply Centre**;

(d) *deleted* *27P2021*

(e) **Dry-cleaning and Fabric Care Plant**;

(f) **Financial Institution**;

(g) **Fitness Centre**;

(h) **General Industrial – Light**;

27P2021 (i) **Health Care Service**;

(j) **Indoor Recreation Facility**;

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

(l) **Instructional Facility**;

27P2021 (m) *deleted*

(n) **Office**;

(o) **Pawn Shop**;

(p) **Pet Care Service**;

(q) **Print Centre**;

29P2016 (q.1) **Protective and Emergency Service**;

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

16P2018 (r.1) **Recyclable Material Drop-Off Depot**;

27P2021 (s) **Restaurant: Food Service Only**;

27P2021 (t) *deleted*

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

(v) **Service Organization**;

(w) **Specialty Food Store**;

65P2023 (x) *deleted*

(y) **Vehicle Rental – Minor**;

(z) **Vehicle Sales – Minor**; and

(aa) **Veterinary Clinic**.

Discretionary Uses

955 **(1)** ***Uses*** listed in subsection 954(2) are ***discretionary uses*** if they are located in new ***buildings*** or new additions to existing ***buildings*** in the Industrial – Commercial District.

(2) The following ***uses*** are ***discretionary uses*** in the Industrial – Commercial District: *32P2009*

(a) **Auction Market – Other Goods**;

(b) **Auction Market – Vehicles and Equipment**;

(c) **Auto Body and Paint Shop**;

(d) **Auto Service – Major**;

(e) **Auto Service – Minor**;

(e.1) **Brewery, Winery and Distillery**; *22P2016*

(e.2) *deleted* *25P2018, 27P2021*

(e.3) **Cannabis Store**; *26P2018*

(f) **Car Wash – Multi-Vehicle**;

(g) **Car Wash – Single Vehicle**;

(h) **Child Care Service**;

(i) **Convenience Food Store**;

(j) **Custodial Quarters**;

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

(l) **Drive Through**;

(m) **Gas Bar**;

(n) **Large Vehicle and Equipment Sales**; *9P2012*

(o) **Large Vehicle Service**;

(p) **Large Vehicle Wash**;

(q) **Liquor Store**;

(q.1) *deleted* *28P2016, 25P2018*

(r) **Outdoor Café**;

(r.1) **Payday Loan**; *43P2015*

(s) **Power Generation Facility – Medium**;

(t) **Recreational Vehicle Sales**;

(t.1) **Recreational Vehicle Service**; *9P2012*

(u) **Restaurant: Licensed**; *27P2021*

(v) *deleted* *27P2021*

(w) **Restored Building Product Sales Yard**;

(x) **Self Storage Facility**;

(y) **Sign – Class C**;

(z) **Sign – Class E**;

(aa) **Sign – Class F**;

30P2011 (aa.1) **Sign – Class G**;

4P2012 (bb) **Special Function – Class 2**;

33P2019 (bb.1) **Urban Agriculture**;

4P2012 (cc) *deleted*

(dd) **Utility Building**;

38P2013 (ee) **Vehicle Rental – Major**;

38P2013 (ff) **Vehicle Sales – Major**; and

38P2013 (gg) **Wind Energy Conversion System – Type 1**.

Rules

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

(a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Parcel Location

32P2013 **957** *deleted*

Floor Area Ratio

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

Building Height

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

Use Area

960 **(1)** Unless otherwise provided in subsection (2), there is no ***use area*** requirement in the Industrial – Commercial District.

32P2009, 39P2010 **(2)** The maximum ***use area*** for a **Retail and Consumer Service** is 930.0 square metres.

27P2021 **(3)** The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.

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***.

32P2009

(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***.

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 *32P2009*

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 *16P2018*

(c) within a ***screened*** enclosure or ***screened*** from view of a ***street***. *16P2018*

16P2018 (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

966 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***; *48P2020*

(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: *32P2009*

(a) **Artist's Studio**;

(b) **Auto Body and Paint Shop**;

(c) **Auto Service – Major**;

(d) **Auto Service – Minor**;

(e) *deleted* *16P2018*

(e.1) **Beverage Container Quick Drop Facility**; *37P2014*

(e.2) **Brewery, Winery and Distillery**; *49P2017*

(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**;

(l) **General Industrial – Light**;

(m) **General Industrial – Medium**;

(n) **Indoor Recreation Facility**;

(o) **Large Vehicle Service**;

(p) **Large Vehicle Wash**;

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

(r) **Park**;

(s) **Parking Lot – Grade**;

(t) **Parking Lot – Structure**;

(u) **Power Generation Facility – Medium**;

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

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

(x) **Recreational Vehicle Service**;

16P2018 (x.1) **Recyclable Material Drop-Off Depot**;

(y) **Sign – Class A**;

(z) **Sign – Class B**;

(aa) **Sign – Class D**;

(bb) **Utilities**;

44P2022 (cc) **Utility Building**; and

44P2022 (cc.1) **Vehicle Storage**.

44P2022 (dd) *deleted*

44P2022 (ee) *deleted*

44P2022 (ff) *deleted*

32P2009 **Discretionary Uses**

969 The following ***uses*** are ***discretionary uses*** in the Industrial – Redevelopment District:

(a) **Auction Market – Other Goods**;

(b) **Auction Market – Vehicles and Equipment**;

22P2016, 49P2017 (b.1) *deleted*

(c) **Building Supply Centre**;

(d) **Bulk Fuel Sales Depot**;

(e) **Child Care Service**;

46P2021 (f) *deleted*

(g) **Custodial Quarters**;

(h) **Drive Through**;

(i) *deleted* *44P2022*

(j) **Fleet Service**;

(j.1) **Health Care Service**; *46P2021*

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

(l) **Instructional Facility**;

(m) **Kennel**;

(n) **Large Vehicle and Equipment Sales**; *9P2012*

(o) **Office**;

(p) **Outdoor Café**;

(p.1) **Payday Loan**; *43P2015*

(q) **Pet Care Service**;

(r) **Print Centre**;

(s) **Recreational Vehicle Sales**;

(t) **Restaurant: Food Service Only**; *27P2021*

(u) **Restaurant: Licensed**; *27P2021*

(v) **Restored Building Product Sales Yard**;

(w) **Salvage Yard**;

(x) **Self Storage Facility**;

(y) **Service Organization**;

(z) **Storage Yard**;

(aa) **Sign – Class C**;

(bb) **Sign – Class E**;

(cc) **Sign – Class F**;

(cc.1) **Sign – Class G**;

(dd) **Special Function – Class 2**; *30P2011*

(ee) *deleted* *4P2012*

(ff) *deleted* *4P2012, 65P2023*

(ff.1) **Urban Agriculture**; *33P2019*

(ff.2) **Vehicle Rental – Minor**; *44P2022*

(gg) **Vehicle Sales – Minor**; *38P2013*

(hh) **Veterinary Clinic**; *38P2013*

(ii) **Wind Energy Conversion System – Type 1**; and *38P2013*

(jj) **Wind Energy Conversion System – Type 2**. *38P2013*

Rules

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

(a) the General Rules for Industrial Land Use Districts referenced in Part 8, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Building Size

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

Floor Area Ratio

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

Building Height

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

27P2021 **Use area**

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

Screening

32P2009 **974** **(1)** Loading docks and mechanical equipment that are part of a ***building*** must be ***screened*** from view of an ***adjacent expressway*** or ***major street***.

(2) Where a ***use*** has outdoor activities or equipment located outside of a ***building***, those activities or equipment must be ***screened*** from view of:

(a) an ***adjacent expressway***, ***major street***, ***LRT corridor*** or regional pathway; or

(b) a ***street*** or ***lane*** where the ***street*** or ***lane*** separates the ***parcel*** from a ***residential district*** or ***special purpose district***.

Building Setback

32P2009 **974.1** The minimum ***building setback*** from a ***property line*** shared with the Headworks Canal operated by the Western Irrigation District is 15.0 metres.

Front Setback Area

975 Where the ***parcel*** shares a ***front property line*** with a ***street*** and the length of that ***front property line*** is:

(a) less than 45.0 metres, there is no requirement for a ***front setback area***;

(b) 45.0 metres or more but less than 60.0 metres, the ***front setback area*** must have a minimum depth of 1.0 metre;

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

(d) 90.0 metres or more, the ***front setback area*** must have a minimum depth of 4.0 metres.

Rear Setback Area

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

(a) a ***commercial district***, the ***rear setback area*** must have a minimum depth of 1.2 metres;

(b) an ***industrial district*** or a ***lane***:

(i) the ***rear setback area*** must have a minimum depth of 1.2 metres; or

(ii) in the case where walls facing the ***rear property line*** are constructed of materials that do not require maintenance, there is no requirement for a ***rear setback area***; or

(iii) in the case where the ***parcel*** is ***adjacent*** to a rail line that terminates and there is no need for a spur line or the spur line is incorporated within the ***building***, there is no requirement for a ***rear setback area***;

(c) a ***residential district***, the ***rear setback area*** must have a minimum depth of 6.0 metres; and

(d) a ***special purpose district***, the ***rear setback area*** must have a minimum depth of 6.0 metres.

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

(a) an ***expressway*** or ***major street***, the ***rear setback area*** must have a minimum depth of 6.0 metres;

(b) an ***LRT corridor*** or ***street***, not including an ***expressway*** or ***major street***, the ***rear setback area*** must have a minimum depth of 4.0 metres;

(c) with the Headworks Canal operated by the Western Irrigation District, the ***rear setback area*** must have a minimum depth of 7.5 metres; and

(d) a ***lane***, there is no requirement for a ***rear setback area***.

Side Setback Area

977 **(1)** Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***commercial district***, the ***side setback area*** must have a minimum depth of 1.2 metres;

(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

13P2008

(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***. *13P2008*

(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.

32P2009 **Storage of Goods, Materials and Supplies**

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

16P2018 (a) not located in a ***setback area***; and

16P2018 (b) not located between a ***building*** and a ***major street*** or ***expressway***.

16P2018 (c) *deleted*

(2) Goods, materials or supplies stored outside of a ***building*** within 5.0 metres of a ***property line*** have a maximum height of 5.0 metres.

(3) The height of goods, materials or supplies is measured from ***grade*** and includes any pallets, supports or other things on which the goods, materials or supplies are stacked.

Employee Area

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

Outside Product Display Areas

32P2009 **981** *deleted*

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) *deleted* *44P2022*

(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**; and *44P2022*

(i.1) **Vehicle Storage**. *44P2022*

(j) *deleted* *44P2022*

(k) *deleted* *44P2022*

(l) *deleted* *44P2022*

Discretionary Uses

984 **(1)** The following ***uses*** are ***discretionary uses*** in the Industrial – Outdoor District: *32P2009, 30P2012*

(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**;

4P2012 (f) *deleted*

33P2019 (f.1) **Urban Agriculture**;

38P2013 (g) **Utility Building**;

38P2013 (h) **Wind Energy Conversion System – Type 1**; and

38P2013 (i) **Wind Energy Conversion System – Type 2**.

30P2012 **(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.

32P2009 **Storage of Goods, Materials and Supplies**

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; *47P2008*

(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

(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

993 **(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

47P2008

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, prior to collection, in containers in a location approved by the ***Development Authority***. 44P2022

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* 48P2020

Division 8: Industrial – Heavy (I-H) District

Purpose

32P2009

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. 36P2011

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**.

32P2009 **Discretionary Uses**

1001 **(1)** The following ***uses*** are ***discretionary uses*** in the Industrial – Heavy District:

(a) **Asphalt, Aggregate and Concrete Plant**;

49P2017 (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**;

30P2011, 4P2012, 38P2013 (g.1) **Sign – Class G**;

4P2012 (h) *deleted*

38P2013 (i) **Utility Building**;

38P2013 (j) **Wind Energy Conversion System – Type 1**; and

38P2013 (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* *47P2008*

Fencing and Screening *47P2008*

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, prior to collection, in containers in a location approved by the ***Development Authority***. *44P2022*

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* *48P2020*

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***. *33P2019*

(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.

33P2019

(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 systems or equipment located outside of a ***building*** shall be positioned, camouflaged or screened from view of a ***public space***, or from view of a ***parcel*** designated as a ***residential district***, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above ***grade***. *27P2021*

Garbage

1019 **(1)** Garbage containers and waste material must be stored, prior to collection, either: *44P2022*

(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***.

(3) No materials shall be allowed to escape the ***parcel***. *44P2022*

Solar Collectors *68P2008*

1019.1 **(1)** A ***solar collector*** may only be located on the wall or roof of a ***building***.

(2) A ***solar collector*** mounted on a roof with a pitch of less than a 4:12, may project a maximum of 2.0 metres from the surface of the roof.

(3) A ***solar collector*** mounted on a roof with a pitch of 4:12 or greater:

(a) may project a maximum of 1.3 metres from the surface of the roof; and

(b) must not extend beyond the outermost edge of the roof.

(4) A ***solar collector*** that is mounted on a wall:

(a) must be located a minimum of 2.4 metres above ***grade***; and

(b) may project a maximum of 0.6 metres from the surface of that wall.

38P2013 **Wind Energy Conversion System**

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

(a) be located a minimum distance equal to the ***total Wind Energy Conversion System height*** from a ***property line***, measured from the base;

(b) be painted a single, neutral, non-reflective, non-glossy colour;

(c) have a self-supporting tubular tower or monopole, not including lattice or pylon towers, if not mounted to a ***building***;

(d) be equipped with manual and automatic over speed controls;

(e) be repaired or removed from the ***parcel*** upon disrepair, abandonment, or termination of the **Wind Energy Conversion System - Type 1** or **Wind Energy Conversion System - Type 2** ***use*** for a period of 6 months or greater;

(f) not be located in the ***actual front setback area***, ***actual side setback area*** or the ***rear setback area*** when the corresponding ***property line*** is ***adjacent*** to a ***residential district***;

(g) not contain any ***signs*** or other non-system related objects, which are visible from a ***residential*** or ***special purpose district***, other than **Directional Signs**;

(h) not contain any ***accent lighting***, or be indirectly illuminated or artificially lit, except as required for navigational safety or **Directional Signs**;

(i) not contain guy wires or other similar structural support devices, excluding those that may be required to fasten the Wind Energy Conversion System to a ***building***;

(j) not be within 100.0 metres of any permanent or temporary wetland or water body;

(k) not have a tower-climbing apparatus or ***blade*** tips closer than 4.6 metres from ***grade*** unless enclosed by a minimum 1.8 metre high ***fence***; and

(l) not have a total power generation capacity greater than 100 kilowatts.

(2) **A Wind Energy Conversion System – Type 1**:

(a) must not be located within 60.0 metres from a ***residential district***; and

(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*.

34P2026

School Portables

1020.1 Where a **School Authority – Schoo**l is legally existing or approved, proposed ***school portables*** must comply with the rules of the S-SPR District.

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**; *68P2008*

(c) **Sign – Class C**; *38P2013*

(d) **Utilities**; *38P2013*

(e) **Wind Energy Conversion System – Type 1**; and *38P2013*

(f) **Wind Energy Conversion System – Type 2**. *38P2013*

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 *4P2012*

(i) *deleted* *4P2012*

(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**; *10P2009*

(a.1) **Community Recreation Facility**; *10P2009*

(b) **Food Kiosk**;

(c) **Indoor Recreation Facility**;

(d) **School Authority Purpose – Major**;

(e) **Sign – Class B**;

(f) **Sign – Class C**;

(g) **Sign – Class D**;

38P2013 (h) **Sign – Class E**;

38P2013 (i) **Utility Building**;

38P2013 (j) **Wind Energy Conversion System – Type 1**; and

38P2013 (k) **Wind Energy Conversion System – Type 2**.

17P2009 **(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 ***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

1031 **(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

1032 *deleted* *48P2020*

School Portable Rules *34P2026*

1032.1 The following sections of this Bylaw do not apply to ***school portables*** for a legally existing or approved **School Authority – School**, if there are 6 or fewer ***school portables*** on a school site:

(a) Sections 123(5), 291(c), 291(d), 291(e), 1014, 1015, 1030, 1031

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 *4P2012*

(i) *deleted* *4P2012*

(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**; *10P2009*

(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**;

38P2013 (o) **Sign – Class E**;

33P2019 (o.1) **Urban Agriculture**;

38P2013 (p) **Utility Building**; and

38P2013 (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 *4P2012*

(f) *deleted* *4P2012*

(g) **Utilities**.

Discretionary Uses

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

(a) **Community Entrance Feature**;

(b) **Community Recreation Facility**;

(c) **Food Kiosk**;

(d) **Indoor Recreation Facility**;

(e) **Library**;

(f) **Museum**;

(g) **Outdoor Café**;

(h) **Outdoor Recreation Area**;

(i) **Park Maintenance Facility – Large**;

(j) **Performing Arts Centre**;

(k) **Power Generation Facility – Medium**;

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

(m) **Service Organization**;

(n) **Sign – Class B**;

(o) **Sign – Class C**;

(p) **Sign – Class D**;

(q) **Sign – Class E**;

71P2008 (q.1) **Sign – Class F**;

4P2012 (q.2) **Special Function – Class 2**;

13P2013, 38P2013 (r) **Spectator Sports Facility**;

33P2019 (r.1) **Urban Agriculture**;

14P2010, 38P2013 (s) **Utility Building**;

38P2013 (t) **Wind Energy Conversion System – Type 1**; and

38P2013 (u) **Wind Energy Conversion System – Type 2**.

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

65P2023 (a) *deleted*

(b) **Child Care Service**;

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

27P2021 (d) *deleted*

46P2021 (*d.1)* **Health Care Service**;

27P2021 (e) **Restaurant: Food Service Only**;

27P2021 (f) *deleted*

27P2021 (g) **Restaurant: Licensed**; and

27P2021 (h) *deleted*

(i) **Retail and Consumer Service**.

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

27P2021 (a) **Restaurant: Food Service Only**;

27P2021 (b) **Restaurant: Licensed**; and

(c) **Retail and Consumer Service**.

(4) The following ***uses*** are ***discretionary uses*** in the Special Purpose – Recreation District when they occur in a ***building*** approved as a **Community Recreation Facility**: *67P2008*

(a) **Child Care Service**.

(5) The following ***uses*** are ***discretionary uses*** in the Special Purpose – Recreation District when they occur in a ***building*** approved as part of an **Outdoor Recreation Area**: *67P2008, 39P2010*

(a) **Child Care Service**;

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

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

(d) **Drinking Establishment – Medium**;

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

(f) **Restaurant: Food Service Only**; *27P2021*

(g) *deleted* *27P2021*

(h) *deleted* *27P2021*

(i) **Restaurant: Licensed**; and *27P2021*

(j) *deleted* *27P2021*

(k) *deleted* *27P2021*

(l) **Retail and Consumer Service**.

Rules

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

(a) the General Rules for Special Purpose Land Use Districts referenced in Part 9, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Retail and Consumer Service Restrictions *39P2010*

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

Use Area

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

(2) The maximum cumulative ***use area*** for all: *39P2010*

(a) **Health Care Services** is 1000.0 square metres; *27P2021*

(b) **Child Care Services** is 1000.0 square metres.

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

27P2021 **(4)** The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** when they occur on a ***parcel*** used for a **Park** is 150.0 square metres.

Front Setback Area

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

Rear Setback Area

1047 **(1)** Where the ***parcel*** shares a ***rear property line*** with a ***parcel*** designated as:

(a) a ***residential district***, the ***rear setback area*** must have a minimum depth of 6.0 metres; and

(b) any other District, the ***rear setback area*** must have a minimum depth of 3.0 metres.

(2) Where the ***parcel*** shares a ***rear property line*** with a ***lane***, ***LRT corridor*** or ***street***, the ***rear setback area*** must have a minimum depth of 3.0 metres.

Side Setback Area

1048 **(1)** Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***residential district***, the ***side setback area*** must have a minimum depth of 6.0 metres; and

(b) any other District, the ***side setback area*** must have a minimum depth of 3.0 metres.

(2) Where the ***parcel*** shares a ***side property line*** with a ***lane***, ***LRT corridor***, or ***street***, the ***side setback area*** must have a minimum depth of 3.0 metres.

Landscaping In Setback Areas

1049 **(1)** All ***setback areas*** on a ***parcel***, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the ***Development Authority***, must be a ***soft surfaced landscaped area***.

(2) Where a ***setback area*** shares a ***property line*** with an ***LRT corridor, street*** or ***parcel*** designated as a ***residential district***, the ***setback area*** must provide a minimum of:

(a) 1.0 trees and 2.0 shrubs for every 30.0 square metres; or

(b) 1.0 trees and 2.0 shrubs for every 50.0 square metres, where irrigation is provided by a ***low water irrigation system***.

(3) Where a ***setback area*** shares a ***property line*** with a ***lane*** or ***parcel*** designated as a ***commercial***, ***industrial*** or ***special purpose district***, the ***setback area*** must provide a minimum of:

(a) 1.0 trees and 2.0 shrubs for every 45.0 square metres; or

(b) 1.0 trees and 2.0 shrubs for every 60.0 square metres, where irrigation is provided by a ***low water irrigation system***.

Additional Landscaping Requirements

1050 (1) All areas of a ***parcel*** must be a ***soft surfaced landscaped area*** unless specifically allowed by the ***Development Authority***.

(2) Every ***building*** on a ***parcel*** must have at least one sidewalk connecting the ***public entrance*** to a public sidewalk, or in the case where there is no public sidewalk, to the nearest ***street***.

(3) Where a ***building*** contains more than one ***use***, every ***use*** that has an exterior ***public entrance*** must either:

(a) have a sidewalk connecting the ***public entrance*** to the sidewalk referenced in subsection (2); or

(b) have a sidewalk connecting that ***public entrance*** to a public sidewalk or to the nearest ***street***.

(4) Every ***building*** on a ***parcel*** must have at least one sidewalk connecting the parking area to the ***public entrances*** to the ***building***.

(5) Every sidewalk provided must:

(a) be a ***hard surfaced landscaped area***;

(b) be a minimum width of 2.0 metres;

(c) have a different surfacing than the surfacing of parking areas on the ***parcel***; and

(d) be raised above the surface of the parking area when located in a parking area.

Landscaping for Large Parking Area

1051 (1) Landscaping is required in a parking area when the total surface area containing the required drive aisles, ***motor vehicle parking stalls*** and vehicular access for a ***development*** is equal to or greater than 5000.0 square metres.

(2) ***Landscaped areas*** in the parking area:

(a) must be provided at a ratio of 0.15 square metres for every 1.0 square metres of the total surface area referenced in subsection (1); and

(b) must be provided as a combination of ***hard surfaced landscaped area*** and ***soft surfaced landscaped area*** in the form of islands and strips.

(3) Islands provided in the parking area must:

(a) be provided at the beginning and end of every row of ***motor vehicle parking stalls***;

(b) be provided for every 20 ***motor vehicle parking stalls*** in a row with no more than 20 stalls between islands;

(c) be a minimum area of 12.0 square metres with at least one side of the island being a minimum length of 2.0 metres;

(d) provide a minimum of 1.0 trees and 2.0 shrubs; and

(e) be surrounded by a concrete curb.

13P2008

(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**; *41P2009*

(a.1) **Natural Area**; *41P2009*

(b) **Park**;

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

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

(e) **Sign – Class A**;

(f) **Sign – Class B**; and *4P2012*

(g) *deleted* *4P2012*

(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**; *67P2008*

(e) **Crematorium**;

(f) **Custodial Care**;

(g) **Food Kiosk**;

(g.1) **Home Occupation – Class 2**; *41P2009*

(h) **Hospital**;

32P2009 (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**;

16P2018 (s.1) **School Authority – School**;

(t) **Service Organization**;

(u) **Sign – Class C**;

(v) **Sign – Class D**;

(w) **Sign – Class E**;

71P2008 (x) *deleted*

(y) **Social Organization**;

71P2008 (z) *deleted*

38P2013 (aa) **Spectator Sports Facility**;

33P2019 (aa.1) **Urban Agriculture**;

38P2013 (bb) **Utility Building**;

38P2013 (cc) **Wind Energy Conversion System – Type 1**; and

38P2013 (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**.

24P2011 **(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***, H-GO, M-CG district or M-G district: *13P2008,56P2022*

(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***, H-GO, M-CG, or M-G District, the maximum ***building height***: *56P2022*

(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

24P2011

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***.

(4) 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 *24P2011*

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* *48P2020*

Division 7: Special Purpose – City and Regional Infrastructure (S-CRI) District

Purpose

1066 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

1067 (1) The following ***uses*** are ***permitted uses*** in the Special Purpose – City and Regional Infrastructure District:

(a) **Airport**;

(b) **Cemetery**;

(c) **Columbarium**;

(d) **Crematorium**;

(d.1) **Hazardous Waste Management Facility**; *44P2022*

(d.2) **Landfill**; *44P2022*

(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* *1P2009*

(q) **Tree Farm**;

(r) **Utilities**;

(s) **Utility Building**;

44P2022 (s.1) **Vehicle Storage**;

44P2022 (t) *deleted*

44P2022 (u) *deleted*

44P2022 (v) *deleted*

44P2022 (v.1) **Waste Storage Site**; and

(w) **Water Treatment Plant**.

(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**.

28P2009, 41P2009, 4P2012 **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**;

44P2022 (c) *deleted*

(d) **Freight Yard**;

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

32P2009 (f) **Instructional Facility**;

32P2009 (g) *deleted*

(h) **Office**;

9P2012 (h.1) **Outdoor Recreation Area**;

(i) **Parking Lot – Grade**;

(j) **Parking Lot – Structure**;

41P2009 (k) **Power Generation Facility – Medium**;

38P2013 (l) **Sign – Class C**;

38P2013 (m) **Sign – Class E**;

44P2022 (m.1) **Storage Yard**;

33P2019, 44P2022 (m.2) **Urban Agriculture**;

38P2013 (n) **Wind Energy Conversion System – Type 1**; and

38P2013 (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***. *44P2013*

(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 *30P2011*

(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): *40P2018*

(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: *40P2018*

(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***: *40P2018*

(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***.

(3) 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

1072 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

1073 *deleted* *48P2020*

Sign Class – F and Sign – Class G Rules *40P2018*

1073.1 (1) 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 *4P2012*

(e) *deleted* *4P2012*

(f) **Utilities**.

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

(a) **Health Care Service**; and *27P2021*

(b) **Office**.

Discretionary Uses

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

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

(a) *deleted* *16P2018*

(b) **Child Care Service**;

(c) **Convenience Food Store**;

(d) **Fitness Centre**;

(e) *deleted* *32P2009*

(f) **Indoor Recreation Facility**;

32P2009 (g) *deleted*

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

32P2009 (i) **Instructional Facility**;

(j) **Outdoor Café**;

(k) **Power Generation Facility – Medium**;

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

16P2018 (l.1) **Recyclable Material Drop-Off Depot**;

27P2021 (m) **Restaurant: Food Service Only**;

27P2021 (n) **Restaurant: Licensed**;

(o) **Sign – Class B**;

(p) **Sign – Class C**;

(q) **Sign – Class D**;

32P2009 (r) **Sign – Class E**;

32P2009, 38P2013 (r.1) **Specialized Industrial**;

33P2019 (r.2) **Urban Agriculture**;

38P2013 (s) **Utility Building**;

38P2013 (t) **Wind Energy Conversion System – Type 1**; and

38P2013 (u) **Wind Energy Conversion System – Type 2**.

Rules

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

(a) the General Rules for Special Purpose Land Use Districts referenced in Part 9, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Building Height

1078 The maximum ***building height*** is 25.0 metres.

27P2021 **Use Area**

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

Front Setback Area

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

Rear Setback Area

1080 **(1)** Where the ***parcel*** shares a ***rear property line*** with a ***parcel*** designated as:

(a) a ***residential district***, the ***rear setback area*** must have a minimum depth of 15.0 metres; and

(b) any other District, the ***rear setback area*** must have a minimum depth of 6.0 metres.

(2) Where the ***parcel*** shares a rear ***property line*** with a ***street***, the ***rear setback area*** must have a minimum depth of 15.0 metres.

Side Setback Area

1081 **(1)** Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***residential district***, the ***side setback area*** must have a minimum depth of 15.0 metres; and

(b) any other District, the ***side setback area*** must have a minimum depth of 6.0 metres.

(2) Where the ***parcel*** shares a ***side property line*** with a ***street***, the ***side setback area*** must have a minimum depth of 15.0 metres.

Landscaping In Setback Areas

1082 **(1)** All ***setback areas*** on a ***parcel***, not including those portions specifically required for motor vehicle access, sidewalks, or any other purpose allowed by the ***Development Authority***, must be a ***soft surfaced landscaped area***.

(2) All ***setback areas*** must provide a minimum of:

(a) 1.0 trees and 2.0 shrubs for every 45.0 square metres; or

(b) 1.0 trees and 2.0 shrubs for every 60.0 square metres, where irrigation is provided by a ***low water irrigation system***.

Employee Area

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

Reductions to Minimum Required Motor Vehicle Parking Stalls

1084 *deleted* *48P2020*

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**; *41P2009*

(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) *deleted* *41P2009, 28P2021*

(b) **Home Occupation – Class 2**;

(c) **Outdoor Recreation Area**;

(d) **Power Generation Facility – Medium**;

(e) **Sign – Class C**;

4P2013 (f) *deleted*

(g) **Sign – Class F**;

30P2011 (g.1) **Sign – Class G**;

4P2012 (h) *deleted*

44P2022 (i) **Utility Building**; and

44P2022 (i.1) **Vehicle Storage**.

44P2022 (j) *deleted*

44P2022 (k) *deleted*

(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: *57P2008*

(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 *21P2024 9P2026*

(b) Residential – Contextual One Dwelling District when such ***uses*** are on ***parcels*** in the ***Developed Area***. *21P2024*

(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. *13P2008*

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* *53P2008*

(h) **Sign – Class A**;

(i) **Sign – Class B**;

(j) **Sign – Class D**; and *4P2012*

(k) *deleted* *4P2012*

(l) *deleted* *1P2009*

(m) **Utilities**.

32P2010 **(2)** *deleted*

32P2010 **(3)** *deleted*

Discretionary Uses

1094 **(1)** The following ***uses*** are ***discretionary uses*** in the Special Purpose – Transportation and Utility Corridor District:

32P2010 (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**;

44P2022 (h.1) **Vehicle Storage**;

44P2022 (i) *deleted*

38P2013, 44P2022 (j) *deleted*

38P2013, 44P2022 (k) *deleted*

38P2013 (l) **Wind Energy Conversion System – Type 1**; and

38P2013 (m) **Wind Energy Conversion System – Type 2**.

32P2010 **(1.1)** 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

39P2010 (b) **Retail and Consumer Service**.

32P2010 **(2)** The following ***uses*** are additional ***discretionary uses*** if they are located on the lands described in subsection (3):

44P2022 (a) *deleted*

(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 *39P2010*

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.

32P2010

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***:

44P2022 (a) *deleted*

(b) **Freight Yard**;

44P2022 (c) **Storage Yard**; and

44P2022 (c.1) **Vehicle Storage**.

44P2022 (d) *deleted*

44P2022 (e) *deleted*

44P2022 (f) *deleted*

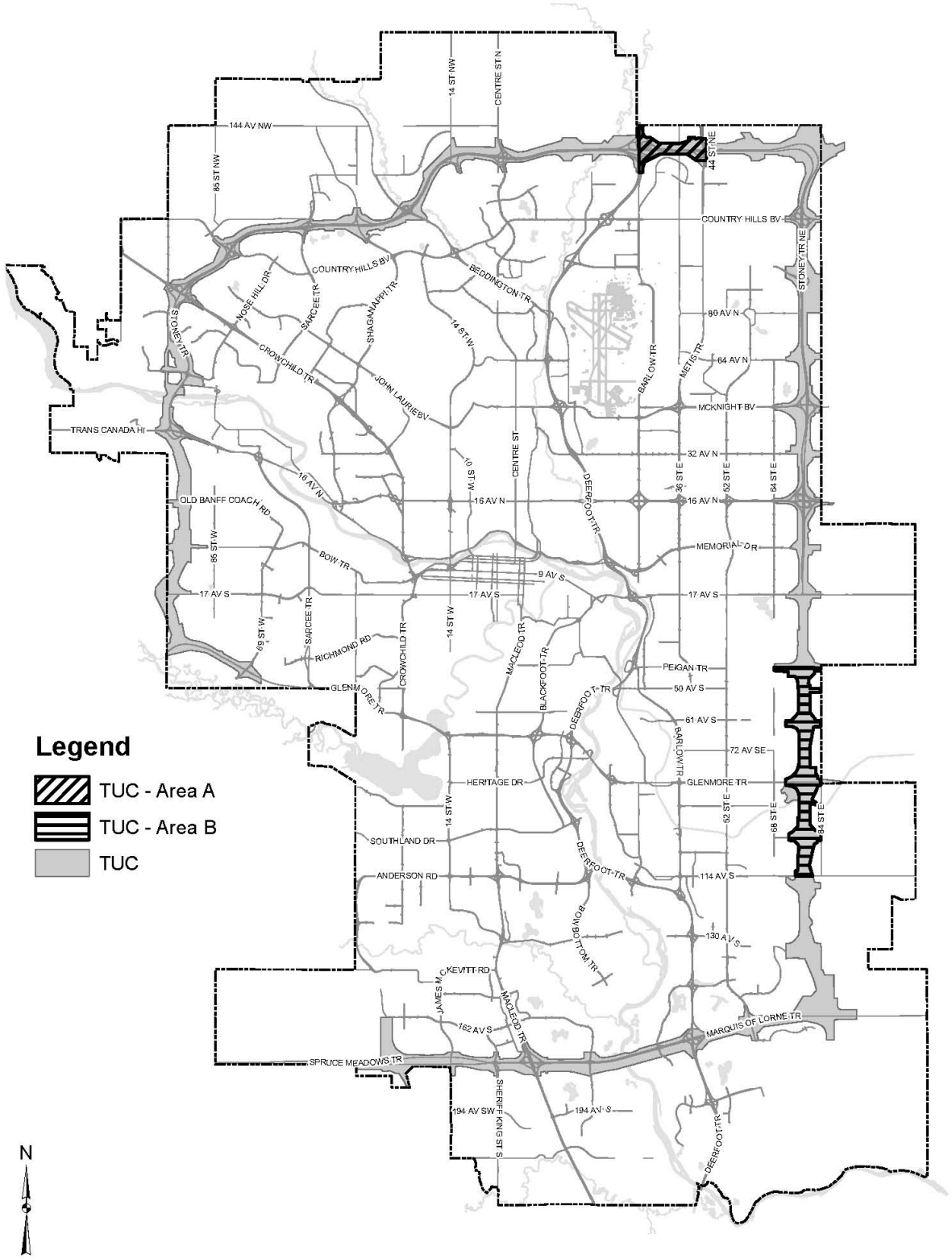
32P2010

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

53P2008,
32P2010,
31P2011



PART 10: DOWNTOWN

Purpose, General Rules and Districts - *deleted*

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

PART 11: CENTRE CITY DISTRICTS

51P2008

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***. 40P2015

(6) ***Landings*** not exceeding 2.5 square metres, ramps other than wheel-chair 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***. *7P2011*

(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.

(2) A minimum of 1.0 trees and 2.0 shrubs must be planted for every 45.0 square metres of ***landscaped area*** provided.

33P2019 **(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 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.

(5) Unless otherwise referenced in section 1104, coniferous trees must have a minimum height of 2.0 metres and at least of 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 subsection (7) must cover an area equal to the mature spread of the planting material.

Landscaped Area Reductions – Multi-Residential Development

1103 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

1104 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 of 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

Low Water Deciduous Trees	
Botanical Name	Common Name
Acer ginnala	Amur Maple
deleted	*deleted*
Prunus padus commutate	Mayday
Prunus pennsylvanica	Pin Cherry
Prunus virginiana var. melanocarpa	Chokecherry
Pyrus ussuriensis	Ussurian pear
Quercus macrocarpa	Bur oak

10P2009

Low Water Coniferous Trees	
Botanical Name	Common Name
Picea Pungens	Blue Spruce
Pinus aristata	Bristlecone Pine
Pinus banksiana	Jack pine
Pinus contorta var. latifolia	Lodgepole pine
Pinus flexilis	Limber Pine
Pinus ponderosa	Ponderosa pine upright

Table 6: Low Water Shrubs

Low Water Shrubs	
Botanical Name	Common Name
Amelanchier alnifolia	Saskatoon berry
Arctostaphylos uva-ursi	Bearberry
deleted	*deleted*
Crataegus spp.	Hawthorn
Elaeagnus commutate	Wolf willow
deleted	*deleted*
Juniperus spp.	Juniper (various)
deleted	*deleted*
Pinus mugo	Mugo pine
Potentilla fruticosa	Cinquefoil
Prinsepia sinensis	Cherry prinsepia
Prunus fruticosa	European dwarf cherry
Prunus tenella	Russian almond
Prunus tomentosa	Nanking cherry
Prunus triloba	Double flowering plum
Prunus x cistena	Cistina cherry
Rhus trilobata	Skunk bush

10P2009

10P2009

10P2009

Table 6: Low Water Shrubs

Low Water Shrubs	
Botanical Name	Common Name
Ribes alpinum	Alpine currant
Ribes aureum	Golden currant
Ribes oxycanthoides	Wild gooseberry
Sambucus racemosa (excluding var. pubens)	European red elder
Shepherdia argentea	Silver buffaloberry
Sorbaria sorbifolia	Ural false spirea
Spiraea trilobata	Three lobed spirea
Symphoricarpo occidentalis	Western snowberry
Syringa spp.	Lilac
Viburnum lantana	Wayfaring tree
Viburnum lentango	Nannyberry

10P2009

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 *27P2011, 34P2022*

(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)** *deleted* *34P2022*

(2) *deleted* *34P2022*

(3) *deleted* *34P2022*

(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***.

9P2012, 34P2022 **(4)** *deleted*

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, prior to collection, inside the ***main residential building***. *44P2022*

Recycling Facilities

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

Mechanical Screening

1117 Mechanical systems or equipment located outside of a ***building*** shall be positioned, camouflaged or screened from view of a ***public space***, or from view of a ***parcel*** designated as a ***residential district***, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above ***grade***. *27P2021*

Visibility Setback

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

Retaining Walls

1119 **(1)** A ***retaining wall*** must be less than 1.2 metres in height when measured from the lowest ***grade*** at any point ***adjacent*** to the ***retaining wall*** to the highest ***grade*** retained by the ***retaining wall***. *16P2018*

(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 *34P2010, 24P2014*

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

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

(b) **Backyard Suite**;

(c) **Duplex Dwelling**;

(d) **Secondary Suite**;

(e) **Semi-detached Dwelling**; or

(f) **Single Detached Dwelling**.

Parcel Access

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

Division 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**; *17P2009*

(b) **Home Occupation – Class 1**;

(c) **Park**;

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

(e) **Sign – Class A**; and *4P2012*

(e.1) *deleted* *10P2009, 4P2012*

(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**;

17P2009 (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**;

5P2013 (l.1) **Sign – Class C**;

(m) **Sign – Class D**;

4P2013 (m.1) **Sign – Class E**;

33P2019 (n) **Temporary Residential Sales Centre**;

33P2019 (n.1) **Urban Agriculture**; and

(o) **Utility Building**.

(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**.

(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 *34P2010*

(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**; *24P2014*

(a.1) **Duplex Dwelling**; *24P2014*

(b) **Secondary Suite**;

(c) *deleted* *24P2014*

(d) *deleted* *24P2014*

(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***: *22P2016*

(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.

(3) Unless otherwise referenced in subsections (1) to (2), where a ***development*** provides ***units*** with three or more bedrooms in the form of **Assisted Living, Dwelling Units, Live Work Units** or **Multi-Residential Development**, the ***Development Authority*** may exclude the three or more bedroom units from the ***floor area ratio*** calculation, up to a maximum of 15 per cent of the total units in the ***development***. *17P2924, 63P2025*

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

38P2009

1131.1 The minimum number of required ***motor vehicle parking stalls***, v***isitor 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 *4P2012*

(f.1) *deleted* *10P2009, 4P2012*

(g) **Utilities**.

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

(a) **Artist's Studio**;

(b) **Convenience Food Store**;

27P2021 (c) *deleted*

(d) **Fitness Centre**;

42P2019, 27P2021 (d.1) **Health Care Service**;

27P2021 (d.2) **Information and Service Provider**;

(e) **Instructional Facility**;

(f) **Library**;

27P2021 (g) *deleted*

(h) **Office**;

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

(j) **Print Centre**;

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

65P2023 (l) **Service Organization**; and

65P2023 (m) **Specialty Food Store.**

65P2023 (n) *deleted*

(3) The following ***uses*** are ***permitted uses*** on a ***parcel*** in the Centre City Multi-Residential High Rise Support Commercial District that has a ***building*** used or previously used as a **School Authority – School**:

(a) **School Authority – School**; and

(b) **School Authority Purpose – Minor**.

Discretionary Uses

1134 (1) ***Uses*** listed in subsection 1133(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to ***buildings*** in the Centre City Multi-Residential High Rise Support Commercial District.

(2) ***Uses*** listed in subsection 1133(2) are ***discretionary uses*** if they are proposed in a ***building*** which, at the time the application is made, had a ***use*** not listed in this District.

(3) The following ***uses*** are ***discretionary uses*** in the Centre City Multi-Residential High Rise Support Commercial District:

(a) **Addiction Treatment**;

(b) **Assisted Living**;

25P2018, 27P2021 (b.1) *deleted*

(c) **Child Care Service**;

(d) **Community Entrance Feature**;

9P2012 (e) **Community Recreation Facility**;

(f) **Custodial Care**;

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

(h) **Dwelling Unit**;

(i) **Home Occupation - Class 2**;

(j) **Hotel**;

(k) **Live Work Unit**;

(k.1) *deleted* *28P2016, 25P2018*

(l) **Multi-Residential Development**;

(m) **Outdoor Café**;

(n) **Place of Worship – Small**;

(o) **Place of Worship – Medium**;

(p) **Residential Care**;

(q) **Restaurant Food Service Only**; *27P2021*

(r) **Restaurant Licensed**; *27P2021*

(r.1) **Sign – Class C**; *5P2013*

(s) **Sign – Class D**;

(s.1) **Sign – Class E**; *4P2013*

(t) *deleted* *10P2009*

(u) **Temporary Residential Sales Centre**; *33P2019*

(u.1) **Urban Agriculture**; and *33P2019*

(v) **Utility Building**.

(4) The following ***uses*** are additional ***discretionary uses*** if they are located in ***buildings*** used or previously used as a **School Authority – School** in the Centre City Multi-Residential High Rise Support Commercial District:

(a) **Library**;

(b) **Museum**;

(c) **School – Private**;

(d) **School Authority Purpose – Major**; and

(e) **Service Organization**.

(5) The following ***uses*** are additional ***discretionary uses*** on a ***parcel*** in the Centre City Multi-Residential High Rise Support Commercial

District that has a ***building*** used or previously used as a S**chool Authority – School**:

(a) **Community Recreation Facility**;

(b) **Food Kiosk**;

(c) **Indoor Recreation Facility**;

44P2013 (d) **Outdoor Recreation Area**;

(e) **Park Maintenance Facility - Large**; and

(f) **Park Maintenance Facility – Small**.

34P2010 **(6)** The following ***uses*** are additional ***discretionary uses*** in the Centre City Multi-Residential High Rise Support Commercial District if they are located on a ***parcel*** that is used or was previously used as **Duplex Dwelling**, **Semi-detached Dwelling** or **Single Detached Dwelling**:

24P2014 (a) **Backyard Suite**;

24P2014 (a.1) **Duplex Dwelling**;

(b) **Secondary Suite**;

24P2014 (c) *deleted*

24P2014 (d) *deleted*

(e) **Semi-detached Dwelling**; and

(f) **Single Detached Dwelling**.

Rules

1135 In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) the General Rules for Centre City Multi-Residential Land Use Districts referenced in Part 11, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

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

Maximum Floor Area Ratio

1136 **(1)** The maximum ***floor area ratio*** is 5.0.

(2) The maximum ***floor area ratio*** may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

17P2924, 63P2025 **(3)** Unless otherwise referenced in subsections (1) to (2), where a ***development*** provides ***units*** with three or more bedrooms in the form of **Assisted Living, Dwelling Units, Live Work Units** or **Multi-Residential Development**, the ***Development Authority*** may exclude the three or more bedroom units from the ***floor area ratio*** calculation, up to a maximum of 15 per cent of the total units in the ***development***.

Setback Area

1137 The depth of all ***setback areas*** must be equal to the minimum ***building setback*** required in section 1138.

Building Setbacks

1138 **(1)** The ***building setback*** from a ***property line*** shared with a ***street*** for the following ***streets*** is a minimum of 1.5 metres and a maximum of 3.0 metres:

(a) 1 Street SE;

(b) 11 Street SW;

(c) 12 Avenue SW; and

(d) 16 Avenue SW.

(2) The ***building setback*** from a ***property line*** shared with all other ***streets*** is a minimum of 3.0 metres and a maximum of 6.0 metres.

(3) The minimum ***building setback*** from a ***property line*** shared with a ***lane*** or another ***parcel*** is zero metres.

Floor Plate Restrictions

1139 Each floor of a ***building*** located partially or wholly above 25.0 metres above ***grade*** has a maximum:

(a) ***floor plate area*** of 650.0 square metres; and

(b) horizontal dimension of 37.0 metres.

Building Height

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

Landscaping

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

Use Area

1142 **(1)** Unless otherwise referenced in subsection (3) and (4), the maximum ***use area*** for ***uses*** on the ground floor of ***buildings*** in the Centre City Multi-Residential High Rise Support Commercial District is 300.0 square metres.

(2) Unless otherwise referenced in subsection (3), there is no maximum ***use area*** requirement for ***uses*** located on upper floors in the Centre City Multi-Residential High Rise Support Commercial District.

(3) The total of all ***use areas*** for **Health Care Service** within a ***building*** must not exceed 600.0 square metres. *27P2021*

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

(4) The following ***uses*** do not have a ground floor ***use area*** restriction:

(a) **Addiction Treatment**;

(b) **Assisted Living**;

(c) **Custodial Care**;

(d) **Hotel**;

(e) **Place of Worship – Medium**;

(f) **Place of Worship – Small**;

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

(h) **Residential Care**; and

(i) **Utility Building**.

Location of Uses Within Buildings

27P2021 **1143** **(1)** **Health Care Service, Instructional Facility – Inside, Office,** and **Service Organization *uses*** must not be located on the ground floor of ***buildings***.

(2) "Commercial Uses" and **Live Work Units**:

(a) must be located on the first 2 floors only, with the exception of **Hotel *uses***;

(b) may be located on the same floor as **Addiction Treatment**, **Custodial Care**, **Dwelling Units**, **Hotel** and **Residential Care**;

(c) must not share an internal hallway with **Addiction Treatment**, **Custodial Care**, **Dwelling Units**, **Hotel** and **Residential Care**;

(d) must have a separate exterior entrance from that of the **Dwelling Units**; and

(e) must not be located above any **Dwelling Unit**.

(3) Where this section refers to "Commercial Uses", it refers to the listed ***permitted*** and ***discretionary uses*** in section 1133 and 1134, other than **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units**, **Home Occupation - Class 1**, **Home Occupation - Class 2**, **Multi-Residential Development**, **Hotel**, **Live Work Unit**, **Place of Worship – Small**, **Place of Worship – Medium**, **Protective and Emergency Service**, **Residential Care** and **Utility Building *uses***.

(4) A minimum of 80 per cent of the ***gross floor area*** of ***buildings*** in the Centre City Multi-Residential High Rise Support Commercial District must contain **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units**, **Hotel**, **Live Work Units**, **Place of Worship – Small**, **Place of Worship – Medium**, **Protective and Emergency Service**, **Residential Care** or **Utility Building *uses***.

(5) **Outdoor Café *uses*** must:

(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 *38P2009*

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***.

(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***. *40P2015*

(6) ***Landings*** not exceeding 2.5 square metres, ramps other than wheel-chair 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

1147 **(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 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.

(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.

33P2019 **(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

27P2021

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

Garbage

44P2022

1154 Garbage containers and waste material must be stored, prior to collection, 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* *48P2020*

(3) *deleted* *48P2020*

(4) *deleted* *48P2020*

Exclusive Use of Motor Vehicle Parking Stalls

1158 *deleted* *48P2020*

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***. *48P2020*

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; *75P2008*

(b) is intended for mixed ***uses*** that are sensitive to adjacent districts that allow residential ***uses***;

(c) provides intense ***development*** where intensity is measured by ***floor area ratio***;

(d) provides a ***building*** form that is street oriented at ***grade***; and

(e) has a maximum base density with the opportunity for a density bonus over and above base density to achieve commercial-residential mixed use, public benefit and amenities within the same community.

Permitted Uses

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

(a) **Park**;

(b) **Sign – Class A**;

(c) **Sign – Class B**;

(d) **Sign – Class D**; and *4P2012*

(d.1) *deleted* *10P2009, 4P2012*

(e) **Utilities**.

(2) The following ***uses*** are ***permitted uses*** in the Centre City Mixed Use District if they are located within existing approved ***buildings***: *39P2010*

(a) *deleted* *65P2023*

(b) **Catering Service – Minor**;

(c) **Convenience Food Store**;

(d) *deleted* *27P2021*

(e) **Fitness Centre**;

(f) **Health Care Service**; *27P2021*

(g) **Home Based Child Care – Class 1**;

(h) **Home Occupation – Class 1**;

(i) **Information and Service Provider**;

(j) **Library**;

27P2021 (k) *deleted*

(l) **Office**;

(m) **Pet Care Service**;

(n) **Power Generation Facility– Small**;

(o) **Print Centre**;

(p) **Protective and Emergency Service**;

(q) **Radio and Television Studio**;

27P2021 (r) *deleted*

(s) **Retail and Consumer Service**;

(t) **Service Organization**;

65P2023 (u) **Specialty Food Store**;and

65P2023 (v) *deleted*

(w) **Temporary Residential Sales Centre**.

27P2021 **(3)** Unless otherwise stated in subsection 1164(2.1), the following ***uses*** are ***permitted uses*** in the Centre City Mixed Use District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less:

(a) **Restaurant: Food Service Only**.

Discretionary Uses

1164 **(1)** ***Uses*** listed in subsection 1163(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Centre City Mixed Use District.

27P2021 **(1.1)** The following ***uses*** are ***discretionary uses*** in the Centre City Mixed Use District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres:

(a) **Restaurant: Food Service Only**.

27P2021 **(1.2)** The following ***uses*** are ***discretionary uses*** in the Centre City Mixed Use District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***:

(a) **Restaurant: Food Service Only**.

(2) ***Uses*** listed in subsection 1163(2) are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one ***use*** listed in this District that has been approved after the ***parcel*** was designated as a commercial land use district.

27P2021 **(2.1)** The following ***uses*** are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one ***use*** listed in this District that has been approved after the ***parcel*** was designated as a commercial land use district;

(a) **Restaurant: Food Service Only**.

(3) The following ***uses*** are ***discretionary uses*** in the Centre City Mixed Use District: *32P2009*

(a) *deleted* *65P2023*

(b) **Addiction Treatment**;

(c) **Artist's Studio**;

(c.1) **Assisted Living**; *24P2011*

(c.2) **Beverage Container Quick Drop Facility**; *37P2014*

(d) **Billiard Parlour**;

(d.1) **Brewery, Winery and Distillery**; *22P2016*

(d.2) *deleted* *25P2018, 27P2021*

(d.3) **Cannabis Store**; *26P2018*

(e) **Child Care Service**;

(f) **Cinema**;

(f.1) **Community Recreation Facility**; *2P2012*

(g) **Computer Games Facility**;

(g.1) **Conference and Event Facility**; *46P2019*

(h) **Custodial Care**;

(i) **Dinner Theatre**;

(j) **Drinking Establishment – Medium**

(k) **Drinking Establishment – Small**;

(l) **Dwelling Unit**;

(m) **Financial Institution**;

(m.1) **Food Kiosk**; *2P2012*

(n) **General Industrial – Light**;

(o) **Home Occupation – Class 2**;

(p) **Hotel**;

(q) **Indoor Recreation Facility**;

(r) **Instructional Facility**;

(r.1) **Kennel**; *46P2019*

(s) **Liquor Store**;

(t) **Live Work Unit**;

(t.1) *deleted* *5P2013, 42P2019, 27P2021*

(t.2) *deleted* *28P2016, 25P2018*

(u) **Multi-Residential Development**;

(v) **Night Club**;

(w) **Outdoor Café**;

(x) **Parking Lot – Grade (Temporary)**;

(y) **Parking Lot – Structure**;

(z) **Pawn Shop**;

43P2015 (z.1) **Payday Loan**

(aa) **Performing Arts Centre**;

(bb) **Place of Worship – Small**;

(cc) **Place of Worship – Medium**;

(dd) **Post-secondary Learning Institution**;

(ee) **Residential Care**;

27P2021 (ff) *deleted*

35P2019, 27P2021 (gg) **Restaurant: Licensed**;

35P2019, 27P2021 (hh) *deleted*

35P2019, 2P2012, 27P2021 (hh.1) *deleted*

35P2019, 16P2018 (hh.2) **School – Private**;

35P2019 (hh.3) **School Authority – School**;

(ii) **Seasonal Sales Area**;

(jj) **Sign – Class C**;

(kk) **Sign – Class E**;

(ll) **Sign – Class F**;

30P2011, 4P2013 (ll.1) *deleted*

(mm) **Social Organization**;

4P2012 (nn) **Special Function – Class 2**;

(oo) **Supermarket**;

33P2019 (oo.1) **Urban Agriculture**;

(pp) **Utility Building**; and

(qq) **Veterinary Clinic**.

4P2013 **(4)** An existing **Sign – Class G** is a ***discretionary use*** where:

(a) it existed on the ***parcel*** prior to March 1, 2013; and

(b) the previously approved ***development permit*** issued by the ***City*** has not expired.

Rules

1165 In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) the General Rules for Centre City Commercial Land Use Districts referenced in Part 11, Division 4;

(b) the Rules Governing All Districts referenced in Part 3; and

(c) the applicable Uses And Use Rules referenced in Part 4.

Floor Area Ratio *2P2012*

1166 (1) For ***developments*** located west of MacLeod Trail SE the maximum ***floor area ratio*** is:

(a) for ***parcels*** between 12 and 13 Avenue and West of 1 Street SE:

(i) 3.0 for ***uses*** referenced in sections 1163 and 1164; or

(ii) 5.0 for **Assisted Living**, **Dwelling Unit**, **Live Work Unit**, **Multi-Residential Development** and **Hotel** ***uses***

(b) for ***parcels*** between 15 and 17 Avenue and west of 1 Street SE is 3.0;

(c) for all other ***parcels***:

(i) 5.0; or

(ii) The maximum ***floor area ratio*** in subsection (i) may be increased by a ***floor area ratio*** of 3.0 when this additional floor area is used for **Assisted Living**, **Dwelling Unit**, **Live Work Unit**, **Multi-Residential Development** and **Hotel** ***uses***. *5P2013*

(2) For ***developments*** located east of Macleod Trail SE the maximum ***floor area ratio*** is: *35P2019*

(a) 7.0 for the ***parcels*** SW-14-24-1-5 and Plan 0716155 Area B;

(b) for ***parcels*** between the CPR tracks and 11 Avenue and Olympic Way and 6 Street SE:

(i) 5.0 for ***uses*** referenced in sections 1163 and 1164; or

(ii) the maximum ***floor area ratio*** in subsection (i) may be increased by a ***floor area ratio*** of 3.0 when this additional floor area is used for **Assisted Living**, **Dwelling Unit**, **Live Work Unit**, **Multi-Residential Development** and **Hotel** ***uses***; and

(c) 5.0 for all other ***parcels***.

(3) The maximum ***floor area ratio*** referenced in (1) and (2) may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

(4) Unless otherwise referenced in subsections (1) to (3), where a ***development*** provides ***units*** with three or more bedrooms in the form of **Assisted Living, Dwelling Units, Live Work Units** or **Multi-Residential Development**, the ***Development Authority*** may exclude the three or more bedroom units from the ***floor area ratio*** calculation, up to a maximum of 15 per cent of the total units in the ***development***. *17P2025, 63P2025*

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***:

2P2012

(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***.

(4) Where a ***setback area*** shares a ***property line*** with a ***parcel*** designated as a ***commercial***, ***industrial*** or ***special purpose district***, the ***setback area***:

(a) must be a ***landscaped area***; and

(b) must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres where irrigation is provided by a ***low water irrigation system***.

(5) Where a ***setback area*** shares a ***property line*** with a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district*** and there is no access from the ***lane***, the ***setback area***:

(a) must be a ***soft surfaced landscaped area***; and

(b) must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres where irrigation is provided by a ***low water irrigation system***.

Location of Uses within Buildings

9P2012 , 32P2009 27P2021

1175 (1) The following ***uses*** must not be located on the ground floor of ***buildings*** where the ***use*** fronts a commercial street:

(a) **Catering Service – Minor**;

(b) **Community Recreation Facility**;

(c) **Health Care Service**;

(d) **Indoor Recreation Facility**

(e) **Instructional Facility**;

(f) **Place of Worship – Small**;

(g) **Radio and Television Studio**; and

(h) **Service Organization.**

(2) Only those ***uses*** listed in the Residential Group of Schedule A to this Bylaw, with the exception of **Hotel *uses***, may share a hallway with residential ***uses***.

(3) All ***uses*** must be contained completely within a ***building***, with the exception of **Outdoor Café *uses***.

32P2020 **(4)** *deleted*

(5) Only those ***uses*** listed in the Residential Group of Schedule A to this Bylaw, with the exception of **Hotel *uses***, may share an area of a parking structure with residential ***uses***.

(6) All ***uses*** may share an entrance to areas of a parking structure.

32P2009 **(7)** When not combined with other ***uses*** in a comprehensive ***development*** the **General Industrial – Light *use*** may be allowed only in a ***building*** that was legally existing or approved prior to the effective date of this Bylaw.

Use Area

1176 **(1)** Unless otherwise referenced in subsection (3), (4) or (5), the maximum ***use area*** for ***uses*** on the ground floor of ***buildings*** in the Centre City Mixed Use District is 1200.0 square metres.

(2) Unless otherwise referenced in subsection (3), (4) or (5), there is no maximum ***use area*** requirement for ***uses*** located on upper floors in the Centre City Mixed Use District.

(3) The maximum ***use area*** of:

16P2018 (a) **Night Club** is 300.0 square metres; and

(b) **Supermarket**, or a **Supermarket** combined with any other ***use***, is 5200.0 square metres.

27P2021 **(3.1)** The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.

(4) **General Industrial – Light** does not have a ***use area*** restriction when located in a ***building*** that was legally existing or approved prior to the effective date of this Bylaw.

(5) The following ***uses*** do not have a ***use area*** restriction:

(a) **Addiction Treatment**;

(b) **Assisted Living**;

(c) **Custodial Care**;

(d) **Hotel**;

(e) **Place of Worship – Medium**;

(f) **Place of Worship – Small**;

(g) **Protective and Emergency Service**;

(h) **Residential Care**; and

(i) **Utility Building**.

Motor Vehicle Parking Stall Requirements *38P2009*

1177 (1) Unless otherwise specified in this section, the minimum number of required ***motor vehicle parking stalls***, ***visitor parking stalls***, ***bicycle parking stalls- class 1*** and ***bicycle parking stalls – class 2*** is the requirement specified in the General Rules for Centre City Commercial Land Use Districts referenced in Part 11, Division 4.

(2) For the area bounded by the CPR tracks, the Elbow River, 12 Avenue and 14 Street SW, the ***motor vehicle parking stall*** requirement is:

(a) no requirement for **Cinema**, **Dinner Theatre**, **Drinking Establishment – Small**, **Drinking Establishment – Medium**, **Night Club**, **Performing Arts Centre**, **Restaurant: Food Service Only**, and **Restaurant: Licensed**; *27P2021*

(b) unless specified in subsection (b.1), a minimum of 1.0 stall per 100.0 square metres of ***gross usable floor area*** for **Information and Service Provider, Liquor Store, Office, Pet Care Service, Print Centre,** and **Retail and Consumer Service.** *39P2010, 65P2023*

(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: *39P2010*

(i) the ***building*** contains a **Dwelling Unit**, **Hotel**, **Multi-Residential Development**, or **Office** located above the ground floor; or

(ii) the ***use area*** is less than 465.0 square metres;

(c) a maximum of 1.5 stalls per **Dwelling Unit**; and

(d) For all ***uses*** other than **Dwelling Units**: *13P2018*

(i) a maximum of 100 per cent of the minimum required ***motor vehicle parking stalls*** may be provided for ***developments***; and

(ii) the ***development authority*** may consider a relaxation of the minimum number of required ***motor vehicle parking stalls*** for ***developments*** of up 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***; *5P2013*

(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 *10P2009, 4P2012*

(d.1) *deleted* *10P2009, 4P2012*

(e) **Utilities**.

(2) The following ***uses*** are ***permitted uses*** in the Centre City Commercial Corridor District if they are located within existing approved ***buildings***: *39P2010*

(a) *deleted* *65P2023*

(b) **Catering Service – Minor**;

(c) **Convenience Food Store**;

(d) *deleted* *27P2021*

(e) **Financial Institution**;

(f) **Fitness Centre**;

27P2021 (g) **Health Care Service**;

(h) **Home Based Child Care – Class 1**;

(i) **Home Occupation – Class 1**;

(j) **Information and Service Provider**;;

(k) **Library**;

27P2021 (l) *deleted*

(m) **Museum**;

(n) **Office**;

(o) **Pet Care Service**;

(p) **Power Generation Facility – Small**;

(q) **Print Centre**;

(r) **Protective and Emergency Service**;

(s) **Radio and Television Studio**;

27P2021 (t) *deleted*

(u) **Retail and Consumer Service**;

(v) **Service Organization**;

(w) **Specialty Food Store**;

65P2023 (x) *deleted*

(y) **Temporary Residential Sales Centre**; and

(z) **Veterinary Clinic**.

27P2021 **(3)** Unless otherwise stated in subsection 1181(2.1), the following ***uses*** are ***permitted uses*** in the Centre City Commercial Corridor District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less:

65P2023 (a) *deleted*

Discretionary Uses

1181 (1) ***Uses*** listed in subsection 1180(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Centre City Commercial Corridor District.

27P2021 **(1.1)** The following ***uses*** are ***discretionary uses*** in the Centre City Commercial Corridor District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres:

(a) **Restaurant: Food Service Only**.

(1.2) The following ***uses*** are ***discretionary uses*** in the Centre City Commercial Corridor District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***: *27P2021*

(a) **Restaurant: Food Service Only**.

(2) ***Uses*** listed in subsection 1180(2) are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one ***use*** listed in this District that has been approved after the ***parcel*** was designated as a commercial land use district.

(2.1) The following ***uses*** are ***discretionary uses*** if they are proposed in an existing ***building*** that does not have at least one ***use*** listed in this District that has been approved after the ***parcel*** was designated as a commercial land use district; *27P2021*

(a) **Restaurant: Food Service Only**.

(3) The following ***uses*** are ***discretionary uses*** in the Centre City Commercial Corridor District:

(a) **Accessory Liquor Service**;

(b) **Addiction Treatment**;

(c) **Artist's Studio**;

(c.1) **Assisted Living**; *24P2011*

(d) **Billiard Parlour**;

(d.1) **Brewery, Winery and Distillery**; *22P2016*

(d.2) *deleted* *25P2018, 27P2021*

(d.3) **Cannabis Store**; *26P2018*

(e) **Child Care Service**;

(f) **Cinema**;

(g) **Computer Games Facility**;

(g.1) **Conference and Event Facility**; *46P2019*

(h) **Custodial Care**;

(i) **Drinking Establishment – Medium**;

(j) **Drinking Establishment – Small**;

(k) **Dwelling Unit**;

(k.1) **Food Production**; *49P2017*

(l) **Home Occupation – Class 2**;

(m) **Hotel**;

(n) **Indoor Recreation Facility**; *32P2009, 9P2012*

(o) **Instructional Facility**;

46P2019 (o.1) **Kennel**;

(p) **Liquor Store**;

(q) **Live Work Unit**;

5P2013, 42P2019, 27P2021 (q.1) *deleted*

28P2016, 25P2018 (q.2) *deleted*

(r) **Outdoor Café**;

(s) **Parking Lot – Grade**;

(t) **Parking Lot – Structure**;

(u) **Pawn Shop**;

43P2015 (u.1) **Payday Loan**;

(v) **Place of Worship – Small**;

(w) **Post-secondary Learning Institution**;

(x) **Residential Care**;

27P2021 (y) *deleted*

27P2021 (z) **Restaurant: Licensed**;

27P2021 (aa) *deleted*

(bb) **Seasonal Sales Area**;

(cc) **Sign – Class C**;

(dd) **Sign – Class E**;

(ee) **Sign – Class F**;

30P2011, 4P2013 (ee.1) *deleted;*

(ff) **Social Organization**;

4P2012 (gg) **Special Function – Class 2**;

33P2019 (hh) **Supermarket**;

33P2019 (hh.1) **Urban Agriculture**; and

(ii) **Utility Building**.

Rules

1182 In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) the General Rules for Commercial Land Use Districts referenced in Part 11, Division 4;

(b) the Rules Governing All Districts referenced in Part 3; and

(c) the applicable Uses And Use Rules referenced in Part 4.

Floor Area Ratio

1183 **(1)** For ***developments*** that do not contain **Dwelling Units**, the maximum ***floor area ratio*** is 3.0.

(2) For ***developments*** containing ***Dwelling Units***, the maximum ***floor area ratio*** is:

(a) 3.0; or

(b) 3.0, plus the ***gross floor area*** of **Dwelling Units** above the ground floor, up to a maximum ***floor area ratio*** of 5.0.

(3) The maximum ***floor area ratio*** may be increased in accordance with the bonus provisions contained in Part 11, Division 7.

(4) Unless otherwise referenced in subsections (1) to (3), where a ***development*** provides ***units*** with three or more bedrooms in the form of **Assisted Living, Dwelling Units, Live Work Units** or **Multi-Residential Development**, the ***Development Authority*** may exclude the three or more bedroom units from the ***floor area ratio*** calculation, up to a maximum of 15 per cent of the total units in the ***development***. *17P2024, 63P2025*

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.

27P2021

(3.1) The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 square metres.

(4) The following ***uses*** do not have a ***use area*** restriction:

(a) **Addiction Treatment**;

(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

24P2011, 39P2010, 9P2012, 27P2021

1189 **(1)** The following ***uses*** must not be located on the ground floor of ***buildings*** where the ***use*** fronts a commercial street:

(a) **Assisted Living**;

(b) **Catering Service - Minor**;

(c) **Child Care Service**;

(d) **Dwelling Unit**;

(e) **Health Care Service**;

(f) **Instructional Facility**;

(g) **Live Work Unit**;

(h) **Office**;

(i) **Place of Worship – Small**;

(j) **Post-secondary Learning Institution**;

(k) **Residential Care**;

(l) **Social Organization**; and

(m) **Veterinary Clinic.**

(2) "Commercial Uses" and **Live Work Units**: *24P2011*

(a) may be located on the same floor as **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care**; and

(b) must not share an internal hallway with **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units** and **Residential Care**.

(3) Where this section refers to "Commercial Uses", it refers to the listed permitted and discretionary uses of this District, other than **Addiction Treatment**, **Assisted Living**, **Custodial Care**, **Dwelling Units**, **Home Occupation - Class 1**, **Home Occupation - Class 2**, **Multi-Residential Development**, **Hotel**, **Place of Worship – Small**, and **Residential Care**.

Front Setback Area

1190 **(1)** The ***front setback area*** has no minimum depth requirement and must have a maximum depth of 3.0 metres for ***parcels*** located on the following ***streets***:

(a) 1 Street SW; and

(b) 17 Avenue SW.

(2) The ***front setback area*** must have a minimum depth of 1.5 metres and a maximum depth of 3.0 metres for ***parcels*** located on the following ***streets***:

(a) 4 Street SW;

(b) 8 Street SW; and

(c) 12 Avenue.

(3) The ***front setback area*** must have a minimum depth of 1.5 metres and a maximum depth of 6.0 metres for ***parcels*** located on the following ***streets***:

(a) 14 Street SW.

(4) The ***front setback area*** must have a minimum depth of 3.0 metres and a maximum depth of 6.0 metres for ***parcels*** located on the following ***streets***:

(a) 13 Avenue SW;

(b) 14 Avenue SW;

(c) 15 Avenue SW; and

(d) 16 Avenue SW.

Rear Setback Area

1191 (1) Where the ***parcel*** shares a ***rear property line*** with a ***parcel*** designated as:

(a) a ***commercial district***, there is no requirement for a ***rear setback area***;

(b) an ***industrial district***, the ***rear setback area*** must have a minimum depth of 1.2 metres;

(c) a ***residential district***, the ***rear setback area*** must have a minimum depth of 3.0 metres; and

(d) a ***special purpose district***, the ***rear setback area*** must have a minimum depth of 3.0 metres.

(2) Where the ***parcel*** shares a ***rear property line*** with:

(a) an ***LRT corridor***, the ***rear setback area*** must have a maximum depth of 3.0 metres;

(b) a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***rear setback area*** must have a minimum depth of 3.0 metres;

(c) a ***lane***, in all other cases, there is no requirement for a ***rear setback area***; and

(d) a ***street***, the ***front setback area*** requirement as referenced in section 1190 applies.

Side Setback Area

1192 **(1)** Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as:

(a) a ***commercial district***, there is no requirement for a ***side setback area***;

(b) an ***industrial district***, the ***side setback area*** must have a minimum depth of 1.2 metres;

(c) a ***residential district***, the ***side setback area*** must have a minimum depth of 3.0 metres; and

(d) a ***special purpose district***, the ***side setback area*** must have a minimum depth of 3.0 metres.

(2) Where the ***parcel*** shares a ***side property line*** with:

(a) an ***LRT corridor***, the ***side setback area*** must have a maximum depth of 3.0 metres;

(b) a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district***, the ***side setback area*** must have a minimum depth of 3.0 metres;

(c) a ***lane***, in all other cases, there is no requirement for a ***side setback area***; and

(d) a ***street***, the ***front setback area*** requirement as referenced in section 1190 applies.

Floor Plate Restrictions

1193 Each floor located partially or wholly above 36.0 metres above ***grade***, and containing **Dwelling Units**, **Hotel** suites or **Live Work Units**, has a maximum:

(a) ***floor plate area*** of 650.0 square metres; and

(b) horizontal dimension of 37.0 metres.

Landscaping In Setback Areas

1194 **(1)** Where a ***setback area*** shares a ***property line*** with a ***street***, the ***setback area*** must be a ***hard surfaced landscaped area***.

(2) Where a ***setback area*** shares a ***property line*** with a ***lane*** and approved access to the ***parcel*** is from the ***lane***, there is no requirement for ***soft surfaced landscaped area*** or ***hard surfaced landscaped area*** for that ***setback area***.

(3) Where a ***setback area*** shares a ***property line*** with an ***LRT corridor*** or a ***parcel*** designated as a ***residential district***, the ***setback area*** must:

(a) be a ***soft surfaced landscaped area***;

(b) have a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 30.0 square metres; or

(ii) for every 45.0 square metres where irrigation is provided by a ***low water irrigation system***; and

(c) provide trees planted in a linear arrangement along the length of the ***setback area***.

(4) Where a ***setback area*** shares a ***property line*** with a ***parcel*** designated as a ***commercial***, ***industrial*** or ***special purpose district***, the ***setback area***:

(a) must be a ***soft surfaced landscaped area***;

(b) may have a sidewalk along the length of the ***building***; and

(c) must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres where irrigation is provided by a ***low water irrigation system***.

(5) Where a ***setback area*** shares a ***property line*** with a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district*** and there is no access from the ***lane***, the ***setback area***:

(a) must be a ***soft surfaced landscaped area***;

(b) may have a sidewalk along the length of the ***building***; and

(c) must provide a minimum of 1.0 trees and 2.0 shrubs:

(i) for every 35.0 square metres; or

(ii) for every 50.0 square metres where irrigation is provided by a ***low water irrigation system***.

Parking

38P2009

1194.1 The minimum number of required ***motor vehicle parking stalls***, ***visitor parking stalls***, ***bicycle parking stalls - class 1*** and ***bicycle parking stalls – class 2*** is the requirement specified in the General Rules for Centre City Commercial Land Use Districts referenced in Part 11, Division 4.

Division 7: Rules Governing Centre City Bonus Overlays

General

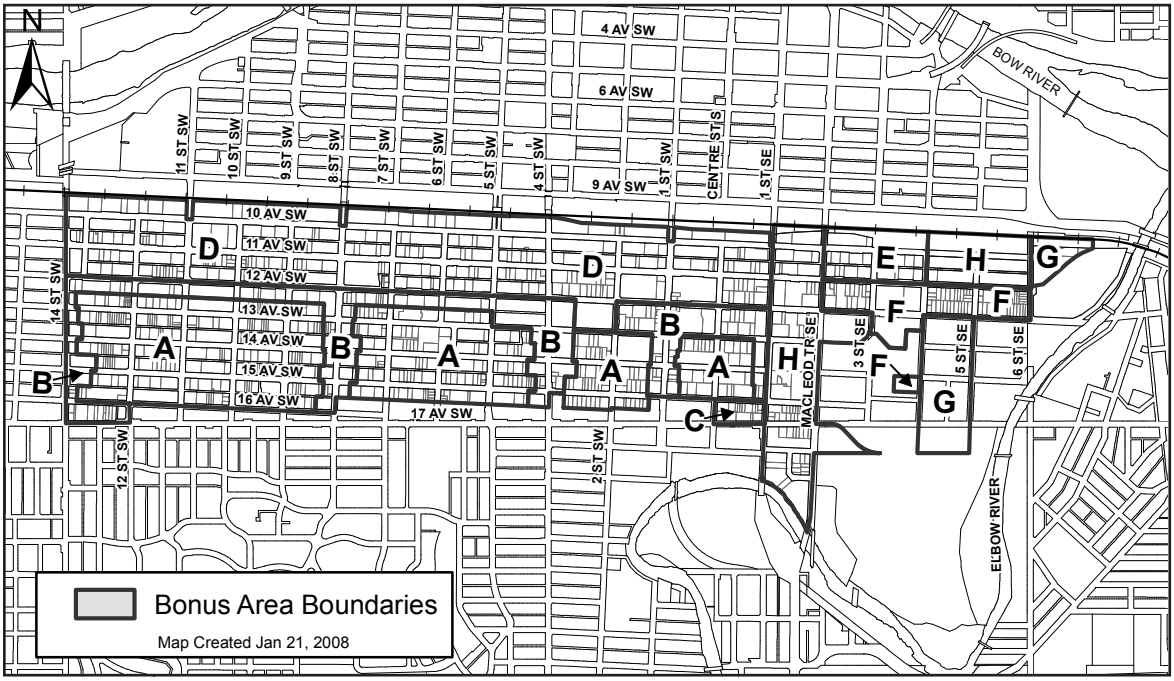
1195 **(1)** The ***floor area ratio*** of the CC-MH, CC-MHX, CC-X and CC-COR land use districts may be increased from the maximum ***floor area ratio*** listed in the district in accordance with the bonus provisions of this Division.

(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: *35P2019*
Bonus Area Boundaries



Bonus Area A

1197 The maximum ***floor area ratio*** with bonuses for Bonus Area A is 7.0.

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***.

35P2019

Bonus Area C

1199 The maximum ***floor area ratio*** with bonuses for Bonus Area C is 4.0.

35P2019

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.

35P2019

Bonus Area E

1201 The maximum ***floor area ratio*** with bonuses for Bonus Area E is 7.0.

35P2019

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.

35P2019

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.

35P2019

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 *35P2019*

1202 Notwithstanding sections 1197 to 1201.3, the maximum ***floor area ratio*** with bonuses for Bonus Areas A through H may be in 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.

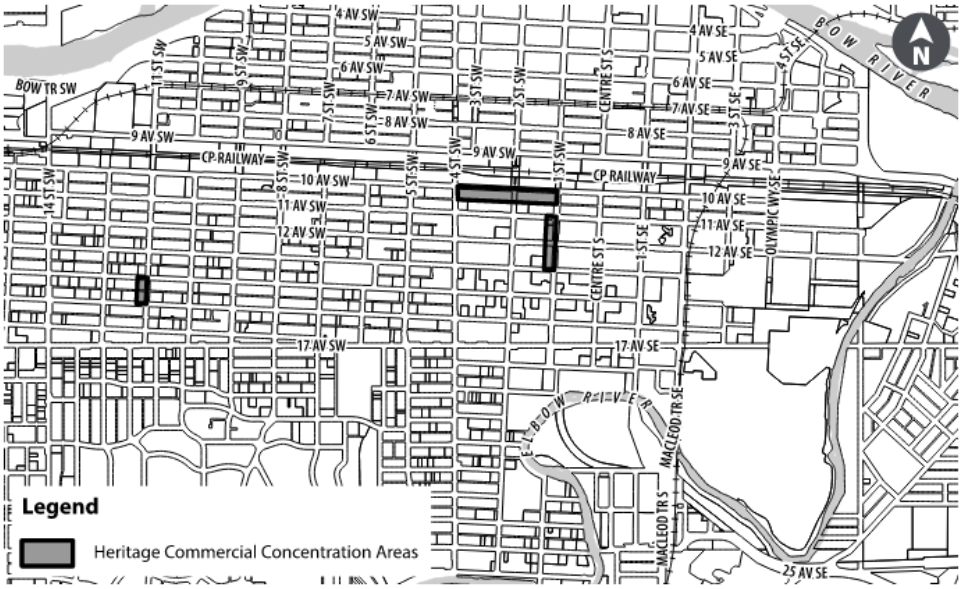
17P2024

Heritage Commercial Concentration Area Density Increase

1202.1 Notwithstanding sections 1197 to 1201.3, the maximum ***floor area ratio*** with bonuses for Bonus Area A through H may be increased by an additional 1.0 FAR where:

(a) the site falls within the Heritage Commercial Concentrations on Map 10: Beltline Heritage Commercial Concentrations Areas; and

(b) the Municipal Heritage Resource is located on site and heritage conservation is completed to the satisfaction of the ***Development Authority***. Map 10: Beltline Heritage Commercial Concentration Areas



"

17P2024 Map 10: Beltline Heritage Commercial Concentration Areas

Transit Station Integration Density Increase

1202.2 Notwithstanding sections 1197 to 1201.3, the maximum ***floor area ratio*** with bonuses for Bonus Area A through H may be increased by an additional:

(a) 2.0 FAR for sites where ***development*** includes a ***building*** that is fully integrated, either above an ***LRT station*** entrance and/or adjacent to the ***LRT station*** entrance, or above the ***LRT platform*** where the station entrance and related infrastructure (e.g. platforms and mechanical elements) are fully integrated into the adjacent development.

(b) 1.0 for sites where ***development*** above a BRT station entrance and/or adjacent to the BRT station entrance or a ***building*** above the BRT Platform where the station entrance and related infrastructure (e.g. platforms and mechanical elements) are fully integrated into the adjacent ***development***.

35P2019 **1203** *deleted*

35P2019 **1204** *deleted*

Density Transfer Limitation

35P2019 **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.

35P2019 **(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).

35P2019 **1206** *deleted*

35P2019 **1207** *deleted*

35P2019 **1208** *deleted*

35P2019 **1209** *deleted*

35P2019 **1210** *deleted*

35P2019 **1211** *deleted*

35P2019 **1212** *deleted*

1213 *deleted* *35P2019*

1214 *deleted* *35P2019*

1215 *deleted* *35P2019*

35P2019 **1216** *deleted*

35P2019 **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
17P2024 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 for 2023 is $270.00 per square metre. The Incentive Rate will be adjusted annually on January 1 by the ***Development Authority,*** based on the Statistics Canada Consumer Price Index for Alberta."

17P2024 **(3)** Public amenity items that must or may be provided to achieve additional ***gross floor area*** are shown in Table 6.1.

17P2024 **(4)** Bonus Areas A through D may use any of Public Amenity Items 1 through 7 and 14 in Table 6.1.

(5) Bonus Areas E through H may use any of Public Amenity Items 1through 14 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***

35P2019 Table 6.1: Beltline Density Bonus Items

Overview	
1.0	Indoor Community Amenity Space
2.0	Publicly Accessible Private Open Space
3.0	Affordable Housing Units
4.0	Municipal Historic Resource Designation
5.0	Heritage Density Transfer
6.0	Contribution to Beltline Community Investment Fund
7.0	Parks Density Transfer
8.0	Public Art On-Site
9.0	Active Arts Space
10.0	Cultural Support Space
11.0	Innovative Public Amenity
12.0	Indoor Public Hotel Space
13.0	District Energy Connection Ability Cash in Lieu Contribution of affordable housing units
14.0	Cash in Lieu Contribution of affordable housing units
	Continued....

Item No.	Public Amenity Items
1.0	**INDOOR COMMUNITY AMENITY SPACE** 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.
1.1	**Incentive Calculation:** Where a ***development*** provides an indoor community amenity space, the Incentive Rate is Incentive Rate 1. **Method:** Incentive ***gross floor area*** (square metres) = total construction cost ($) divided by (Incentive Rate 1 ($) multiplied by 0.75)
1.2	**Requirements:** Provision of indoor community amenity space, within the ***development parcel***, in perpetuity to the ***City***, and in a form acceptable to the Approving Authority.
2.0	**PUBLICLY ACCESSIBLE PRIVATE OPEN SPACE** Publicly accessible private open space is defined as outdoor open space located on the ***development parcel*** that is made available to the public through a registered public access easement agreement acceptable to the Approving Authority.
2.1	**Incentive Calculation:** Where a ***development*** provides a publicly accessible private open space, the Incentive Rate is Incentive Rate 1. **Method:** Incentive ***gross floor area*** (square metres) = total construction cost ($) divided by (Incentive Rate 1 ($) multiplied by 0.75).
2.2	**Requirements:** Provision of publicly accessible private open space on the ***development parcel*** in a location, form, configuration and constructed in a manner acceptable to the Approving Authority.
3.0	**AFFORDABLE HOUSING UNITS** Affordable housing units are defined as non-market housing units provided within the ***development***, owned and operated by the ***City*** or a bona fide non-market housing provided recognized by ***the General Manager***.
3.1	**Incentive Calculation:** Where a ***development*** provides affordable housing units, the Incentive Rate is Incentive Rate 1.

Item No.	Public Amenity Items
	Method: Incentive ***gross floor area*** (square metres) = total construction ($) cost divided by (Incentive Rate 1 ($) multiplied by 0.75) + ***gross floor area*** (square metres) of affordable housing units.
3.2	**Requirements:** 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***.
4.0	**MUNICIPAL HISTORIC RESOURCE DESIGNATION** Municipal Historic Resources are ***buildings*** or portions of a ***building***, a ***site*** or portions of a ***site*** that are designated under the *Historic Resources Act*.
4.1	**Incentive Calculation:** 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 ***gross floor area*** (square metres) = total construction or restoration costs ($) divided by (Incentive Rate 1 ($) multiplied by 0.75)
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.	Public Amenity Items
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).
5.2	**Requirements:** A heritage density transfer must include: (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) 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.
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.

Item No.	Public Amenity Items
6.1	**Incentive Calculation:** Where a ***development*** provides a contribution to the Beltline Community Investment Fund, the Incentive Rate is Incentive Rate 1. **Method:** Incentive ***gross floor area*** (square metres) = contribution ($) divided by Incentive Rate 1 ($).
6.2	**Requirements:** A contribution must be made to the Beltline Community Investment Fund for the ***development***.
7.0	**PARKS DENSITY TRANSFER** Private land is dedicated to the ***City*** 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.
7.1	**Incentive Calculation** The transferable bonus ***gross floor area*** in square metres for land transferred to the ***City*** for park purposes is equal to the maximum ***floor area ratio*** of the district, not including bonus provisions, multiplied by 2.5. **Method:** Transferable incentive ***gross floor area*** (square metres) = maximum ***gross floor area*** multiplied by 2.5.
7.2	**Requirements:** Private land is dedicated to the ***City*** as a public open space where the ***City*** is the legal owner of the open space and the site is in a location and of a size and configuration acceptable to the ***City***.
8.0	**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.
8.1	The maximum incentive ***floor area ratio*** for this item is 1.0.
8.2	**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 ($) divided by Incentive Rate 1 ($).

Item No.	Public Amenity Items
8.3	**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) $50000.00 for sites of less than 1812.0 square metres in area; (b) the work of a recognized artist, i.e. created by a practitioner in the visual arts; (c) a location in a publicly accessible area; and (d) a minimum of 75.0 per cent of the artwork located either: (i) outdoors, at ***grade*** and visible from the public sidewalk; or (ii) on the ***building's*** exterior and visible from the public sidewalk.
9.0	**ACTIVE ARTS SPACE** Active arts space is publicly accessible, internal space that provides accommodation for one of the various branches of creative activity concerned with the production of imaginative designs, sounds or ideas. Active arts space is intended for activities that require public accessibility, e.g. performances, exhibitions.
9.1	The maximum incentive ***floor area ratio*** for this item is 4.0.
9.2	**Incentive Calculation:** Where a ***development*** provides active arts space the Incentive Rate is Incentive Rate 1. **Method:** Incentive ***gross floor area*** (square metres) = cost of active arts space ($) plus the capitalized, future operating costs* (not including taxes) divided by Incentive Rate 1 ($). * Future operating costs are calculated by multiplying $3,324.68 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).
9.3	**Requirements:** Active arts space includes the following: (a) a location: (i) at ***grade*** or;

Item No.	Public Amenity Items
9.3 cont'd	(ii) fronting on to, with direct access to and visible from the public sidewalk, ***grade*** level open space, or on-site pedestrian areas. (b) entranceways and lobbies that are clear glazed where they abut a public sidewalk at ***grade***; (c) 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 (c)(iv); (iii) subject to (c)(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 (c)(vii) are met;

Item No.	Public Amenity Items
9.3 cont'd	(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.
10.0	**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.
10.1	The maximum incentive ***floor area ratio*** for this item is 4.0.
10.2	**Incentive Calculation:** Where a ***development*** provides cultural support space the Incentive Rate is Incentive 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 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).
10.3	**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:

Item No.	Public Amenity Items
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.
11.1	The maximum incentive ***floor area ratio*** for this item is 1.0.

Item No.	Public Amenity Items
11.2	**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 ($) divided by Incentive Rate 1 ($).
11.3	**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; and (e) the sole discretion of the ***Development Authority*** to determine whether the proposed amenity feature is considered an innovative public amenity.
12.0	**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 one ***storey*** above for conference facilities – and open to the public are considered to be indoor public space.
12.1	The maximum incentive ***floor area ratio*** for this item is 2.0.
12.2	**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.
12.3	**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; and

Item No.	Public Amenity Items
12.3 cont'd	(b) where the space is not a conference facility, public accessibility through a public access agreement during normal operating hours.
13.0	**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.
13.1	The maximum incentive ***floor area ratio*** for this item is 1.0.
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.
14.0	**Cash in Lieu Contribution of affordable housing units** Density may be granted for cash in lieu contributions towards affordable housing units. The funds may be used for the purchase of land, construction of or rental of affordable units in Beltline.
14.1	**Incentive Calculation:** Where a ***development*** provides a cash in lieu contribution to the Affordable Housing Fund, the Incentive Rate is Incentive Rate 1. **Method**: Incentive ***gross floor area*** (square metres) = contribution ($) divided by Incentive Rate 1 ($).

17P2024

17P2024

PART 12: CENTRE CITY EAST VILLAGE DISTRICTS

26P2010, 13P2017

Division 1: General Rules for 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***.

Builidng 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.

33P2019 **(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, Restaurant: Licensed** or **Retail and Consumer Service** when located on the ground floor of a ***building*** is: *27P2021*

(i) 1.0 ***motor vehicle parking stalls*** per 100.0 square metres of ***gross usable floor area***; or

(ii) 0.0 ***motor vehicle parking stalls*** where:

(A) the ***building*** contains a **Dwelling Unit**, **Hotel**, **Live Work Unit**, or **Office** above the ground floor; or

(B) the ***use area*** of a ***use*** on the ground floor is 465.0 square metres or less; and

(c) for all other ***uses*** is the requirement referenced in Part 4.

(3) Except as otherwise provided in a district, for ***development*** on ***parcels*** greater than 0.4 hectares, the minimum ***motor vehicle parking stall*** requirement:

(a) for an **Office**, when located on floors above the ground floor, is:

(i) 1.0 stalls per 100.0 square metres of ***gross usable floor area***; and

(ii) the cumulative number of stalls referenced in subsection (i) must be reduced by 0.75 stalls per 50.0 square metres of total ***gross usable floor area*** to a maximum reduction of 1.5 stalls;

(b) for a **Retail and Consumer Service** is 4.0 stalls per 100.0 square metres of total ***gross usable floor area*** when located on floors above the ground floor;

27P2021

(c) for a **Computer Games Facility**, **Convenience Food Store**, **Drinking Establishment – Medium, Drinking Establishment – Small**, **Information and Service Provider**, **Liquor Store**, **Outdoor Café**, **Restaurant: Food Service Only, Restaurant: Licensed** or **Retail and Consumer Service** when located on the ground floor of a ***building*** is:

(i) 1.0 ***motor vehicle parking stalls*** per 100.0 square metres of ***gross usable floor area***; or

(ii) 0.0 ***motor vehicle parking stalls*** where:

(A) the building contains a **Dwelling Unit**, **Hotel**, or **Office** above the ground floor; or

(B) the ***use area*** of a ***use*** on the ground floor is 465.0 square metres or less; and

(d) for all other ***uses*** is 3.5 stalls per 100.0 square metres of ***gross usable floor area***.

Additional Motor Vehicle Parking Stall Requirements

1234 (1) ***Motor vehicle parking stalls*** and ***loading stalls*** must not be located between a ***building*** and a ***street***.

(2) A **Parking Lot – Grade** may only be allowed for short-stay parking of not more than four consecutive hours.

13P2017

1235 *deleted*

Required Bicycle Parking Stalls

1236 **(1)** The minimum number of ***bicycle parking stalls – class 1*** for:

(a) each **Dwelling Unit** and **Live Work Unit** is:

(i) no requirement where the number of ***units*** is less than 20.0; and

(ii) 0.5 stalls per ***unit*** where the total number of ***units*** is 20.0 or more; and

(b) all other ***uses*** is the minimum requirement referenced in Part 4.

(2) There is no requirement for ***bicycle parking stalls – class 2*** for any ***use***.

Sunlight Preservation

1237 **(1)** The following sunlight protection areas must not be placed in greater shadow by a ***development*** as measured on September 21, at the times and locations indicated for each area, than were already existing or approved on the date the ***development permit*** was applied for:

(a) The Riverbank as measured 20.0 metres wide throughout abutting the top of the south bank of the Bow River, from 10:00 a.m. to 4:00 p.m., Mountain Daylight Time; and

(b) Fort Calgary as measured from the road right of way abutting 6 Street SE to 40.0 metres into the park from 10:00 a.m. to 3:00 p.m. Mountain Daylight Time and as measured from the road right of way abutting 9 Avenue SE to 20.0 metres into the park from 10:00 a.m. to 4:00 p.m. Mountain Daylight Time.

Visibility Setback

1238 ***Buildings***, finished ***grade*** of a ***parcel*** and vegetation within a ***corner visibility triangle*** must not be located between 0.75 metres and 4.6 metres above the lowest elevation of the ***street***.

Mechanical Screening

1239 Mechanical systems or equipment located outside of a ***building*** shall be positioned, camouflaged or screened from view of a ***public space***, or from view of a ***parcel*** designated as a ***residential district***, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above ***grade***. *27P2021*

Garbage

1240 Garbage containers and waste material must be stored, prior to collection, inside a ***building*** that contains another approved ***use***. *44P2022*

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 Speical Areas

deleted *13P2017*

Division 2: Centre City East Village Transition District (CC-ET)

Purpose

1243 The Centre City East Village Transition District is intended to provide for:

(a) an important transition between the higher ***density*** commercial and **Office** ***uses*** of the downtown core and the more residential character of East Village;

(b) a mix of ***uses*** within the transition zone between Downtown and East Village;

(c) ***development*** of higher ***density*** and larger ***building*** massing than the rest of the East Village Districts;

(d) a greater variety of **Office**, discretionary commercial, institutional and residential ***uses***; and

(e) a ***building*** form that is ***street*** oriented at ***grade***.

Permitted Uses

1244 (1) The following ***uses*** are ***permitted uses*** in the Centre City East Village Transition District:

(a) **Accessory Residential Building**;

(b) **Home Based Child Care – Class 1**;

(c) **Home Occupation – Class 1**;

(d) **Park**;

(e) **Protective and Emergency Service**;

(f) **Sign – Class A**; and

(g) **Utilities.**

(2) The following ***uses*** are ***permitted uses*** in the Centre City East Village Transition District if they are located within existing approved ***buildings***:

(a) *deleted* *65P2023*

(b) *deleted* *65P2023*

(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**;

27P2021 (n) *deleted*

65P2023 (o) **Retail and Consumer Service**; and

65P2023 (p) **Specialty Food Store.**

65P2023 (q) *deleted*

27P2021 **(3)** The following ***uses*** are ***permitted uses*** in the Centre City East Village Transition District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less:

(a) **Restaurant: Food Service Only**.

Discretionary Uses

1245 **(1)** The following ***uses*** are ***discretionary uses*** in the Centre City East Village Transition District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) **Parking Lot – Grade**.

(2) ***Uses*** listed in subsection 1244(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Centre City East Village Transition District.

27P2021 **(2.1)** The following ***uses*** are ***discretionary uses*** in the Centre City East Village Transition District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres:

(a) **Restaurant: Food Service Only**.

27P2021 **(2.2)** The following ***uses*** are ***discretionary uses*** in the Centre City East Village Transition District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***:

(a) **Restaurant: Food Service Only**.

(3) The following ***uses*** are ***discretionary uses*** in the Centre City East Village Transition District:

(a) **Amusement Arcade**;

(b) **Artist's Studio**;

(c) **Assisted Living**;

(d) **Billiard Parlour**;

(e) **Brewery, Winery and Distillery**;

25P2018, 27P2021 (e.1) *deleted*

(e.2) **Cannabis Store**; *26P2018*

(f) **Child Care Service**;

(g) **Cinema**;

(h) **Community Entrance Feature**;

(i) **Community Recreation Facility**;

(j) **Computer Games Facility**;

(k) **Conference and Event Facility**;

(l) *deleted* *27P2021*

(m) **Drinking Establishment – Large**;

(n) **Drinking Establishment – Medium**;

(o) **Drinking Establishment – Small**;

(p) **Dwelling Unit**;

(q) **Food Kiosk**;

(q.1) **Food Production**; *49P2017*

(r) **General Industrial – Light**;

(s) **Health Care Service**; *27P2021*

(t) **Home Occupation – Class 2**;

(u) **Hotel**;

(v) **Indoor Recreation Facility**;

(v.1) **Kennel**; *46P2019*

(w) **Library**;

(x) **Liquor Store**;

(y) **Live Work Unit**;

(z) *deleted* *27P2021*

(aa) *deleted* *42P2019*

(bb) *deleted* *27P2021*

(cc) *deleted* *25P2018*

(dd) **Office**;

(ee) **Outdoor Café**;

(ff) **Parking Lot – Grade (temporary)**;

(gg) **Parking Lot – Structure**;

(hh) **Performing Arts Centre**;

(ii) **Place of Worship – Small**;

(jj) **Post-secondary Learning Institution**;

(kk) **Residential Care**;

27P2021 (ll) *deleted*

27P2021 (mm) *deleted*

27P2021 (nn) **Restaurant: Licensed**;

27P2021 (oo) *deleted*

27P2021 (pp) *deleted*

46P2019, 27P2021 (pp.1) *deleted*

(qq) **School – Private**;

(rr) **School Authority – School**;

(ss) **Seasonal Sales Area**;

(tt) **Service Organization**;

(uu) **Sign – Class B**;

(vv) **Sign – Class C**;

(ww) **Sign – Class D**;

(xx) **Sign – Class E**;

(yy) **Social Organization**;

(zz) **Special Function – Class 2**;

(aaa) **Supermarket**;

33P2019 (aaa.1) **Urban Agriculture**;

(bbb) **Utility Building**; and

(ccc) **Veterinary Clinic.**

Rules

1246 In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) the General Rules for Centre City East Village Districts referenced in Part 12, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

(c) the applicable Uses And Use Rules referenced in Part 4.

Density

1247 (1) The maximum ***floor area ratio*** is 7.0.

(2) In this section, for the purpose of calculating ***floor area ratio***:

(a) the ***gross floor area*** for the following ***uses*** must be excluded from the calculation to a maximum cumulative ***floor area ratio*** of 1.0:

(i) **Child Care Service**;

(ii) **Community Recreation Facility**;

(iii) **Conference and Event Facility**;

(iv) **Indoor Recreation Facility**;

(v) **Library**;

(vi) **Museum**;

(vii) **Performing Arts Centre**;

(viii) **Place of Worship – Small**;

(ix) **Protective and Emergency Service**;

(x) **School – Private**;

(xi) **School Authority – School**;

(xii) **Service Organization**;

(xiii) **Social Organization**; and

(xiv) **Utilities**; and

(b) the following must be excluded from the calculation of ***floor area ratio***:

(i) the total ***gross floor area*** of a **Post-secondary Learning Institution**, to a maximum of 3.0 ***floor area ratio***; and

(ii) the total ***gross floor area*** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* to a maximum of 3.0 ***floor area ratio***.

Use Area

1248 (1) Unless otherwise referenced in subsections (2), (3), (4) and (5), the maximum ***use area*** for ***uses*** on the ground floor of a ***building*** is 1200.0 square metres.

(2) The maximum ***use area*** for ***uses*** on the ground floor is 465.0 square metres for the following ***uses***:

(a) **Drinking Establishment – Large**;

(b) **Restaurant: Food Service Only**; and *27P2021*

(c) **Restaurant: Licensed.** *27P2021*

(3) The maximum ***use area*** for ***uses*** on the ground floor of a ***building*** is 200.0 square metres for the following ***uses***:

27P2021 (a) **Health Care Service**; and

27P2021 (b) *deleted*

(4) There is no maximum ***use area*** requirement for the following ***uses***:

(a) **Supermarket**; and

(b) **Retail and Consumer Service.**

(5) There is no maximum ***use area*** for ***uses*** located within ***buildings*** designated as a Municipal Historic Resource pursuant to the *Historical Resources Act*.

Motor Vehicle Parking Stalls

1249 (1) The following ***uses*** do not require ***motor vehicle parking stalls***:

(a) **Cinema**;

(b) **Drinking Establishment – Large**;

(c) **Drinking Establishment – Medium**;

(d) **Drinking Establishment – Small**;

27P2021 (e) **Restaurant: Food Service Only**;

27P2021 (f) *deleted*

27P2021 (g) *deleted*

27P2021 (h) **Restaurant: Licensed**; and

27P2021 (i) *deleted*

27P2021 (j) *deleted*

27P2021 (k) *deleted*

(l) **Performing Arts Centre.**

(2) The minimum number of required ***motor vehicle parking stalls*** for **Office** is 1.0 stall per 150.0 square metres of ***gross usable floor area***.

(3) For **Dwelling Units** or **Live Work Units**:

(a) the minimum ***motor vehicle parking stall*** requirement is 0.5 stalls per ***unit***;

(b) the maximum ***motor vehicle parking stall*** that may be provided is 1.0 stalls per ***unit***; and

(c) the ***visitor parking stall*** requirement is 0.1 stall per ***unit***.

(4) For all other ***uses*** is the requirement referenced in Part 4.

Restricted Parking Area

1250 The ***development authority*** may consider a relaxation of the minimum number of required ***motor vehicle parking stalls*** referenced in Section 1249 for ***developments*** within the Restricted Parking Area illustrated on Map 13, of up 50 per cent only where: *13P2018*

(a) the relaxation is for ***uses*** other than **Assisted Living**, **Dwelling Unit** or **Live Work Units**, including associated visitor parking, and parking required for **Hotel** guest rooms;

(b) an off-site transportation improvements in lieu of parking fee is paid, calculated at the rate per ***motor vehicle parking stall*** established by ***Council*** in effect at the time the payment is made; and

(c) the rules in section 124 are met.

Short Stay Parking Stalls

1251 (1) The number of ***motor vehicle parking stalls*** allowed for in Section 1249 or 1250, whichever applies, may be increased to provide ***parking area – short stay*** stalls under one of the following options when the ***parcel*** is located in an area identified in Map 14:

(a) up to a total of 10.0 additional ***motor vehicle parking stalls*** where such stalls are:

(i) located in a portion of the ***development*** approved for use as a ***parking area – short stay***;

(ii) included in a parking area which is operated as part of a ***scramble parking*** arrangement that is open to the public; and

(iii) prominently signed at the ***street*** level indicating the availability and conditions of ***use*** of such stalls; or

(b) more than 10.0 additional ***motor vehicle parking stalls***, to a maximum of 25.0 per cent of the number of stalls required in section 1249 or 125.0 stalls, whichever is less, where such stalls are:

(i) located in a portion of the ***development*** approved for ***use*** as a ***parking area – short stay***;

(ii) identified through appropriate signage, as ***parking area – short stay*** stalls;

(iii) prominently signed at the ***street*** level indicating the availability and conditions of ***use*** of such stalls; and

(iv) adjacent to a road network that the ***Development Authority*** has determined is capable of handling the added vehicle movements associated with the additional stalls.

(2) When approving a ***development permit*** incorporating ***parking area – short stay*** stalls provided for in subsection (1)(b), the ***Development Authority*** must impose conditions, including, but not limited to, requiring the applicant to enter into a Special Development Agreement with The City which must include provision for:

(a) the mechanism by which the ***development*** will be managed to ensure the operation of stalls as ***parking area – short stay*** stalls available to the public, at minimum, from 7.00 a.m. until 11:00 p.m. Mountain Standard Time seven days a week; and

(b) an operating arrangement with the Calgary Parking Authority for the purpose of ensuring unrestricted public access to the stalls and establishing a mechanism to monitor and enforce the operation of the stalls as ***parking area – short stay***.

Parking Stall Transfer from Municipal Historic Resource Sites

1252 (1) A ***transferring parcel*** within the Restricted Parking Area as identified in Map 13 may transfer to a ***receiving parcel*** in the Restricted Parking Area ***motor vehicle parking stalls*** which have not already been provided on the ***transferring parcel***, where:

(a) the ***transferring parcel*** is designated as a Municipal Historic Resource pursuant to the *Historical Resources Act* by a Bylaw approved by ***Council***;

(b) the additional stalls being transferred do not exceed 20.0 per cent of the number of stalls the ***development*** is allowed on the ***receiving parcel*** in Section 1249; and

(c) the additional stalls provided on the ***receiving parcel*** are adjacent to a road network that the ***Development Authority*** has determined is capable of handling the added vehicle movements associated with the additional stalls.

(2) A maximum of 100.0 per cent of the potential ***motor vehicle parking stalls*** available on the ***transferring parcel***, as determined in Section 1252(4), may be transferred to a ***receiving parcel***.

(3) ***Motor vehicle parking stalls*** transferred to a ***receiving parcel*** under this section must not be provided on the ***transferring parcel***.

(4) The number of ***motor vehicle parking stalls*** which may be transferred to a ***receiving parcel*** in accordance with subsection (1) is determined by:

(a) calculating the amount of ***gross usable floor area*** that could be built on the ***transferring parcel*** designated as Municipal Historic Resource at a ***floor area ratio*** of 7.0;

(b) using the ***gross usable floor area*** in subsection (a), calculate the potential number of ***motor vehicle parking stalls*** on the ***transferring parcel*** at a rate of 0.7 stalls per 100 square metres of ***gross usable floor area***;

(c) using the potential number of ***motor vehicle parking stalls*** in subsection (b), apply one of the following percentages based on the categorization of the ***transferring parcel*** on the ***City's*** Inventory of Evaluated Historic Resources;

  (i) City-Wide Historic Resource – 50.0 per cent;

  (ii) Community Historic Resource – 25.0 per cent; and

(d) subtracting from the resulting number of ***motor vehicle parking stalls*** in subsection (b) the number of ***motor vehicle parking stalls*** that currently exist on the ***transferring parcel***.

Division 3: Centre City East Village Integrated Residential District (CC-EIR)

Purpose

1253 The Centre City East Village Integrated Residential District is intended to provide for:

(a) a mixed ***use*** area that integrates residential ***uses*** with a broad range of commercial, cultural and entertainment ***uses***;

(b) commercial ***uses*** located on the ground floor; and

(c) a ***building*** form that is ***street*** oriented at ***grade***.

Permitted Uses

1254 (1) The following ***uses*** are ***permitted uses*** in the Centre City East Village Integrated Residential District:

(a) **Accessory Residential Building**;

(b) **Home Based Child Care – Class 1**;

(c) **Home Occupation – Class 1**;

(d) **Park**;

(e) **Protective and Emergency Service**;

(f) **Sign – Class A**; and

(g) **Utilities.**

(2) The following ***uses*** are ***permitted uses*** in the Centre City East Village Integrated Residential District if they are located within existing approved ***buildings***:

(a) *deleted* *65P2023*

(b) *deleted* *65P2023*

(c) **Convenience Food Store**;

(d) **Financial Institution**;

(e) **Fitness Centre**;

(f) **Information and Service Provider**;

(g) **Instructional Facility**;

(h) **Museum**;

(i) **Pet Care Service**;

(j) **Power Generation Facility – Small**;

(k) **Print Centre**;

(l) **Radio and Television Studio**;

27P2021 (m) *deleted*

65P2023 (n) **Retail and Consumer Service**; and

65P2023 (o) **Specialty Food Store.**

65P2023 (p) *deleted*

27P2021 **(3)** The following ***uses*** are ***permitted uses*** in the Centre City East Village Integrated Residential District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less:

(a) **Restaurant: Food Service Only**.

Discretionary Uses

1255 **(1)** The following ***uses*** are ***discretionary uses*** in the Centre City East Village Integrated Residential District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) **Parking Lot – Grade.**

(2) ***Uses*** listed in subsection 1254(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Centre City East Village Integrated Residential District.

27P2021 **(2.1)** The following ***uses*** are ***discretionary uses*** in the Centre City East Village Integrated Residential District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres:

(a) **Restaurant: Food Service Only**.

27P2021 **(2.2)** The following ***uses*** are ***discretionary uses*** in the Centre City East Village Integrated Residential District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***:

(a) **Restaurant: Food Service Only**.

(3) The following ***uses*** are ***discretionary uses*** in the Centre City East Village Integrated Residential District:

(a) **Amusement Arcade**;

(b) **Artist's Studio**;

(c) **Assisted Living**;

(d) **Billiard Parlour**;

(e) **Brewery, Winery and Distillery**;

25P2018, 27P2021 (e.1) *deleted*

26P2018 (e.2) **Cannabis Store**;

(f) **Child Care Service**;

(g) **Cinema**;

(h) **Community Entrance Feature**;

(i) **Community Recreation Facility**;

(j) **Conference and Event Facility**;

(k) *deleted* *27P2021*

(l) **Dinner Theatre**;

(m) **Drinking Establishment – Large**;

(n) **Drinking Establishment – Medium**;

(o) **Drinking Establishment – Small**;

(p) **Dwelling Unit**;

(q) **Food Kiosk**;

(q.1) **Food Production**; *49P2017*

(r) **Health Care Service**; *27P2021*

(s) **Home Occupation – Class 2**;

(t) **Hotel**;

(u) **Indoor Recreation Facility**;

(v) **Library**;

(w) **Liquor Store**;

(x) **Live Work Unit**;

(y) *deleted* *42P2019, 27P2021*

(z) *deleted* *27P2021*

(aa) *deleted* *25P2018*

(bb) **Night Club**;

(cc) **Office**;

(dd) **Outdoor Café**;

(ee) **Parking Lot – Grade (Temporary)**;

(ff) **Parking Lot – Structure**;

(gg) **Performing Arts Centre**;

(hh) **Place of Worship – Small**;

(ii) **Post-secondary Learning Institution**;

(jj) **Residential Care**;

(kk) *deleted* *27P2021*

27P2021 (ll) *deleted*

27P2021 (mm) **Restaurant: Licensed**;

27P2021 (nn) *deleted*

27P2021 (oo) *deleted*

27P2021 (pp) *deleted*

(qq) **Seasonal Sales Area**;

(rr) **Service Organization**;

(ss) **School - Private**;

(tt) **School Authority – School**;

(uu) **Sign – Class B**;

(vv) **Sign – Class C**;

(ww) **Sign – Class D**;

(xx) **Sign – Class E**;

(yy) **Social Organization**;

(zz) **Special Function – Class 2**;

33P2019 (aaa) **Supermarket**;

33P2019 (aaa.1) **Urban Agriculture**; and

(bbb) **Utility Building.**

Rules

1256 In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) the General Rules for Centre City East Village Districts referenced in Part 12, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

(c) the applicable Uses And Use Rules referenced in Part 4.

Density

1257 (1) The maximum ***floor area ratio*** for development is 7.0.

(2) In this section, for the purpose of calculating ***floor area ratio***:

(a) the following ***uses*** must be excluded from the calculation to a maximum cumulative ***floor area ratio*** of 1.0:

(i) **Child Care Service**;

(ii) **Community Recreation Facility**;

(iii) **Conference and Event Facility**;

(iv) **Indoor Recreation Facility**;

(v) **Library**;

(vi) **Museum**;

(vii) **Performing Arts Centre**;

(viii) **Place of Worship – Small**;

(ix) **Protective and Emergency Service**;

(x) **School – Private**;

(xi) **School Authority – School**;

(xii) **Service Organization**;

(xiii) **Social Organization**; and

(xiv) **Utilities**; and

(b) the following must be excluded from the calculation of ***floor area ratio***:

(i) the total ***gross floor area*** of a **Post-secondary Learning Institution** to a maximum of 3.0 ***floor area ratio***; and

(ii) the total ***gross floor area*** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* to a maximum of 3.0 ***floor area ratio***.

Use Area

1258 **(1)** Unless otherwise referenced in subsection (2) and (3) the maximum ***use area*** for ***uses*** on the ground floor of a ***building*** is 465.0 square metres.

(2) The maximum ***use area*** for ***uses*** on the ground floor of a ***building*** is 200.0 square metres for the following ***uses***:

(a) **Health Care Service**; and *27P2021*

(b) *deleted* *27P2021*

(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) *deleted* *65P2023*

(b) *deleted* *65P2023*

(c) **Convenience Food Store**;

(d) **Financial Institution**;

(e) **Fitness Centre**;

(f) **Information and Service Provider**;

(g) **Instructional Facility**;

(h) **Museum**;

(i) **Pet Care Service**;

(j) **Power Generation Facility – Small**;

(k) **Print Centre**;

(l) *deleted* *27P2021*

(m) **Retail and Consumer Service**; and

65P2023 (n) **Specialty Food Store.**

65P2023 (o) *deleted*

27P2021 **(3)** The following ***uses*** are ***permitted uses*** in the Centre City East Village Mixed Use District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less:

(a) **Restaurant: Food Service Only**.

Discretionary Uses

1261 **(1)** The following ***uses*** are ***discretionary uses*** in the Centre City East Village Mixed Use District only if they were legally existing or approved prior to the effective date of this Bylaw:

(a) **Parking Lot – Grade.**

(2) ***Uses*** listed in subsection 1260(2) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Centre City East Village Mixed Use District.

27P2021 **(2.1)** The following ***uses*** are ***discretionary uses*** in the Centre City East Village Mixed Use District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres:

(a) **Restaurant: Food Service Only**.

27P2021 **(2.2)** The following ***uses*** are ***discretionary uses*** in the Centre City East Village Mixed Use District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***:

(a) **Restaurant: Food Service Only**.

(3) The following ***uses*** are ***discretionary uses*** in the Centre City East Village Mixed Use District:

(a) **Artist's Studio**;

(b) **Assisted Living**;

(c) **Brewery, Winery and Distillery**;

25P2018, 27P2021 (c.1) *deleted*

26P2018 (c.2) **Cannabis Store**;

(d) **Child Care Service**;

(e) **Community Entrance Feature**;

(f) **Community Recreation Facility**;

27P2021 (g) *deleted*

(h) **Drinking Establishment – Medium**;

(i) **Drinking Establishment – Small**;

(j) **Dwelling Unit**;

(j.1) **Food Production**; *49P2017*

(j.2) **Health Care Service**; *20P2022*

(k) **Home Occupation – Class 2**;

(l) **Hotel**;

(m) **Indoor Recreation Facility**;

(m.1) **Kennel**; *46P2019*

(n) **Liquor Store**;

(o) **Live Work Unit**;

(p) *deleted* *42P2019, 27P2021*

(q) *deleted* *27P2021*

(r) *deleted* *25P2018*

(s) **Office**;

(t) **Outdoor Café**;

(u) **Place of Worship – Small**;

(v) **Post-secondary Learning Institution**;

(w) **Residential Care**;

(x) *deleted* *27P2021*

(y) **Restaurant: Licensed**; *27P2021*

(z) *deleted* *27P2021*

(aa) *deleted* *27P2021*

(bb) **School – Private**;

(cc) **School Authority – School**;

(dd) **Seasonal Sales Area**;

(ee) **Service Organization**;

(ff) **Sign – Class B**;

(gg) **Sign – Class C**;

(hh) **Sign – Class D**;

(ii) **Sign – Class E**;

(jj) **Social Organization**;

(kk) **Special Function – Class 2**;

(kk.1) **Urban Agriculture**; *33P2019*

(ll) **Utility Building**; and

(mm) **Veterinary Clinic.**

(4) The following ***uses*** are additional ***discretionary uses*** when located within ***buildings*** designated as a Municipal Historic Resource pursuant to the *Historical Resources Act*:

27P2021 (a) **Restaurant: Food Service Only**; and

27P2021 (b) **Restaurant: Licensed.**

Rules

1262 In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) the General Rules for Centre City East Village Districts referenced in Part 12, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

(c) the applicable Uses And Use Rules referenced in Part 4.

Density

1263 (1) The maximum ***floor area ratio*** for ***development*** is 6.65.

(2) In this section, for the purpose of calculating ***floor area ratio***:

(a) the ***gross floor area*** for the following ***uses*** must be excluded from the calculation to a maximum cumulative ***floor area ratio*** of 1.0:

(i) **Child Care Service**;

(ii) **Community Entrance Feature**;

(iii) **Community Recreation Facility**;

(iv) **Indoor Recreation Facility**;

(v) **Museum**;

(vi) **Place of Worship – Small**;

(vii) **Post-secondary Learning Institution**;

(viii) **Protective and Emergency Service**;

(ix) **School – Private**;

(x) **School Authority – School**;

(xi) **Service Organization**;

(xii) **Social Organization**; and

(xiii) **Utilities**; and

(b) the total ***gross floor area*** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act*, must be excluded from the calculation of ***floor area ratio*** to a maximum of 3.0 ***floor area ratio***.

Use Area

1264 **(1)** Unless otherwise referenced in subsection (2), the maximum ***use area*** for ***uses*** on the ground floor of a ***building*** is 465.0 square metres.

(2) The maximum ***use area*** for a **Health Care Service** located on the ground floor of a ***building*** is 200.0 square metres, unless the ***use*** activities are limited to counselling, in which case the maximum ***use area*** is 465.0 square metres. *27P2021*

(3) The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is less than 300.0 square metres. *27P2021*

Division 5: Centre City East Village Primarily Residential District (CC-EPR)

Purpose

1265 The Centre City East Village Primarily Residential District is intended to provide for:

(a) a mainly residential area with a limited range of support commercial ***uses*** and local amenities;

(b) commercial ***uses*** that are developed as part of a comprehensive residential mixed ***use development***; and

(c) a ***building*** form that is ***street*** oriented at ***grade***.

Permitted Uses

1266 **(1)** The following ***uses*** are ***permitted uses*** in the Centre City East Village Primarily Residential District:

(a) **Accessory Residential Building**;

(b) **Home Based Child Care – Class 1**;

(c) **Home Occupation – Class 1**;

(d) **Park**;

(e) **Protective and Emergency Service**;

(f) **Sign – Class A**; and

(g) **Utilities.**

(2) The following ***uses*** are ***permitted uses*** in the Centre City East Village Primarily Residential District if they are located within existing approved ***buildings***:

(a) *deleted* *65P2023*

(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**; *27P2021*

(j) **Retail and Consumer Service**; and *65P2023*

65P2023 (k) **Specialty Food Store.**

65P2023 (l) *deleted*

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:

65P2023 (a) **A***deleted*

(b) **Artist's Studio**;

(c) **Assisted Living**;

25P2018, 27P2021 (c.1) *deleted*

26P2018 (c.2) **Cannabis Store**;

(d) **Child Care Service**;

(e) **Community Entrance Feature**;

(f) **Community Recreation Facility**;

27P2021 (g) *deleted*

(h) **Drinking Establishment – Small**;

(i) **Dwelling Unit**;

(j) **Food Kiosk**;

49P2017 (j.1) **Food Production**;

27P2021 (j.2) **Health Care Service**;

(k) **Home Occupation – Class 2**;

(l) **Hotel**;

(m) **Indoor Recreation Facility**;

(n) **Instructional Facility**;

(o) **Liquor Store**;

(p) **Live Work Unit**;

42P2019, 27P2021 (q) *deleted*

27P2021 (r) *deleted*

25P2018 (s) *deleted*

(t) **Office**;

(u) **Outdoor Café**;

(v) **Outdoor Recreation Area**;

(w) **Place of Worship – Small**;

(x) **Residential Care**;

(y) **Restaurant: Licensed**; *27P2021*

(z) *deleted* *27P2021*

(aa) **School – Private**;

(bb) **School Authority – School**;

(cc) **Seasonal Sales Area**;

(dd) **Service Organization**;

(ee) **Sign – Class B**;

(ff) **Sign – Class C**;

(gg) **Sign – Class D**;

(hh) **Sign – Class E**;

(ii) **Social Organization**;

(jj) **Special Function – Class 2**; *33P2019*

(jj.1) **Urban Agriculture**; and *33P2019*

(kk) **Utility Building.**

Rules

1268 In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) the General Rules for Centre City East Village Districts referenced in Part 12, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

(c) the applicable Uses And Use Rules referenced in Part 4.

Density

1269 **(1)** The maximum ***floor area ratio*** for ***development*** is 6.65.

(2) In this section, for the purpose of calculating ***floor area ratio***:

(a) the ***gross floor area*** for the following ***uses*** must be excluded from the calculation to a maximum cumulative ***floor area ratio*** of 1.0:

(i) **Child Care Service**;

(ii) **Community Recreation Facility**;

(iii) **Indoor Recreation Facility**;

(iv) **Place of Worship – Small**;

(v) **Protective and Emergency Service**;

(vi) **School – Private**;

(vii) **School Authority – School**;

(viii) **Service Organization**;

(ix) **Social Organization**; and

(x) **Utilities**; and

(b) the total ***gross floor area*** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act* must be excluded from the calculation of ***floor area ratio*** to a maximum of 3.0 ***floor area ratio***.

Use Area

1270 **(1)** Unless otherwise referenced in subsection (2), the maximum ***use area*** for ***uses*** on the ground floor of a ***building*** is 465.0 square metres.

27P2021 **(2)** The maximum ***use area*** for a **Health Care Service** located on the ground floor of a ***building*** is 200.0 square metres, unless the ***use*** activities are limited to counselling, in which case the maximum ***use area*** is 465.0 square metres.

27P2021 **(3)** The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.

Division 6: Centre City East Village River Residential District (CC-ERR)

Purpose

1271 The Centre City East Village River Residential District is intended to provide for:

(a) a signature site with high visibility and direct riverfront views;

(b) mainly residential ***uses*** with support commercial ***uses***;

(c) active commercial ***uses*** located on the ground floor of a ***building***; and

(d) a ***building*** form that is street oriented at ***grade***.

Permitted Uses

1272 The following ***uses*** are ***permitted uses*** in the Centre City East Village River Residential District:

(a) **Accessory Residential Building**;

(b) **Home Based Child Care – Class 1**;

(c) **Home Occupation – Class 1**;

(d) **Park**;

(e) **Protective and Emergency Service**;

(f) **Sign – Class A**; and

(g) **Utilities.**

Discretionary Uses

1273 The following ***uses*** are ***discretionary uses*** in the Centre City East Village River Residential District: *16P2018*

(a) **Brewery, Winery and Distillery**;

(b) **Child Care Service**;

(c) **Community Recreation Facility**;

(d) **Dwelling Unit**;

(d.1) **Food Production**; *49P2017*

(e) **Home Occupation – Class 2**;

(f) **Hotel**;

(g) **Indoor Recreation Facility**;

42P2019, 27P2021 (h) *deleted*

(i) **Outdoor Café**;

(j) **Power Generation Facility – Small**;

27P2021 (k) **Restaurant: Food Service Only**;

27P2021 (l) *deleted*

27P2021 (m) **Restaurant: Licensed**;

27P2021 (n) *deleted*

27P2021 (o) *deleted*

(p) **Retail and Consumer Service**;

(q) **Seasonal Sales Area**;

(r) **Sign – Class B**;

(s) **Sign – Class C**;

(t) **Sign – Class D**;

(u) **Sign – Class E**;

33P2019 (v) **Social Organization**;

33P2019 (w) **Special Function – Class 2**; and

33P2019 (x) **Urban Agriculture**.

Rules

16P2018 **1274** In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) The General Rules for Centre City East Village Districts referenced in Part 12, Division 1;

(b) The Rules Governing All Districts referenced in Part 3; and

(c) The applicable Uses and Use Rules referenced in Part 4.

Density

1275 (1) The maximum ***floor area ratio*** is 5.0.

(2) In this section, for the purpose of calculating ***floor area ratio***:

(a) the following ***uses*** must be excluded from the calculation to a maximum cumulative ***floor area ratio*** of 1.0:

(i) **Child Care Service**;

(ii) **Protective and Emergency Service**;

(iii) **Social Organization**; and

(iv) **Utilities**; and

(b) the total ***gross floor area*** transferred from a designated Municipal Historic Resource pursuant to the *Historical Resources Act*, must be excluded from the calculation of ***floor area ratio*** to a maximum of 3.0 ***floor area ratio***.

Use Area

1276 (1) The maximum ***use area*** for ***uses*** on the ground floor of a ***buildin***g is 465.0 square metres. *27P2021*

(2) The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 300.0 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) *deleted* *27P2021*

(c.1) **Health Care Service**; *46P2021*

(d) **Outdoor Café**;

(e) **Power Generation Facility – Small**;

(f) **Restaurant: Food Service Only**; *27P2021*

(g) **Restaurant: Licensed**; *27P2021*

(g.1) **Retail and Consumer Service**; *27P2021*

(h) **Sign – Class A**;

(i) **Sign – Class B**;

(j) **Sign – Class D**;

(k) **Sign – Class E**;

(l) **Special Function – Class 2**;

33P2019, 66P2023 (m) *deleted*

33P2019 (m.1) **Urban Agriculture**; and

(n) **Utility Building.**

27P2021, 46P2021 **(2)** *deleted*

Rules

1280 In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) the General Rules for Centre City East Village Districts referenced in Part 12, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

(c) the applicable Uses and Use Rules referenced in Part 4.

Building Design

16P2018 **1281** The ***parcel*** located north of 7 Avenue S.E., south of 6 Avenue S.E. and between 4 Street S.E. and Riverfront Lane S.E. is allowed a maximum of one ***building*** with:

(a) a maximum ***gross floor area*** of 100.0 square metres; and

(b) a maximum ***building height*** of 10.0 metres, not to exceed one storey.

27P2021, 46P2021 **Use Area**

1281.1 (1) The maximum ***use area*** for a **Health Care Service** located on the ground floor of a ***building*** is 200.0 square metres, unless the ***use*** activities are limited to counselling, in which case the maximum ***use area*** is 465.0 square metres.

46P2021 **(2)** The maximum ***public area*** for a **Restaurant: Food Service Only** or **Restaurant: Licensed** is 150.0 square metres.

27P2021 **1281.2 Use Activities**

1281.2 **Retail and Consumer Service *uses*** in this District are limited to the following activities:

(a) market for the sale of new or used goods and food products, not including live animals, by multiple vendors renting tables or space either in an enclosed building or outdoors.

1282 *deleted*

1283 *deleted*

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1285 *deleted*

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1292 *deleted*

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PART 13: COMMERCIAL RESIDENTIAL DISTRICTS

33P2013

Division 1: General Rules for Commercial Residential Districts

General Landscaped Area Rules

1294 **(1)** ***Landscaped areas*** must be provided in accordance with a landscape plan approved by the ***Development Authority***.

(2) A landscape plan for the entire ***development*** must be submitted as part of each ***development permit*** application, where changes are proposed to the ***building*** or ***parcel***, and must show at least the following:

(a) the existing and proposed topography;

(b) the existing vegetation and indicate whether it is to be retained or removed;

(c) the layout of berms, open space systems, pedestrian circulation, ***retaining walls***, ***screening***, slope of the land, ***soft surfaced landscaped areas*** and ***hard surfaced landscaped areas***;

(d) the types, species, sizes and numbers of plant material and the types of ***landscaped areas***;

(e) details of the irrigation system;

(f) for ***landscaped areas*** using a ***low water irrigation system***, the details of the system, including the extent of water delivery; and

(g) for ***landscaped areas*** with a ***building*** below, the following additional information must be provided:

(i) the location of underlying slabs and abutting walls;

(ii) cross-sections detailing the waterproofing membranes, protection board, insulation and drainage layer;

(iii) depths of the growing medium for each planting area;

(iv) the mature height and spread of all trees and shrubs; and

(v) the means of irrigating the planting areas.

(3) The ***landscaped areas*** shown on the landscape plan, approved by the ***Development Authority*** must be maintained on the ***parcel*** for so long as the ***development*** exists.

`

(4) All ***soft surfaced landscaped areas*** must be irrigated by an underground irrigation system, unless a ***low water irrigation system*** is provided.

Planting Requirements

1295 **(1)** All plant materials must be of a species capable of healthy growth in Calgary and must conform to the standards of the Canadian Nursery Landscape Association.

(2) Deciduous trees must have a minimum ***calliper*** of 50 millimetres and at least 50.0 per cent of the provided deciduous trees must have a minimum ***calliper*** of 75 millimetres at the time of planting.

(3) Coniferous trees must have a minimum height of 2.0 metres.

(4) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

(5) For ***landscaped areas*** with a ***building*** below, planting areas must have the following minimum soil depths:

(a) 1.2 metres for trees;

(b) 0.6 metres for shrubs; and

(c) 0.3 metres for all other planting areas.

(6) The soil depths referenced in subsection (5) must cover an area equal to the mature spread of the planting material.

33P2019

(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***.

(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: *16P2018*

(a) ***developments*** that contribute to the Downtown's role as the predominant destination for business, retail, entertainment and cultural activities in the City;

(b) a mix of commercial, residential and cultural ***uses*** within the Downtown;

(c) intensive high-rise, high-density ***developments*** where intensity is measured by ***floor area ratio***;

(d) ***developments*** that are pedestrian-oriented at ***grade*** and provide a high quality public realm;

(e) ***buildings*** that incorporate a mix of ***uses***;

(f) varying maximum base ***density*** with incentive ***density*** over and above base ***density*** to achieve commercial residential mixed use, public benefit and amenities within the same community;

(g) active, pedestrian focused ***uses*** on the ground floor and ***+15 Skywalk System*** level of ***buildings***;

(h) ***developments*** that promote the preservation and reuse of historic resources.

(i) the connection of ***buildings*** to the ***+15 Skywalk System***;

(j) improved and expanded public transportation; and

(k) ***parcels*** that are intended to transition ***uses*** and ***building*** forms to the surrounding neighbourhoods if they are located in the Transition Area as illustrated in Map 11.

Permitted Uses

1306 (1) The following ***uses*** are ***permitted uses*** in the CR20-C20/R20 District:

(a) **Park**;

(b) **Protective and Emergency Service**;

(c) **Sign – Class A**;

(d) **Sign – Class B**;

(e) **Sign – Class D**; and

(f) **Utilities**.

(2) The following ***uses*** are ***permitted uses*** in the CR20-C20/R20 District if they are located within existing approved ***buildings***:

(a) **Accessory Food Service**;

(b) **Accessory Liquor Service**;

(c) **Artist's Studio**;

(d) **Billiard Parlour**;

(e) **Computer Games Facility**;

(f) **Convenience Food Store**;

(g) **Dinner Theatre**;

(h) **Financial Institution**;

(i) **Food Kiosk**;

(j) **Home Occupation – Class 1**;

(k) **Information and Service Provider**;

(l) **Library**;

(m) **Museum**;

(n) **Office**;

(o) **Pet Care Service**;

(p) **Print Centre**;

(q) **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**; *22P2016*

(d.2) **Cannabis Counselling**; *25P2018*

(d.3) **Cannabis Store**; *26P2018*

(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**; *49P2017*

(n) **Health Services Laboratory – Without Clients**;

(o) **Home Occupation – Class 2**;

(p) **Hotel**;

(q) **Indoor Recreation Facility**;

(r) **Instructional Facility**;

(r.1) **Kennel**; *49P2017*

(s) **Liquor Store**;

(t) **Live Work Unit**;

(u) **Market**;

28P2016, 25P2018 (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**;

43P2015 (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**;

33P2019 (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

1308 The following ***uses*** are additional ***discretionary uses*** in the CR20-C20/R20 District except where located in the Transition Area as illustrated in Map 11:

(a) **Drinking Establishment – Large**; and

(b) **Sign – Class G.**

Map 11: Transition Area



Rules

1309 In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) the General Rules for Centre City Downtown Districts referenced in Part 13, Division 1;

(b) the Rules Governing All Districts referenced in Part 3; and

(c) the applicable Uses and Use Rules referenced in Part 4.

Floor Area Ratio

1310 The maximum ***floor area ratio***:

(a) is 3.0; and

(b) may be increased in accordance with the incentive provisions contained in Part 13, Division 3.

Sunlight Preservation Density Transfer

1311 (1) ***Parcels*** containing a ***building*** that is affected by the Sunlight Protection Areas rules of section 1303 are deemed, for the purpose of establishing the amount of transferable ***density*** only, to have a ***floor area ratio*** equal to the amount that they would have achieved through the provision of incentive amenity items required or approved by the ***Development Authority*** had those sunlight protection rules not existed.

(2) The difference between the ***gross floor area*** existing on a ***parcel*** after completion of a new ***development*** that includes all required or approved incentive amenity items contained in Table 8 and the potential ***gross floor area*** of the ***parcel*** may be transferred to other ***parcels*** in this district.

(3) The ***density*** transfer provision of item 8.15 of Table 8 is available only to receiving ***parcels*** in this district where the redevelopment of the transferring ***parcel*** has been completed and the requirements of this Bylaw, including the satisfaction of any incentive ***density*** item requirements contained in Table 8 and the sunlight protection standards of section 1303 have been provided to the satisfaction of the ***Development Authority***.

Building Height

1312 There is no maximum ***building height***.

Residential Window Separation from the Property Line

1313 (1) Windows for **Assisted Living**, **Dwelling Units** or **Live Work Units**, where they are located in the Transition Area as illustrated on Map 11, must provide a horizontal separation of:

(a) 9.0 metres from a ***property line*** shared with another ***parcel***; and

(b) 6.0 metres from a ***property line*** shared with a ***lane***.

(2) In all other cases windows for **Assisted Living**, **Dwelling Units** or **Live Work Units** must provide a horizontal separation of:

(a) 7.5 metres from a ***property line*** shared with another ***parcel***; and

(b) 4.5 metres from a ***property line*** shared with a ***lane***.

Floor Plate Restrictions

1314 (1) Each floor of a ***building*** located partially or wholly above 36.0 metres above ***grade*** and containing **Assisted Living**, **Dwelling Units**, **Hotel**

suites or **Live Work Units** has a maximum horizontal dimension of 44.0 metres where they are located in the Transition Area as illustrated on Map 11.

(2) In all other cases each floor of a ***building*** located partially or wholly above 36.0 metres above ***grade*** and containing **Assisted Living, Dwelling Units**, **Hotel** suites or **Live Work Units** has a maximum ***floor plate area*** of 930.0 square metres.

Ground Floor Height

1315 The minimum height of the ground floor of a ***building*** is 4.5 metres as measured vertically from the floor to the ceiling.

Use Area

1316 (1) Unless otherwise referenced in this section, the maximum ***use area*** for ***uses*** on the ground floor of a ***building*** is 1200.0 square metres.

(2) For a **Retail and Consumer Service**, **Supermarket**, or a **Supermarket** combined with any other ***use***, the maximum ***use area*** on the ground floor of a ***building*** is 3000.0 square metres.

(3) The following ***uses*** do not have a maximum ***use area***:

(a) **Cinema**;

(b) **Conference and Event Facility**;

(c) **Dinner Theatre**;

(d) **Hotel**;

(e) **Library**;

(f) **Museum**;

(g) **Parking Lot - Structure**;

(h) **Performing Arts Centre**;

(i) **Protective and Emergency Service**; and

(j) **Utility *Building***.

(4) Where ***parcels*** are located in the Transition Area as illustrated on Map 11 , the maximum ***use area*** of a:

(a) **Night Club** is 300.0 square metres; and

(b) **Financial Institution** where located on the ground floor of a ***building*** is 465.0 square metres.

Office Gross Floor Area and Location

1317 (1) Where a ***building*** is located on one or more ***parcels*** where the cumulative ***parcel*** area is greater than 1812.0 square metres, the cumulative ***gross floor area*** of **Office** ***uses*** on the ground floor of a ***building*** must not exceed the greater of:

(a) 50.0 per cent of the of the ***gross floor area*** of the ground floor; or

(b) 550.0 square metres.

(2) Where a ***parcel*** shares a ***property line*** with the following ***streets***, an **Office** may only be located on the ground floor of a ***building*** where another ***use*** is located between the **Office** and the shared ***property line***:

(a) Centre Street S between 3 Avenue S and 8 Avenue S;

(b) 3 Street SW (Barclay Mall) between 3 Avenue SW and 8 Avenue SW;

(c) 7 Avenue SW between Centre Street S and 4 Street SW; and

(d) Stephen Avenue Mall Retail Area as identified on Map 11.

Location of Uses within Buildings

1318 (1) The following ***uses*** must not be located on the ground floor of a ***building***:

(a) **Counselling Service**;

(b) **Custodial Care**;

(c) **Dwelling Unit**; and

(d) **Health Services Laboratory – Without Clients**.

(2) **Financial Institution** and **Office** may only be located on the ground floor of a ***building*** where located in the Stephen Avenue Mall Retail Area as illustrated on Map 12 where:

(a) a bank or office was approved prior to the effective date of this bylaw; and

67P2018

(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**.

15P2014 **(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

33P2013, 15P2014

1326 **(1)** Unless otherwise referenced in 1325(3) or subsection (2), the minumum and maximum required number of ***motor vehicle parking stalls*** for ***developments*** located within the Restricted Parking Area illustrated on Map 13 is the minimum number of ***motor vehicle parking stalls*** required in section 1325. *13P2018*

(2) The maximum number of ***motor vehicle parking stalls*** for sites upon which an existing stand-alone parking structure exists, and which existed on October 10, 1984, is the greater of:

(a) the number of ***motor vehicle parking stalls*** provided on October 10, 1984, or

(b) the number of ***motor vehicle parking stalls*** in subsection (1).

(3) The ***development authority*** may consider a relaxation of the minimum number of required ***motor vehicle parking stalls*** for ***developments*** within the Restricted Parking Area illustrated on Map 13, of up 50 per cent only where: *13P2018*

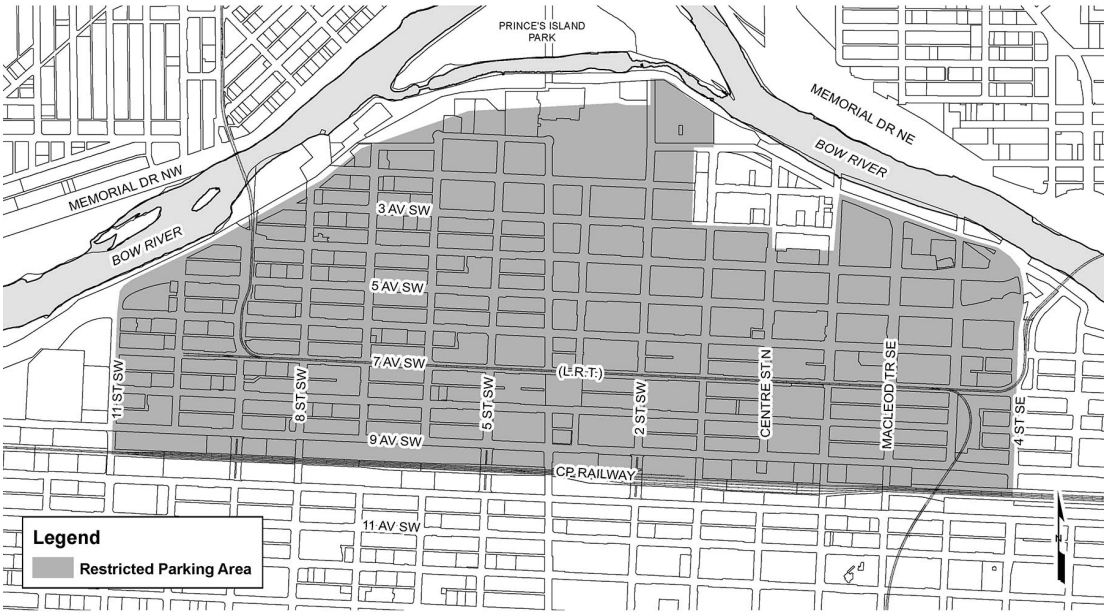
(a) an off-site transportation improvements in lieu of parking fee is paid, calculated at the rate per ***motor vehicle parking stall*** established by ***Council*** in effect at the time the payment is made; and

(b) the rules in section 124 are met.

(4) *deleted* *13P2018*

(5) ***Motor vehicle parking stalls*** provided in accordance with sections 1327 and 1328 are not subject to the Restricted Parking Area rules.

Map 13: Restricted Parking Area Boundaries



Short Stay Parking Stalls

1327 (1) The number of ***motor vehicle parking stalls*** required in sections 1325 or 1326 may be increased to provide ***parking area – short stay*** stalls under one of the following options when the ***parcel*** is located in a Short Stay Parking Area identified in Map 14:

(a) up to a total of 10.0 additional ***motor vehicle parking stalls*** where such stalls are:

(i) located in a portion of the ***development*** approved for use as a ***parking area – short stay***;

(ii) included in a parking area which is operated as part of a ***scramble parking*** arrangement that is open to the public; and

(iii) prominently signed at the street level indicating the availability and conditions of use of such stalls; or

(b) more than 10.0 additional ***motor vehicle parking stalls***, to a maximum of 25.0 per cent of the number of stalls required in section 1325 or 125.0 stalls, whichever is less, where such stalls are:

(i) located in a portion of the ***development*** approved for use as a ***parking area – short stay***;

(ii) identified through appropriate signage, as ***parking area - short stay*** stalls;

(iii) prominently signed at the street level indicating the availability and conditions of use of such stalls; and

(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) **t**he ***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

1329 Where a ***development*** is located on one or more ***parcels*** where the cumulative ***parcel*** area is greater than 1812.0 square metres, all ***motor vehicle parking stalls*** provided, with the exception of stalls associated with a **Parking Lot – Structure** or **Parking Lot – Grade**, must be located below ***grade***.

Bicycle Parking Stall Requirements

1330 (1) Unless otherwise referenced in this section, the minimum number of required ***bicycle parking stalls – class 1*** and ***class 2*** is the requirement referenced in Part 4.

(2) For an **Office**, the minimum number of required:

(a) ***bicycle parking stalls - class 1*** is 2.0 per 1000.0 square metres of ***gross usable floor area***; and

(b) ***bicycle parking stalls - class 2*** is 2.0 per 1000.0 square metres of ***gross usable floor area***.

(3) For a **Dwelling Unit** or **Live Work Unit**, the minimum number of ***bicycle parking stalls – class 1*** is 1.0 per ***unit*** for ***developments*** with greater than 20.0 ***units***.

(4) Where ***bicycle parking stalls – class 1*** are required for an **Office** in a proposed ***building***, the following amenities must be provided:

(a) lockers at a ratio of 1.0 per 4.0 ***bicycle parking stalls – class 1***; and

(b) where a minimum of 25.0 ***bicycle parking stalls – class 1*** are required:

(i) private change rooms at a minimum of 0.4 square metres per required ***bicycle parking stalls – class 1*** or 20.0 square metres, whichever is greater;

(ii) showers at a minimum of 0.4 square metres per required ***bicycle parking stalls – class 1*** or 20.0 square metres, whichever is greater; and

(iii) an unobstructed area for bicycle maintenance which must:

(A) be a minimum of 6.0 square metres; and

(B) have no minimum dimensions less than 2.0 metres.

Location of Bicycle Parking Stalls

1331 ***Bicycle parking stalls – class 1*** must be located at ***grade*** or within the first parkade level directly below ***grade***.

Division 3: Commercial Residential District (CR20-C20/R20) Incentive Density

Incentive Density Calculation Method

1332 **(1)** The ***floor area ratio*** of the Commercial Residential District (CR20-C20/R20) may be increased in accordance with the incentive provisions of this Division to a maximum total of 20.0 ***floor area ratio***.

(2) The amount of additional ***gross floor area*** achieved by providing the requirements of the public amenity items in Table 8 are calculated as a ***floor area ratio***, an Incentive Ratio or an Incentive Rate.

(3) An Incentive Rate indicates that the amount of additional ***gross floor area*** will be calculated by dividing the cost of the provided public amenity item in Table 8, or the amount of contribution to a fund, by the respective Incentive Rate as established by Council where the following Incentive Rates apply:

(a) Incentive Rate 1 is $296.00 per square metre;

(b) Incentive Rate 2 is $242.00 per square metre;

(c) Incentive Rate 3 is $194.00 per square metre; and

(d) Incentive Rate 4 is $43.00 per square metre.

(4) Public amenity items that must or may be provided to achieve additional ***gross floor area*** are shown in Table 7.

(5) Unless otherwise specified in this Part, a public amenity item for which additional ***gross floor area*** has been achieved must be maintained on the ***parcel*** for so long as the ***development*** exists.

(6) The ***Development Authority*** must determine whether a proposed amenity item is appropriate for the ***development***.

(7) Where a ***parcel*** contains a ***building*** designated as a Municipal Historic Resource pursuant to the *Historical Resources Act* by a Bylaw approved by ***Council***:

(a) the maximum ***floor area ratio*** is the ***floor area ratio*** that exists at the time of designation;

(b) for the purpose of calculating incentive ***floor area ratio*** only, the difference between the maximum ***floor area ratio*** of a ***building*** designated as a Municipal Historic Resource and a ***floor area ratio*** of 10.0 may be transferred to another ***parcel*** in accordance with the incentive provisions contained in Table 8, item 8.13;

(c) the ***floor area ratio*** may be increased by up to additional 2.0 ***floor area ratio*** to a total of 12.0 where retention costs, which include costs for repair, restoration and improvement of the

historic ***building*** as approved by the ***Development Authority***, are incurred; and

(d) the transferable ***floor area ratio*** achieved through retention costs is transferred as ***gross floor area*** and calculated by dividing the retention costs by Incentive Rate 3.

(8) Where a ***building*** is legally existing or approved prior to the ***parcel*** being designated CR20-C20/R20 the ***floor area ratio*** of the ***building*** is deemed to conform to the minimum and maximum requirements of this Bylaw.

Table 7: Summary of Incentive Provisions

Type of ***use***	***Parcel*** area requirement	Max. ***floor area ratio***	Additional incentive ***floor area ratio***	Max. possible ***floor area ratio***	Public amenity items that must be provided
Assisted Living, Dwelling Units, Live Work Units	none	3.0	12.0	15.0	Table 8 item 8.0.4(a), (b) and (c).
		3.0	17.0	20.0	Table 8 item 8.0.4(a), (b) and (c); and Combination of the public amenities in Table 8 items 8.1 to 8.28.
Hotel*	none	3.0	4.0	7.0	Table 8 item 8.0.4(a), (b) and (c).
		3.0	17.0	20.0	Table 8 item 8.0.4(a), (b) and (c); and Combination of the public amenities in Table 8 items 8.1 to 8.28.
All other ***uses***	Less than 1812.0 square metres	3.0	6.0	9.0	Table 8 item 8.0.4(a), (b) and (c).
		3.0	17.0	20.0	Table 8 item 8.0.4(a), (b) and (c); and Combination of the public amenities in Table 8 items 8.1 to 8.28.
	Greater than or equal to 1812.0 square metres to a maximum of 3020.0 square metres	3.0	A ***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	7.0 to 9.0	Table 8 item 8.0.4(a), (b) and (c).
		3.0	17.0	20.0	Table 8 item 8.0.4(a), (b) and (c); and Combination of the public amenities in Table 8 items 8.1 to 8.28.
	Greater than 3020.0 square metres	3.0	4.0	7.0	Table 8 item 8.0.4(a), (b) and (c).
		3.0	5.0	8.0	Table 8 item 8.0.4(a), (b) and (c); and Item 8.1 Contribution to ***Central Business District Improvement Fund.***
		3.0	17.0	20.0	Table 8 item 8.0.4(a), (b) and (c); and Item 8.1 Contribution to ***Central Business District Improvement Fund;*** and Combination of the public amenities in Table 8 items 8.2 to 8.28.

* Additional ***floor area ratio*** achieved through provision of public amenity items must only be used for this ***use***.

Table 8: Public Amenity Items

Overview

8.0	On-Site Pedestrian Amenities
8.1	Contribution to Central Business District Improvement Fund Rate 2
8.2	Public Open Space
8.3	Indoor Park
8.4	Urban Grove
8.5	Public Art – On Site
8.6	Public Art – Contribution to Public Art Fund
8.7	Green Building Features
	8.7.1 Environmental Roof
	8.7.2 Green Wall
	8.7.3 Bioretention Structure
	8.7.4 District Energy Connection Ability
	8.7.5 District Energy Connection
	8.7.6 On-site Cogeneration Facility
	8.7.7 Electric Vehicle Charging Stations
	8.7.8 Additional Bicycle Parking Stalls
8.8	Bicycle Station
8.9	Transit Enhancements
8.10	Active Arts Space
8.11	Cultural Support Space
8.12	Community Support Facilities
8.13	Heritage Density Transfer
8.14	Historic Resource Retention
8.15	Density Transfer for Sunlight Preservation
8.16	Density Transfer for Adaptive Reuse
8.17	Adaptive Reuse
8.18	Design for Universal Accessibility
8.19	Dwelling Unit Mix
8.20	Innovative Public Amenity
8.21	Exceptional Design
8.22	Indoor Public Hotel Space
8.23	+15 Skywalk System Bridge
8.24	+15 Skywalk System Feature Access
8.25	Active +15 Skywalk System Walkway
8.26	Contribution to Affordable Housing Fund
8.27	Contribution to Central Business District Improvement Fund Rate 3
8.28	Contribution to Central Business District Improvement Fund Rate 4

Item No.	Public Amenity Items
8.0	**ON-SITE PEDESTRIAN AMENITIES** 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:

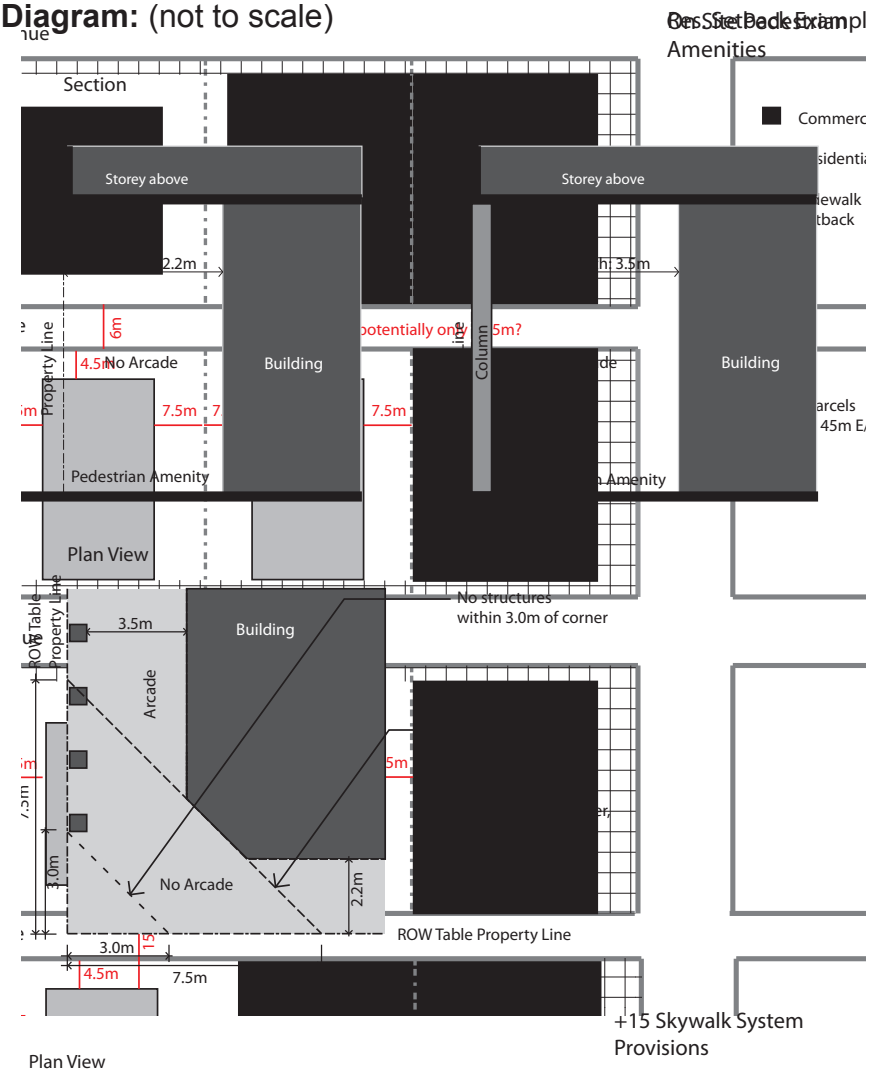
(I) a publicly accessible elevator; and

(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.

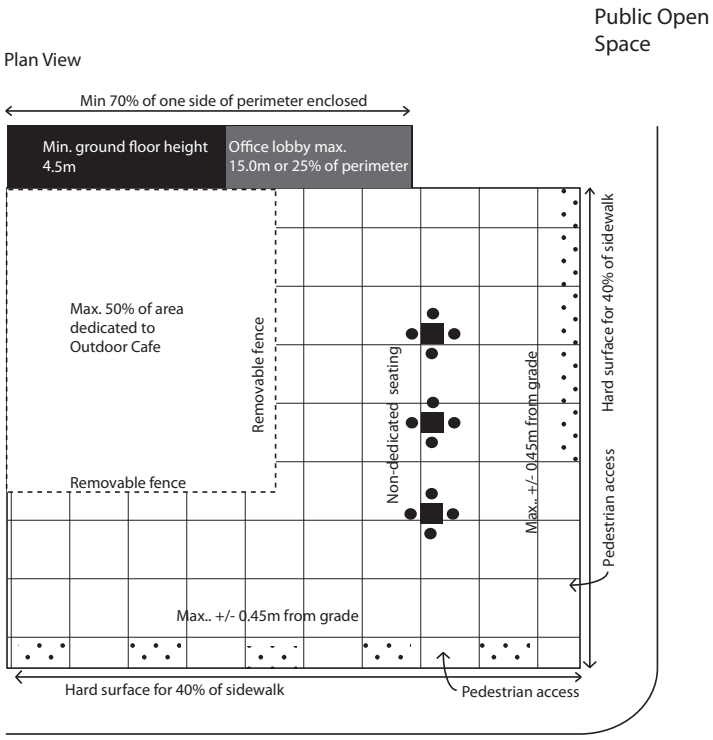
8.0.5

Diagram: (not to scale)



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.

8.2.5	**Diagram:** (not to scale) 
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***;

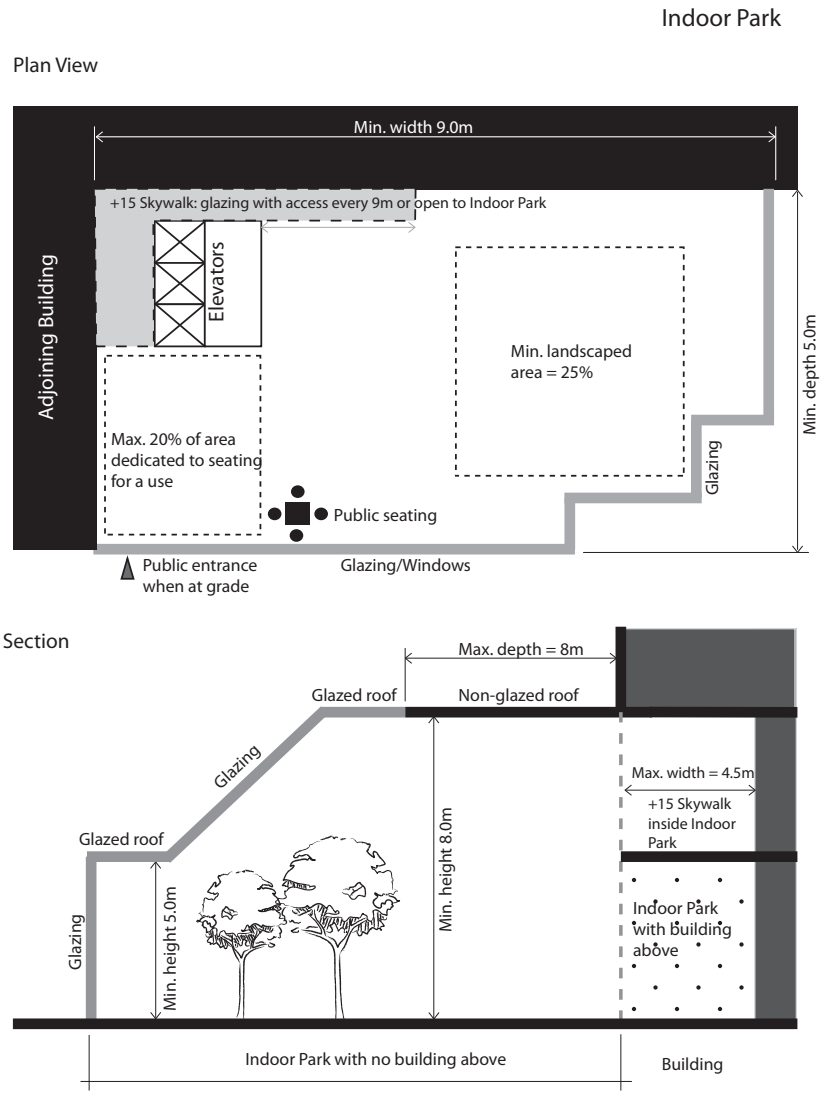
(iii) contains for the entire length where it abuts a ***+15 Skywalk System*** walkway either glazed walls, with direct access between the ***+15 Skywalk System*** walkway and the indoor park at least every 9.0 metres, or a completely open area without barriers;

(l) a minimum of 25.0 per cent of the ***gross floor area*** that is ***soft surfaced landscaped area***;

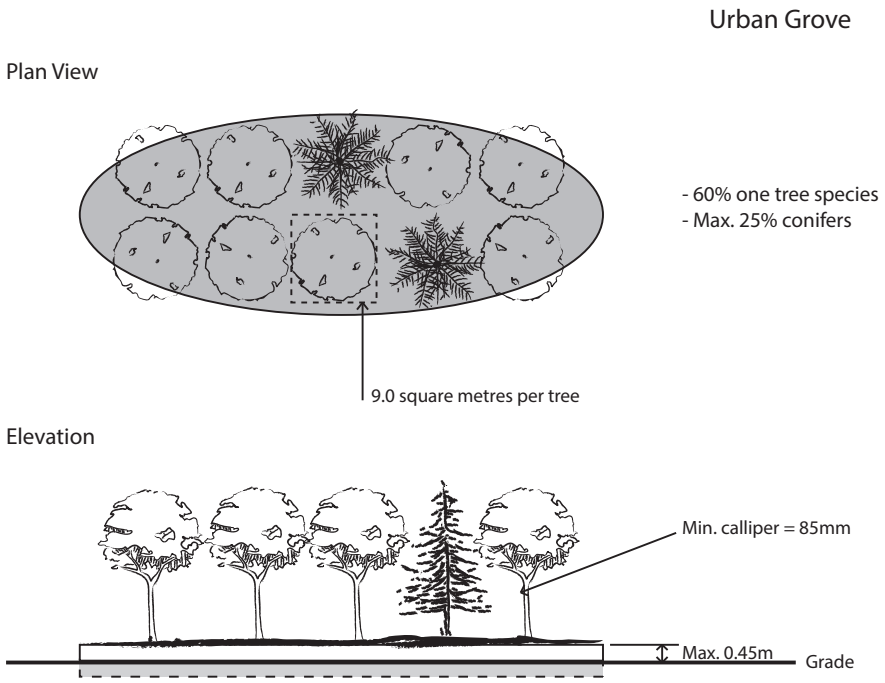
(m) public seating as individual fixed seats or bench seating; and

(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)



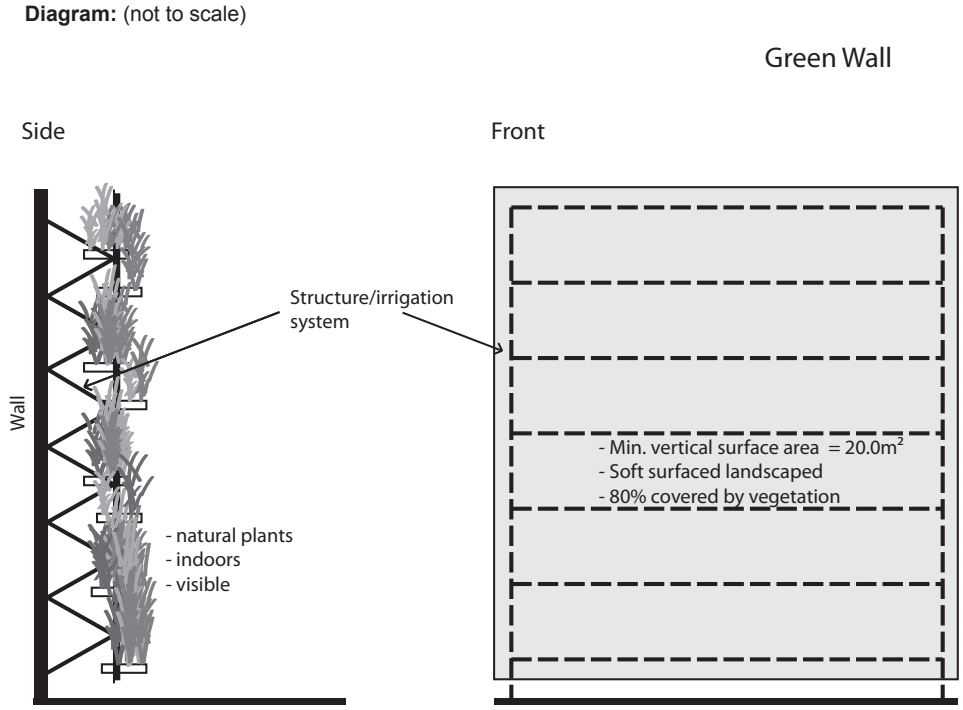
8.4	**URBAN GROVE** An urban grove is a cohesive planting area accommodating at least 10 trees, for an average 25-year life span for each tree. The purpose of the urban grove is to contribute to greening the city by providing cohesive groups of trees in the streetscape. The diagram in 8.4.5 illustrates 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.

8.45	**Diagram:** (not to scale) 
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.

8.7.0(b)	**Incentive calculation:** See incentive items 8.7.1 - 8.7.8.
8.7.0(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 items 8.7.1 to 8.7.8 is: 7.0; and (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.
8.7.1	**ENVIRONMENTAL ROOF** An environmental roof is a roof that is designed to retain stormwater on site or to contain plants.
8.7.1(a)	**The maximum incentive *floor area ratio* for this item is** 0.7.
8.7.1(b)	**Incentive calculation:** Where a ***development*** provides an environmental roof the Incentive Ratio is 1:5. **Method:** Incentive ***gross floor area*** (square metres) = surface area of environmental roof (square metres) multiplied by 5.0.
8.7.1(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.

8.7.1(d)	**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***.

8.7.2(e)	**Diagram:** (not to scale) 
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***;

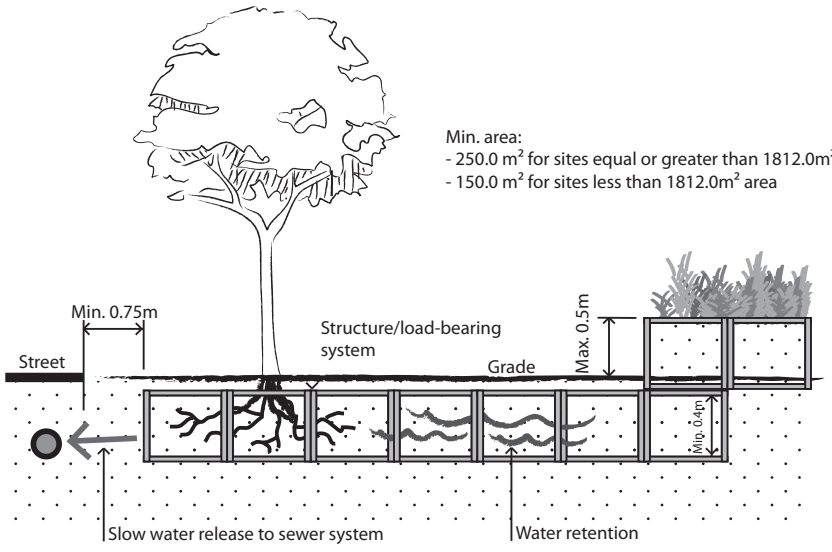
(vii) a location within 0.5 metres of the ***grade*** of the adjoining public sidewalk where installed in planters or raised beds; and

(viii) where they occupy the same area, no application in combination with incentive item 8.7.1.

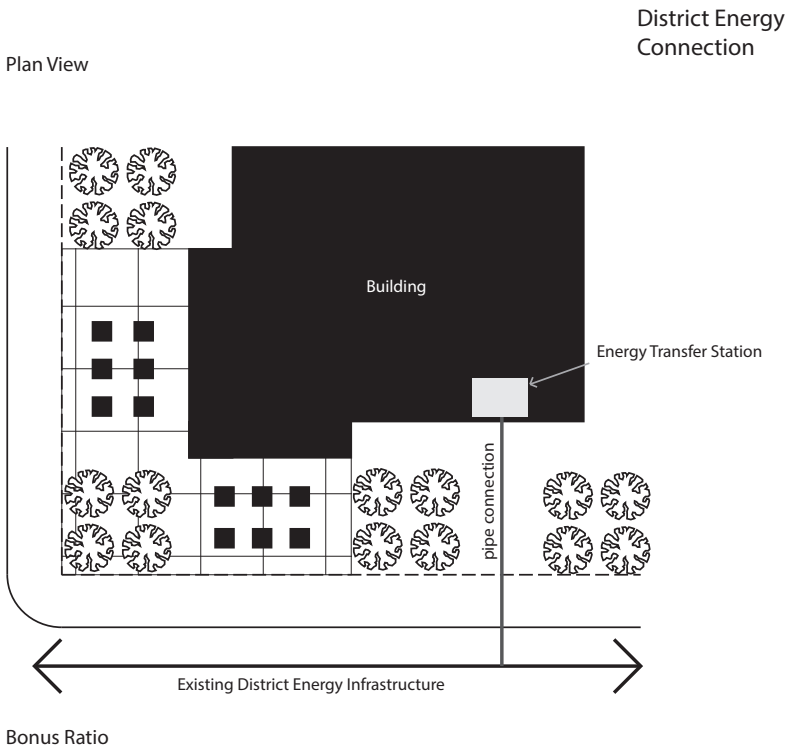
8.7.3(e) **Diagram:** (not to scale)

Bioretention Structure

Section



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.

8.7.4(e)	**Diagram:** (not to scale) 
8.7.5	**DISTRICT ENERGY SYSTEM CONNECTION** ***District energy*** connection is the connection to a ***district energy*** system and the utilization of its thermal energy in the ***development***. The diagram in 8.7.5(e) illustrates a potential implementation of the requirements of 8.7.5(d).
8.7.5(a)	**The maximum incentive *floor area ratio* for this item is** 2.5.
8.7.5(b)	**Incentive calculation:** Where a ***development*** provides a district energy system connection: (i) the additional ***floor area ratio*** for the connection to ***district energy*** infrastructure is 0.5; (ii) the additional ***floor area ratio*** for every ***storey*** of the ***building*** for the first 25 ***storeys*** above ***grade*** is 0.05; and (iii) the additional ***floor area ratio*** for every ***storey*** of the ***building*** above 25 ***storeys*** above ***grade*** is 0.025.
8.7.5(c)	**Minimum *Floor Area Ratio* Requirement:** (i) for a ***development*** containing a **Hotel** in either the ***development permit*** where the ***development permit*** is not phased or the first phase of the ***development permit***, where the ***development permit*** is phased, the minimum ***floor area ratio*** that must be achieved prior to use of this item is: 7.0; and (ii) in all other cases the minimum ***floor area ratio*** that must be achieved prior to use of this item is: 8.0.

8.7.5(d) **Requirements:**

A district energy system connection includes the following:

(i) connecting the ***building*** to a ***district energy*** system and use of the thermal energy from the ***district energy*** system in the ***building***;

(ii) connection infrastructure that includes:

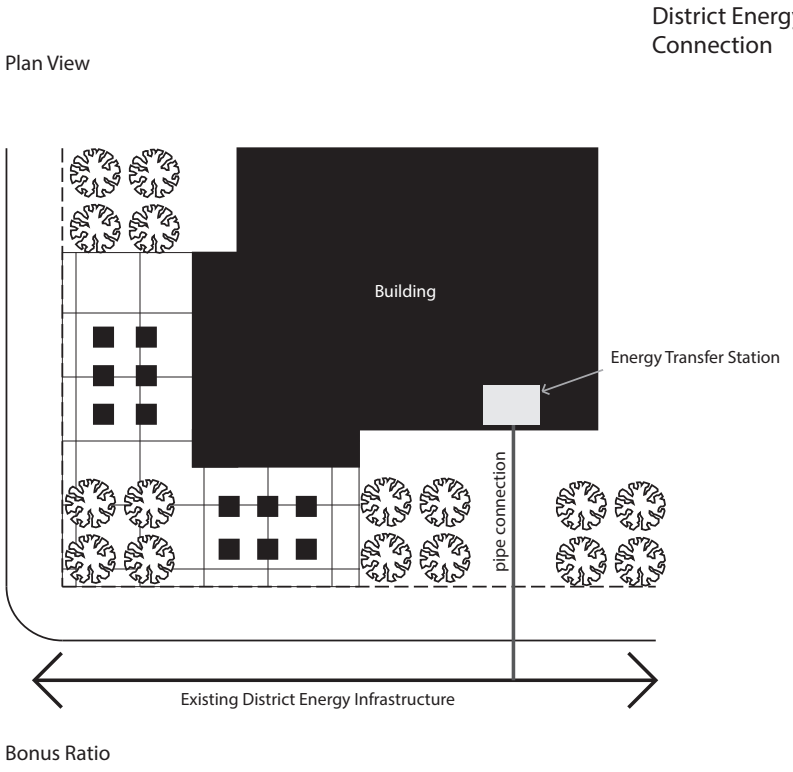
(I) space allocated for an energy transfer station at ground level or below; (energy transfer station is defined as the mechanical interface between the ***district energy*** system and the ***building*** heating system located in the ***building*** - commonly known as a plate and frame heat exchanger and includes all heat transfer equipment, measurement equipment and control systems).

(II) a heat distribution system that can accommodate the primary heat source at ground level or below; and

(III) an easement with a minimum width of 4.0 metres registered on the certificate of title for the ***parcel*** for a thermal pipe from the ***property line*** to the ***building*** and through the ***building*** to the allocated energy transfer station location; and

(iii) no application in combination with incentive item 8.7.4 or 8.7.6.

8.7.5(e) **Diagram:** (not to scale)

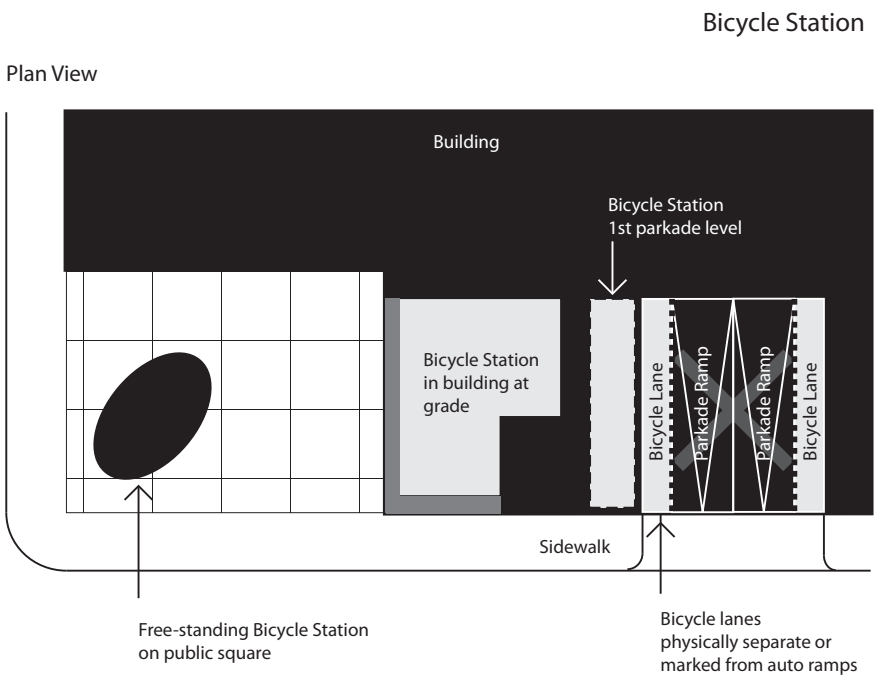


8.7.6	**ON-SITE COGENERATION FACILITY** An on-site cogeneration facility is equipping a ***building*** with combined heat and power or combined heat, power and cooling machinery to serve the ***building***.
8.7.6(a)	**The maximum incentive *floor area ratio* for this item is** 2.0.
8.7.6(b)	**Incentive 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.

8.8.3	**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.
8.8.4	**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 m^2 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 m^2 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.

8.12	**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.
8.12.1	**The maximum incentive *floor area ratio* for this item is** 2.0.
8.12.2	**Incentive calculation:** Where a ***development*** provides community support facilities the Incentive Ratio is 1:1. **Method:** Incentive ***gross floor area*** (square metres) = ***gross floor area*** provided for the community support facility (square metres) multiplied by 1.0.
8.12.3	**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.
8.12.4	**Requirements:** Community support facilities includes the following: (a) provision of space for one or more of the following ***uses***: (i) **Assisted Living;** (ii) **Child Care Service;** (iii) **Community Recreation Facility;** (iv) **Custodial Care;** (v) **Fitness Centre;** (vi) **Indoor Recreation Facility;** (vii) **Instructional Facility;** (viii) **Library;** (ix) **Museum;** (x) **Performing Arts Centre;** (xi) **Place of Worship – Large;** (xii) **Place of Worship – Medium;** (xiii) **Place of Worship – Small;** (xiv) **Post Secondary Learning Institution;** (xv) **Protective and Emergency Service;**

	(xvi) **Residential Care;** (xvii) **School – Private;** (xviii) **School Authority – School;** (xix) **School Authority Purpose – Major;** (xx) **Service Organization;** (xxi) **Social Organization; and** (xxii) **Supermarket;** (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 ***floor area ratio*** remaining after the transfer is regulated; (c) a land use redesignation of the ***receiving parcel*** to a Direct Control District in which the allowable maximum ***floor area ratio*** achieved through the transfer is regulated; (d) a maximum of 5.0 ***floor area ratio*** of the receiving ***parcel***, calculated in square metres that has been achieved through heritage density transfer; (e) transfers only to receiving ***parcels*** located within the Commercial Residential district; (f) transfers only from ***parcels*** where legal protection through designation as a Municipal Historic Resource has been completed; and (g) only a one-time transfer from the ***parcel*** from which the density has been transferred to the receiving ***parcel*** with no further transfer possibility.
8.14	**HISTORIC RESOURCE RETENTION** Historic resource retention is incentive ***gross floor area*** for the retention, restoration and preservation of entire ***buildings***, or ***building*** features of historic significance on the ***parcel*** of the ***development***. Although all efforts should be undertaken to retain and preserve the entire ***building*** on site, where it is impractical to do so the retention of individual ***building*** features that are of historic significance also provides for this incentive density.
8.14.1	**The maximum incentive *floor area ratio* for this item is** 5.0.
8.14.2	**Incentive calculation:** Where a ***development*** provides historic resource retention: (a) the Incentive Rate for the retention of a ***building*** feature is Incentive Rate 2; and (b) the Incentive Rate for the retention of the entire historic ***building*** is Incentive Rate 3. **Method:** Incentive ***gross floor area*** (square metres) = marginal extra cost of retention of the historic resource ($) divided by Incentive Rate 2 ($) in the case of the retention of ***building*** features or Incentive Rate 3 in the case of the retention of the entire ***building***. 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.

8.16.4	**Requirements:** A density transfer for the adaptive reuse 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 ***floor area ratio*** remaining after the transfer is regulated; (c) a land use redesignation of the ***receiving parcel*** to a Direct Control District in which the allowable maximum ***floor area ratio*** achieved through the transfer is regulated; (d) a maximum of 1.0 ***floor area ratio*** of the receiving ***parcel***, calculated in square metres that has been achieved through density transfer for the adaptive reuse of ***buildings***; (e) transfers only to receiving ***parcels*** designated with the CR20-C20/R20 district; and (f) transfers only from source ***buildings*** that have redeveloped in accordance with the requirements of item 8.17.
8.17	**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:** (a) for a ***development*** containing a **Hotel** in either the ***development permit*** where the ***development permit*** is not phased or the first phase of the ***development permit***, where the ***development permit*** is phased, the minimum ***floor area ratio*** that must be achieved prior to use of this item is: 7.0; and (b) in all other cases the minimum ***floor area ratio*** that must be achieved prior to use of this item is: 8.0.

8.17.4	**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 15P2014 (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	**DWELLING UNIT MIX** Dwelling unit mix is the construction of ***units*** containing 3 or more bedrooms.
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.
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.
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***.
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.
8.20.1	**The maximum incentive *floor area ratio* for this item is** 1.0.

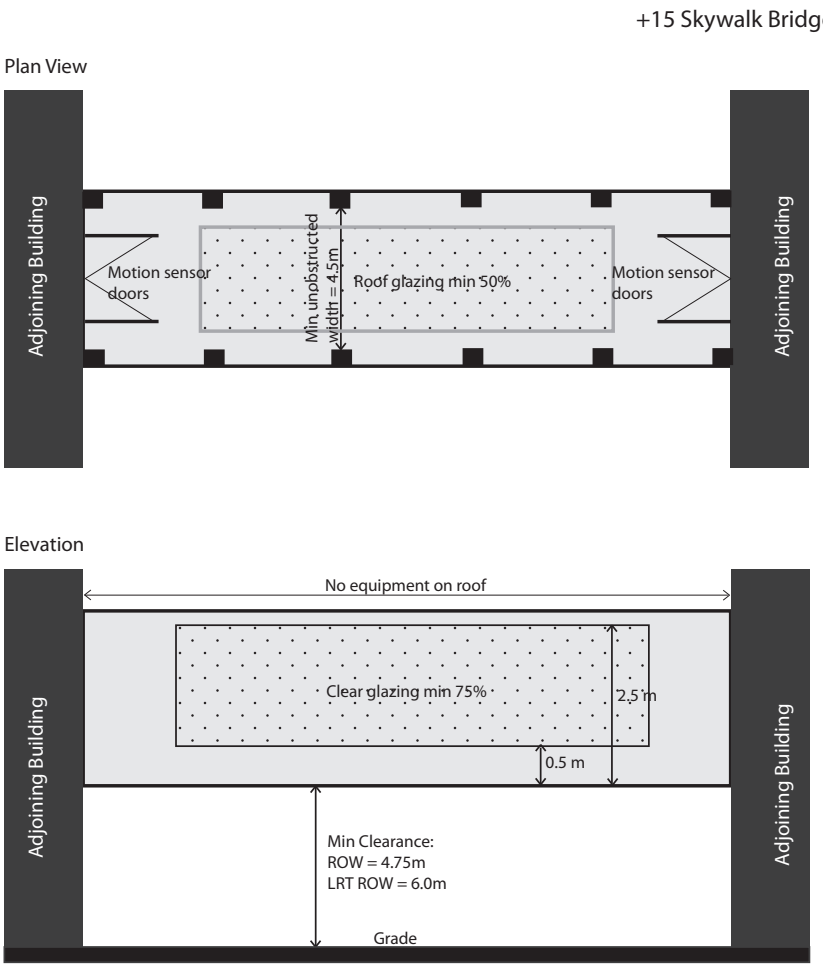
8.20.2	**Incentive calculation:** Where a development provides an innovative amenity the Incentive Rate is Incentive Rate 1. **Method:** Incentive ***gross floor area*** (square metres) = cost of amenity ($) divided by Incentive Rate 1 ($).
8.20.3	**Minimum *Floor Area Ratio* Requirement:** (a) for a ***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 area 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.

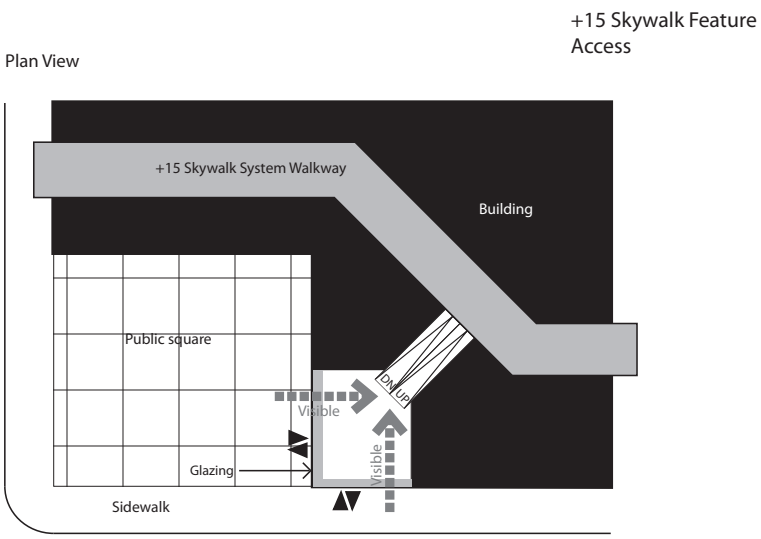
8.24.2 **Incentive calculation:**

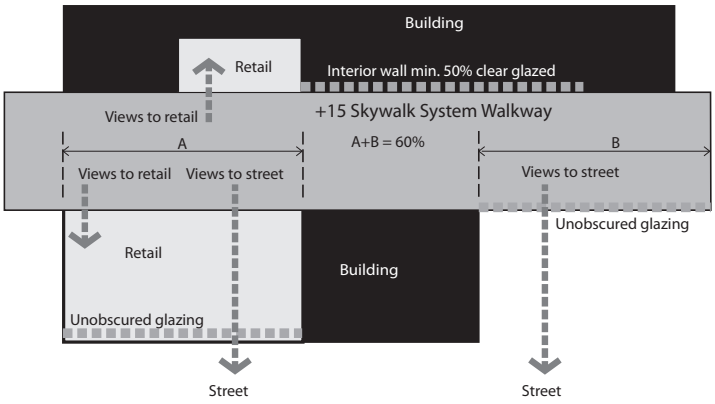
Where a ***development*** provides a ***+15 Skywalk System*** feature access the Incentive Ratio is 1:30.

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) Active +15 Skywalk System Walkway Plan View 
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

20P2017

Division 1: General Rules for Mixed Use Land Use Districts

Purpose

1333 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

1334 **(1)** 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***.

(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) ***Patios*** and 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) 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.

(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**. *33P2019*

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 *48P2020*

(c) *deleted* *48P2020*

(d) *deleted* *48P2020*

(e) *deleted* *48P2020*

(f) *deleted* *48P2020*

(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.

56P2022

Reduction for Transit Supportive Development

1352 The required number of ***motor vehicle parking stalls*** in section 1350 is reduced by 25.0 per cent for a ***development*** on a ***parcel*** located within:

(a) 600.0 metres of an existing or approved capital funded ***LRT platform***;

(b) 400.0 metres of an existing or approved capital funded ***BRT station***; or

(c) 200.0 metres of ***primary transit 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***. 48P2020

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

34P2022 **1357** **(1)** *deleted*

34P2022 **(2)** *deleted*

34P2022 **(3)** *deleted*

34P2022 **(4)** *deleted*

Garbage

44P2022 **1358** **(1)** Garbage containers and waste material must be stored, prior to collection, 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

27P2021 **1360** Mechanical systems or equipment located outside of a ***building*** shall be positioned, camouflaged or screened from view of a ***public space***, or from view of a ***parcel*** designated as a ***residential district***, located within 30.0 metres of the equipment, using a line of sight of 1.7 metres above ***grade***.

Visibility Setback

1361 Within a ***corner visibility triangle***, ***buildings***, ***fences***, finished ***grade*** of a ***parcel*** and vegetation must not be located between 0.75 metres and 4.6 metres above the lowest elevation of the ***street***.

Fences

1362 The height of a ***fence*** above ***grade***, at any point along a ***fence*** line, must not exceed:

(a) 1.2 metres for that portion of the ***fence*** extending beyond the foremost portion of all ***buildings*** on the ***parcel***;

(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-1f#h#d#) District

Purpose

1365 (1) The Mixed Use – General District is intended to:

(a) be located along commercial ***streets*** where both residential ***uses*** and commercial ***uses*** are supported at ***grade*** facing the commercial ***street***;

(b) accommodate a mix of residential and commercial ***uses*** in the same ***building*** or in multiple ***buildings*** throughout an area; and

(c) respond to local area context by establishing maximum ***building height*** for individual ***parcels***.

(2) The Mixed Use – General District should only be located where a local area plan, or other policy, supports land use and ***development*** aligned with the purpose statements in subsection (1).

Permitted Uses

1366 (1) The following ***uses*** are ***permitted uses*** in the Mixed Use – General District:

(a) **Accessory Residential Building**;

(b) **Home Based Child Care – Class 1**;

(c) **Home Occupation – Class 1**;

(d) **Park**;

(e) **Sign – Class A**;

(f) **Sign – Class B**;

(g) **Sign – Class D**; and

(h) **Utilities.**

(2) The following ***uses*** are ***permitted uses*** in the Mixed Use – General District if they are located within an existing approved ***building***:

(a) *deleted* *65P2023*

(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**;

27P2021 (k) *deleted*

27P2021 (l) *deleted*

65P2023 (m) **Retail and Consumer Service**; and

65P2023 (n) **Specialty Food Store.**

65P2023 (o) *deleted*

27P2021 **(2.1)** The following ***uses*** are ***permitted uses*** in the Mixed Use – General District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less:

(a) **Restaurant: Food Service Only**; and

(b) **Restaurant: Licensed**.

(3) The following ***uses*** are ***permitted uses*** in the Mixed Use – General District if they are located within an existing approved ***building*** and are not located on the ground floor:

(a) **Artist's Studio**;

(b) **Catering Service – Minor**;

27P2021 (c) *deleted*

(d) **Financial Institution**;

27P2021 (e) **Health Care Service**;

(f) **Instructional Facility**;

27P2021 (g) *deleted*

(h) **Office**;

(i) **Service Organization**; and

(j) **Veterinary Clinic.**

Discretionary Uses

1367 (1) ***Uses*** listed in subsections 1366(2) and (3) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Mixed Use – General District.

27P2021 **(1.1)** The following ***uses*** are ***discretionary uses*** in the Mixed Use – General District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres:

(a) **Restaurant: Food Service Only**; and

(b) **Restaurant: Licensed**.

(1.2) The following ***uses*** are ***discretionary uses*** in the Mixed Use – General District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***: *27P2021*

(a) **Restaurant: Food Service Only**; and

(b) **Restaurant: Licensed**.

(2) ***Uses*** listed in subsection 1366(3) are ***discretionary uses*** in the Mixed Use – General District if they are located on the ground floor of an existing approved ***building***.

(3) The following ***uses*** are ***discretionary uses*** in the Mixed Use – General District:

(a) *deleted* *65P2023*

(b) **Addiction Treatment**;

(c) **Assisted Living**;

(d) **Brewery, Winery and Distillery**;

(d.1) *deleted* *25P2018, 27P2021*

(d.2) **Cannabis Store**; *26P2018*

(e) **Child Care Service**;

(f) **Community Recreation Facility**;

(g) **Computer Games Facility**;

(h) **Custodial Care**;

(i) **Drinking Establishment – Small**;

(j) **Dwelling Unit**;

(j.1) **Food Production**; *49P2017*

(k) **Home Occupation – Class 2**;

(l) **Hotel**;

(m) **Indoor Recreation Facility**;

(m.1) **Kennel**; *46P2019*

(n) **Liquor Store**;

(o) **Live Work Unit**;

(p) *deleted* *25P2018, 42P2019, 27P2021*

(q) *deleted* *25P2018*

(r) **Outdoor Café**;

(s) **Parking Lot – Structure**;

(t) **Place of Worship – Medium**;

(u) **Place of Worship – Small**;

(v) **Post-secondary Learning Institution**;

(w) **Residential Care**;

27P2021 (x) *deleted*

27P2021 (y) *deleted*

27P2021 (z) *deleted*

(aa) **Seasonal Sales Area**;

(bb) **Signs – Class C**;

(cc) **Signs – Class E**;

(dd) **Social Organization**;

(ee) **Special Function – Class 2**;

(ff) **Supermarket**;

33P2019 (ff.1) **Urban Agriculture**;

(gg) **Utility Building**;

(hh) **Vehicle Rental – Minor**; and

(ii) **Vehicle Sales – Minor.**

Rules

1368 In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) The General Rules for Mixed Use Districts referenced in Part 14, Division 1;

(b) The Rules Governing all Districts referenced in Part 3; and

(c) The applicable Uses and Use Rules referenced in Part 4.

Floor Area Ratio

1369 (1) Unless otherwise referenced in subsection (2), there is no maximum ***floor area ratio***.

(2) The maximum ***floor area ratio*** for ***parcels*** designated MU-1 is the number following the letter “f” indicated on the Land Use District Maps.

Density

1370 (1) Unless otherwise referenced in subsection (2), there is no maximum ***density***.

(2) The maximum ***density*** for ***parcels*** designated MU-1 is the number following the letter “d” indicated on the Land Use District Maps, expressed in ***units*** per hectare.

Building Height

1371 **(1)** Unless otherwise referenced in subsections (2), (3) and (4), the maximum ***building height*** is the number following the letter ”h” when indicated on the Land Use District Maps.

(2) Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as a ***low density residential district***, H-GO, M-CG or M-G District the maximum ***building height***: *56P2022*

(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***, H-GO, M-CG or M-G District the maximum ***building height***: *56P2022*

(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***, H-GO, M-CG or M-G District the maximum ***building height***: *56P2022*

(a) is 7.5 metres measured from ***grade*** at the ***property line*** that the ***parcel*** designated as a ***low density residential district***, H-GO, M-CG or M-G District shares with the ***lane***; *56P2022*

(b) increases at a 45 degree angle to a depth of 11.0 metres from the ***property line*** shared with the ***lane*** or to the number following the letter “h” indicated on the Land Use District Maps, whichever results in the lower ***building height*** measured from ***grade***; and

(c) increases to the number following the letter “h” indicated on the Land Use District Maps measured from ***grade*** at a distance greater than 11.0 metres from the ***property line*** shared with the ***lane***.

Use Area

27P2021 **1372 (1)** The maximum ***use area*** of a **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other ***use***, is 300.0 square metres.

(2) The maximum ***public area*** for a **Restaurant: Food Service Only** and **Restaurant: Licensed** is 300.0 square metres.

Façade Width for Uses Facing a Street

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.

27P2021 **(2)** For an individual **Drinking Establishment – Small**, **Restaurant: Food Service Only, Restaurant: Licensed, Retail and Consumer Service** or **Supermarket** ***use*** located on the floor closest to ***grade***, the length of the ***building*** façade that faces a ***street*** may be increased to 30.0 metres where all of the other ***uses*** that share the same façade meet the requirements of subsection (1).

25P2018, 27P2021, 44P2022 **(3)** The length of the ***building*** façade that faces a ***street*** containing an individual **Health Care Service**, **Financial Institution**, or **Office** ***use*** on the floor closest to grade is a maximum of 9.0 metres.

Setback Area

56P2022 **1374 (1)** Where a ***parcel*** shares a ***property line*** with a ***parcel*** designated as a ***low-density residential district***, H-GO, 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***;

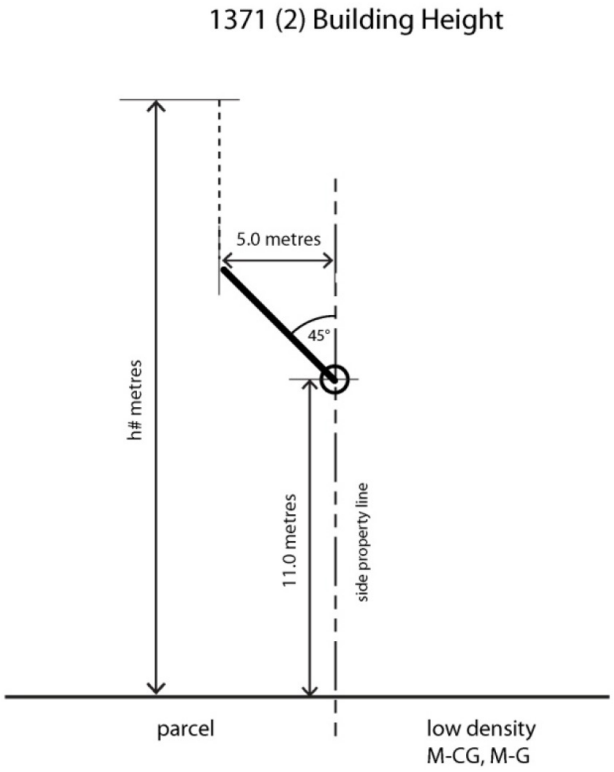
(b) with a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district*** or ***mixed use district***, the ***setback area*** must have a minimum depth of 7.5 metres measured from the ***property line*** that the ***adjacent parcel***

designated as a ***residential district*** or ***mixed use district*** shares with the ***lane***; and

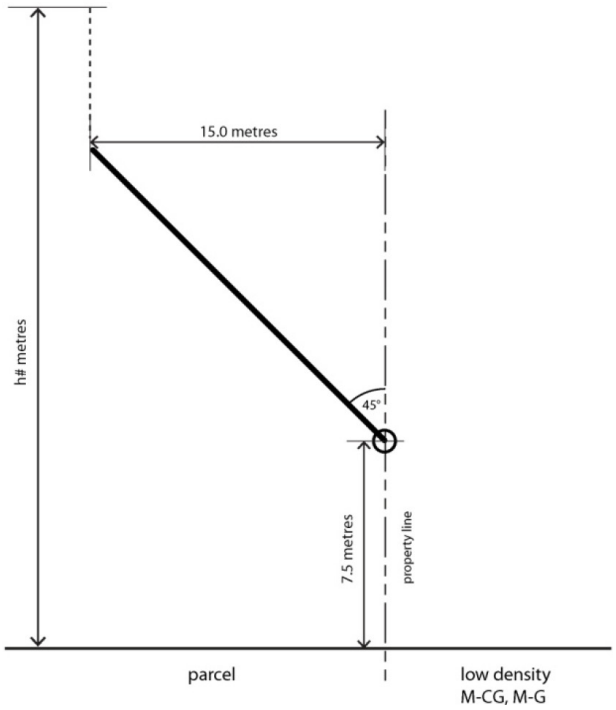
(c) a ***lane*** in all other cases, there is no requirement for a ***rear setback area***.

(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***.

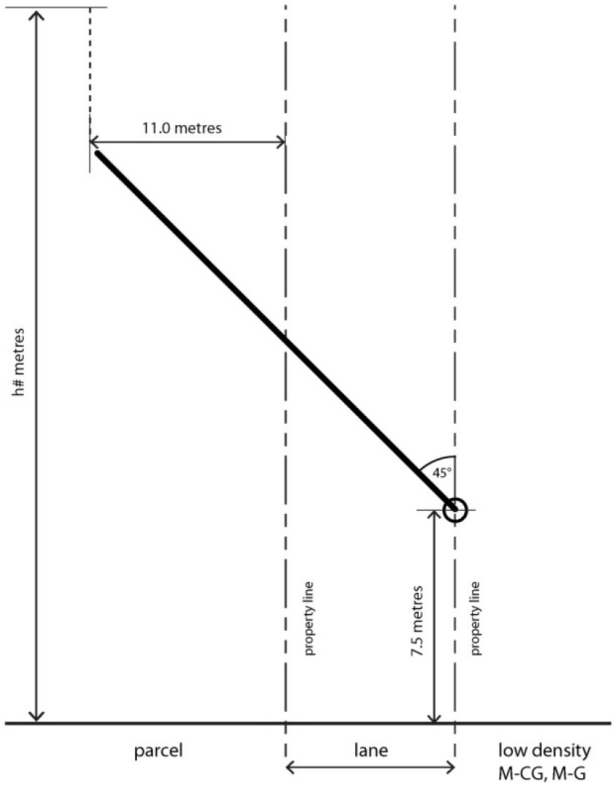
Illustration 10:
Building Height in the Mixed Use – General (MU-1) District



1371 (3) Building Height



1371 (4) Building Height



Division 3: Mixed Use – Active Frontage (MU-2f#h#d#) District

Purpose

1375 (1) Mixed Use – Active Frontage is intended to:

(a) be located along commercial ***streets*** where active commercial ***uses*** are required at ***grade*** to promote activity at the ***street*** level;

(b) promote ***developments*** with storefronts along a continuous block face on the commercial ***street***;

(c) accommodate a mix of commercial and residential ***uses*** in the same ***building***;

(d) respond to local area context by establishing maximum ***building height*** for individual ***parcels***.

(2) The Mixed Use - Active Frontage District should only be located where a local area plan, or other policy, supports land use and ***development*** aligned with the purpose statements in subsections (1).

Permitted Uses

1376 (1) The following ***uses*** are ***permitted uses*** in the Mixed Use – Active Frontage District:

(a) **Accessory Residential Building**;

(b) **Home Based Child Care – Class 1**;

(c) **Home Occupation – Class 1**;

(d) **Park**;

(e) **Sign – Class A**;

(f) **Sign – Class B**;

(g) **Sign – Class D**; and

(h) **Utilities.**

(2) The following ***uses*** are ***permitted uses*** in the Mixed Use – Active Frontage District if they are located within existing approved ***buildings***:

(a) *deleted* *65P2023*

(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**;

27P2021 (k) *deleted*

27P2021 (l) *deleted*

(m) **Retail and Consumer Service**; and

65P2023

65P2023 (n) **Specialty Food Store.**

65P2023 (o) *deleted*

27P2021 **(2.1)** The following ***uses*** are ***permitted uses*** in the Mixed Use – Active Frontage District if they are located within existing approved ***buildings*** and if the ***public area*** is 150.0 square metres or less:

(a) **Restaurant: Food Service Only**; and

(b) **Restaurant: Licensed**.

(3) The following ***uses*** are ***permitted uses*** in the Mixed Use – Active Frontage if they are located within an existing approved ***building*** and are not located on the ground floor:

(a) **Artist's Studio**;

(b) **Catering Service – Minor**;

27P2021 (c) *deleted*

(d) **Financial Institution**;

27P2021 (e) **Health Care Service**;

(f) **Instructional Facility**;

27P2021 (g) *deleted*

(h) **Office**;

(i) **Service Organization**; and

(j) **Veterinary Clinic.**

Discretionary Uses

1377 (1) ***Uses*** listed in subsections 1376(2) and (3) are ***discretionary uses*** if they are located in proposed ***buildings*** or proposed additions to existing ***buildings*** in the Mixed Use - Active Frontage District.

27P2021 **(1.1)** The following ***uses*** are ***discretionary uses*** in the Mixed Use – Active Frontage District if they are located within existing approved ***buildings*** and if the ***public area*** is greater than 150.0 square metres:

(a) **Restaurant: Food Service Only**; and

(b) **Restaurant: Licensed**.

(1.2) The following ***uses*** are ***discretionary uses*** in the Mixed Use – Active Frontage District if they are located in proposed ***buildings*** or proposed additions to existing ***buildings***: *27P2021*

(a) **Restaurant: Food Service Only**; and

(b) **Restaurant: Licensed**.

(2) ***Uses*** listed in subsection 1376(3) are ***discretionary uses*** in the Mixed Use – Active Frontage District if they are located on the ground floor of an existing approved ***building***.

(3) The following ***uses*** are ***discretionary uses*** in the Mixed Use – Active Frontage District:

(a) *deleted* *65P2023*

(b) **Addiction Treatment**;

(c) **Amusement Arcade**;

(d) **Assisted Living**;

(e) **Billiard Parlour**;

(f) **Brewery, Winery and Distillery**;

(f.1) *deleted* *25P2018, 27P2021*

(f.2) **Cannabis Store**; *26P2018*

(g) **Child Care Service**;

(h) **Cinema**;

(i) **Community Recreation Facility**;

(j) **Computer Games Facility**;

(k) **Conference and Event Facility**;

(l) **Custodial Care**;

(m) **Dinner Theatre**;

(n) **Drinking Establishment – Medium**;

(o) **Drinking Establishment – Small**;

(p) **Dwelling Unit**

(p.1) **Food Production**; *49P2017*

(q) **Home Occupation – Class 2**;

(r) **Hotel**;

(s) **Indoor Recreation Facility**;

46P2019 (s.1) **Kennel**;

(t) **Liquor Store**;

(u) **Live Work Unit**;

42P2019, 27P2021 (v) *deleted*

25P2018 (w) *deleted*

(x) **Museum**;

(y) **Outdoor Café**;

(z) **Parking Lot – Structure**;

(aa) **Pawn Shop**;

(bb) **Payday Loan**;

(cc) **Performing Arts Centre**;

(dd) **Place of Worship – Medium**;

(ee) **Place of Worship – Small**;

(ff) **Post-secondary Learning Institution**;

(gg) **Residential Care**;

27P2021 (hh) *deleted*

27P2021 (ii) *deleted*

27P2021 (jj) *deleted*

(kk) **Seasonal Sales Area**;

(ll) **Signs – Class C**;

(mm) **Signs – Class E**;

(nn) **Social Organization**;

(oo) **Special Function – Class 2**;

(pp) **Supermarket**;

33P2019 (pp.1) **Urban Agriculture**;

(qq) **Utility Building**;

(rr) **Vehicle Rental – Minor**; and

(ss) **Vehicle Sales – Minor**.

Rules

1378 In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) The General Rules for Mixed Use Districts referenced in Part 14, Division 1;

(b) The Rules Governing all Districts referenced in Part 3; and

(c) The applicable Uses and Use Rules referenced in Part 4.

Floor Area Ratio

1379 **(1)** Unless otherwise referenced in subsection (2), there is no maximum ***floor area ratio***.

(2) The maximum ***floor area ratio*** for ***parcels*** designated MU-2 is the number following the letter "f" indicated on the Land Use District Maps.

Density

1380 **(1)** Unless otherwise referenced in subsection (2), there is no maximum ***density***.

(2) The maximum ***density*** for ***parcels*** designated MU-2 is the number following the letter "d" indicated on the Land Use District Maps, expressed in ***units*** per hectare.

Building Height

1381 **(1)** Unless otherwise referenced in subsections (2), (3) and (4), the maximum ***building height*** is the number following the letter "h" when indicated on the Land Use District Maps.

(2) Where the ***parcel*** shares a ***side property line*** with a ***parcel*** designated as a ***low density residential district***, H-GO, M-CG or M-G District the maximum ***building height***: *56P2022*

(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***, H-GO, M-CG or M-G District the maximum ***building height***: *56P2022*

(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***.

56P2022 **(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***, H-GO or M-CG District the maximum ***building height***:

56P2022 (a) is 7.5 metres measured from ***grade*** at the ***property line*** that the ***parcel*** designated as a ***low density residential district***, H-GO, M-CG or M-G District shares with the ***lane***;

(b) increases at a 45 degree angle to a depth of 11.0 metres from the ***property line*** shared with the ***lane*** or to the number following the letter "h" indicated on the Land Use District Maps, whichever results in the lower ***building height*** measured from ***grade***; and

(c) increases to the number following the letter "h" indicated on the Land Use District Maps measured from ***grade*** at a distance greater than 11.0 metres from the ***property line*** shared with the ***lane***.

Use Area

27P2021 **1382** **(1)** The maximum ***use area*** of a **Catering Service – Minor**, or a **Catering Service – Minor** combined with any other ***use***, is 300.0 square metres.

(2) The maximum ***public area*** for a **Restaurant: Food Service Only** and **Restaurant: Licensed** is 300.0 square metres.

Location of Uses Within Buildings

1383 The following ***uses*** must not be located on the ground floor of a ***building*** facing the commercial ***street***:

(a) **Addiction Treatment**;

(b) **Assisted Living**;

(c) **Catering Service – Minor**;

27P2021 (d) *deleted*

(e) **Custodial Care**;

(f) **Dwelling Unit**;

27P2021 (f.1) **Health Care Service**;

(g) **Office**;

(h) **Place of Worship – Medium**;

(i) **Place of Worship – Small**; and

(j) **Residential Care.**

Façade Width for Uses Facing a Street

1384 **(1)** Unless otherwise referenced in subsections (2) and (3), the length of the ***building*** façade that faces a ***street*** containing an individual ***use*** on the floor closest to ***grade*** is a maximum of 15.0 metres.

(2) For an individual **Drinking Establishment – Medium**, **Drinking Establishment – Small**, **Restaurant: Food Service Only, Restaurant: Licensed**, **Retail and Consumer Service** or **Supermarket** ***use*** located on the floor closest to ***grade***, the length of the ***building*** façade that faces a ***street*** may be increased to 30.0 metres where all of the other ***uses*** that share the same façade meet the requirements of subsection (1). *27P2021*

(3) The length of the ***building*** façade that faces a ***street*** containing an individual **Health Care Service, Financial Institution, Office** or **Payday Loan** ***use*** on the floor closest to ***grade*** is a maximum of 9.0 metres. *25P2018, 27P2021*

Setback Area

1385 **(1)** Where a ***parcel*** shares a ***property line*** with a ***parcel*** designated as a ***low-density residential district***, H-GO, M-CG or M-G: *56P2022*

(a) the ***rear setback area*** must have a minimum depth of 6.0 metres;

(b) the ***side setback area*** must have a minimum depth of 3.0 metres;

(c) in all other cases there is no requirement for a ***setback area***.

(2) Where a ***parcel*** shares a ***property line***:

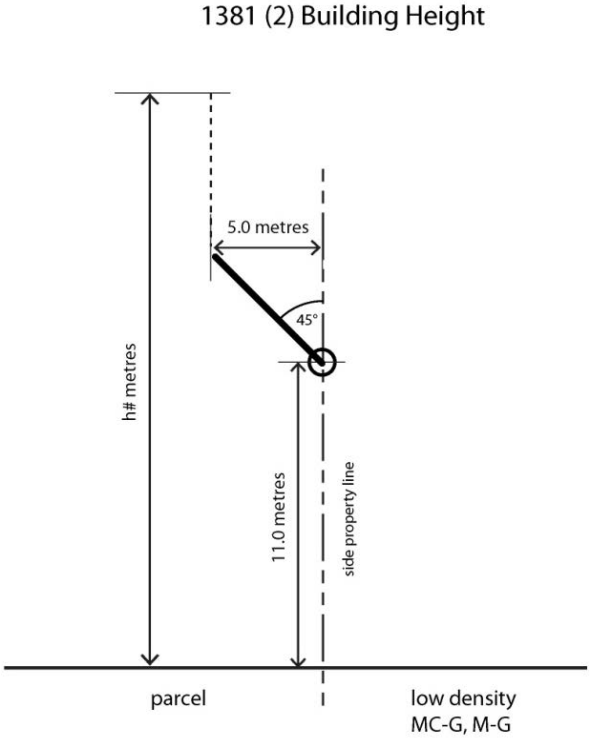
(a) with a ***street*** or ***LRT corridor*** there is no requirement for a ***setback area***;

(b) with a ***lane*** that separates the ***parcel*** from a ***parcel*** designated as a ***residential district*** or ***mixed use district***, the ***setback area*** must have a minimum depth of 7.5 metres measured from the ***property line*** that the ***adjacent parcel*** designated as a ***residential district*** or ***mixed use district*** shares with the ***lane***; and

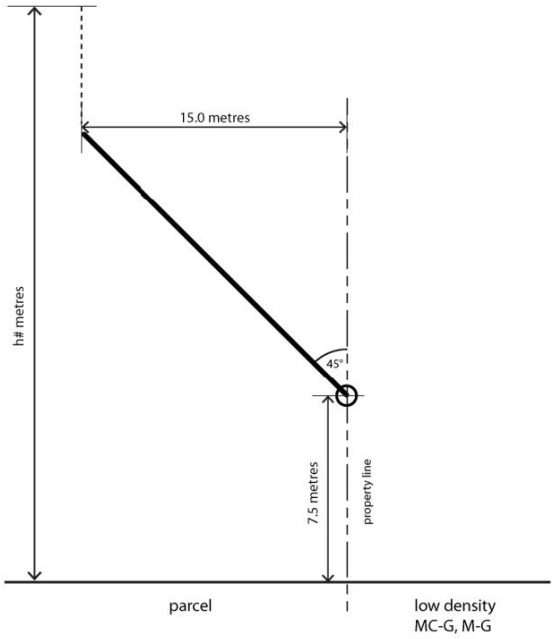
(c) a ***lane*** in all other cases, there is no requirement for a ***rear setback area***.

(3) For the ***storey*** closest to ***grade***, the maximum ***building setback*** from a ***property line*** shared with a ***street*** is 4.5 metres for 60 per cent of the length of the ***building*** façade that faces the ***street***.

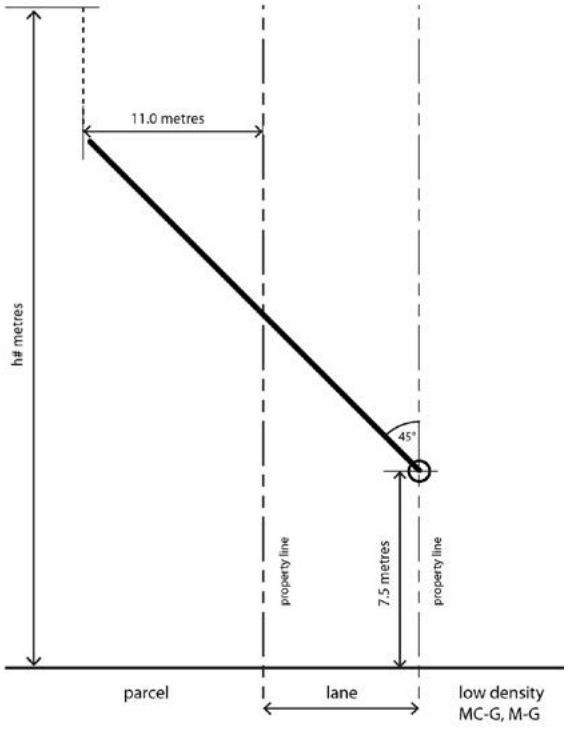
Illustration 11:
Building Height in the Mixed Use – Active Frontage (MU-2) District



1381 (3) Building Height



1381 (4) Building Height



PART 15: HOUSING DISTRICTS

56P2022

Division 1: Housing – Grade Oriented (H-GO) District

Purpose

1386 The Housing – Grade Oriented (H-GO) District:

(a) accommodates grade-oriented development in a range of housing forms where the ***Dwelling Units*** may be attached or stacked within a shared ***building*** or cluster of ***buildings*** in a form and at a scale that is consistent with ***low density residential districts***;

(b) provides flexible ***parcel*** dimensions and ***building setbacks*** that allow a diversity of grade-oriented housing;

(c) accommodates site and ***building*** design that is adaptable to evolving housing needs;

(d) should only be designated on ***parcels*** located within:

(i) an area that supports the development form in an approved Local Area Plan as part of the Neighbourhood Connector or Neighbourhood Flex Urban Form Categories; or

(ii) the Centre City or Inner City areas identified on the Urban Structure Map of the Calgary Municipal Development Plan and also within one or more of the following:

(A) 200 metres of a Main Street or Activity Centre] identified on the Urban Structure Map of the Calgary Municipal Development Plan;

(B) 600 metres of an existing or capital-funded ***LRT platform***;

(C) 400 metres of an existing or capital-funded ***BRT station***; or

(D) 200 metres of ***primary transit service***.

Permitted Uses

1387 The following uses are permitted uses in the Housing – Grade Oriented District:

(a) **Accessory Residential Building**;

(b) **Dwelling Unit**;

(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**.

Discretionary Uses

1388 **(1)** The following uses are discretionary uses in the Housing – Grade Oriented District:

(a) **Addiction Treatment**;

(b) **Assisted Living**;

(c) **Bed and Breakfast**;

(d) **Community Entrance Feature**;

(e) **Custodial Care**;

(f) **Home Occupation – Class 2**;

(g) **Live Work Unit**;

(h) **Place of Worship – Small**;

(i) **Power Generation Facility – Small**;

(j) **Residential Care**;

(k) **Sign – Class B**;

(l) **Sign – Class C**;

(m) **Sign – Class E**;

(n) **Temporary Residential Sales Centre**; and

(o) **Utility Building**.

60P2025 **(2)** The following is an additional ***discretionary use*** if located within an existing approved ***building***:

(a) **Child Care Service**.

Rules

1389 In addition to the rules in this District, all ***uses*** in this District must comply with:

(a) the Rules Governing All Districts referenced in Part 3; and

(b) the applicable Uses and Use Rules referenced in Part 4.

Floor Area Ratio

1390 The maximum ***floor area ratio*** is 1.5.

At Grade Orientation of Units

1391 **(1)** All ***units*** must provide individual, separate, direct access to ***grade***.

(2) ***Units*** with an exterior wall facing a ***street*** must provide:

(a) an entrance that is visible from the ***street***; and

(b) sidewalks that provide direct exterior access to the ***unit***.

Parcel Coverage

1392 **(1)** Unless otherwise referenced in subsection (2), the maximum cumulative ***building coverage*** over all the ***parcels*** subject to a single ***development permit*** containing one or more ***Dwelling Units*** is:

(a) 45.0 per cent of the area of the ***parcels*** subject to a 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 a single ***development permit*** for a ***development*** with a ***density*** 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 a 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.

(2) The maximum ***parcel coverage*** referenced in subsection (1), must be reduced by: *59P2025*

(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***.

(3) In all other cases, the maximum ***parcel coverage*** is 45.0 per cent.

Building Depth and Separation

1393 **(1)** Unless otherwise referenced in subsections (2) and (3) the maximum ***building depth*** is 65.0 per cent of the ***parcel depth*** for a ***building*** containing a ***unit***.

(2) On a ***laned parcel***, there is no maximum ***building depth*** for a main ***residential building*** wholly contained to the rear of 40.0 per cent ***parcel depth*** where:

(a) there is more than one ***main residential building*** on the ***parcel***;

(b) 50.0 per cent or more of the ***units*** on the ***parcel*** are contained in ***main residential buildings*** located within the first 60.0 per cent of the ***parcel depth***; and

(c) where the minimum separation distance of the ***main residential buildings*** on the front portion of the ***parcel*** and the ***main residential buildings*** contained on the rear portion of the ***parcel*** is 6.5 metres.

(3) For a main residential building that is located on a corner parcel there is no maximum building depth where the minimum building setback from the side property line shared with another parcel is 3.0 metres for any portion of the 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***.

78P2024

(4) Notwithstanding subsections (1) through (3), there is no maximum ***building depth*** for an existing **Dwelling Unit** if:

(a) the ***building*** was legally existing or approved prior to the ***parcel*** being redesignated by Bylaw 21P2024; and

(b) all subsequent exterior alterations or additions conform to section 25(2)(b.1);

Building Setback Areas

1394 The minimum depth of all ***setback areas*** must be equal to the minimum ***building setback*** required in sections 1393, 1395, 1396 and 1397.

Building Setback from Front Property Line

1395 The minimum ***building setback*** from a ***front property line*** is 3.0 metres.

Building Setback from Side Property Line

1396 (1) Subject to subsections (2) through (5), the minimum ***building setback*** from any ***side property line*** is 1.2 metres.

(2) There is no requirement for a ***building setback*** from a ***property line*** upon which a party wall is located.

(3) For a ***corner parcel***, the minimum ***building setback*** from a ***side property line*** shared with a ***street*** is 0.6 metres.

(4) Unless otherwise referenced in subsection (5), 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.

(5) 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

1397 (1) Unless otherwise referenced in subsection (2) the minimum ***building setback*** from a ***rear property line*** is 5.0 metres.

(2) On a ***corner parcel*** or a ***laned parcel***, the minimum ***building setback*** from a ***rear property line*** is 1.2 metres.

Projections Into Setback Areas

1398 (1) Unless otherwise referenced in subsections (2) through (9), 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) ***Patios*** may project without any limits into a ***setback area***.

(5) Wheelchair ramps may project without any limits into a ***setback area***.

(6) Eaves may project a maximum of 0.6 metres, and window wells may project a maximum of 0.8 metres, into any ***setback area***.

(7) ***Landings*** not exceeding 2.5 square metres, ramps other than wheelchair ramps and unenclosed stairs may project into any ***setback area***.

(8) ***Signs*** may be located in any ***setback area***, and where so located, must be in accordance with Part 3, Division 5.

(9) Air conditioning equipment may project a maximum of 1.0 metre into any ***setback area*** that does not share a ***property line*** with a ***street***.

Building Height

1399 (1) Unless otherwise referenced in subsections (2), the maximum ***building height*** is 12.0 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***, H-GO 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) 8.0 metres from ***grade***;

measured at the shared ***property line***; and

(b) increases at a 45 degree angle to a maximum of 12.0 metres measured from ***grade***.

Solar Collectors

1400 (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.

Accessory Residential Buildings

1401 (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) Notwithstanding section 1399, the maximum height for an **Accessory Residential Building** is:

(a) 4.6 metres, when measured from ***grade*** at any point ***adjacent*** to the ***building***; and

(b) 3.0 metres to any eaveline, when measured from the finished floor of the ***building***.

(3) Notwithstanding section 1396, for an **Accessory Residential Building**,unless otherwise referenced in subsection (4), the minimum ***building setback*** from a side ***property line*** that is not shared with a ***street*** is 0.6 metres.:

(4) Notwithstanding section 1398, an **Accessory Residential Building** may be located in a ***setback area*** from another ***parcel*** where:

(a) the **Accessory Residential Building** is less than 10.0 square metres ***gross floor area***; or

(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***.

Landscaping Requirements

1402 **(1)** For ***developments*** of three ***units*** or more, ***landscaped areas*** must be provided in accordance with a landscape plan approved by the ***Development Authority***. *59P2025*

(1.1) For ***developments*** of two ***units*** or less, the General Landscape Rules of Section 346.1 apply. *59P2025*

(2) 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***.

(3) All ***setback areas*** adjacent to a ***street***, except for those portions specifically required for motor vehicle access, must be a ***landscaped area***.

(4) ***Amenity space*** provided outdoors at ***grade*** must be included in the calculation of a ***landscaped area***.

(5) 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***.

(6) A minimum of 30.0 per cent of the ***landscaped area*** must be covered with ***soft surfaced landscaping***.

(7) All ***soft surfaced landscaped area*** must be irrigated by an underground irrigation system, unless otherwise provided by a ***low water irrigation system***.

(8) Mechanical systems or equipment that are located outside of a ***building*** must be ***screened***.

(9) 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.

Residential Amenity Space

1403 (1) A landscape plan for the entire ***development*** must be submitted as part of each ***development permit*** application where changes are proposed to ***buildings*** or the site plan, and must show at least the following:

(a) the existing and proposed site grading;

(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***, ***soft surfaced landscaped area*** and ***hard surfaced landscaped areas***;

(d) ***private amenity space*** or ***common amenity space***;

(e) the types, species, sizes and numbers of plant material and the types of ***hard surfaced landscaped areas***;

(f) details of the irrigation system; and

(g) for ***landscaped areas*** with a ***building*** or other structure 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.

Planting Requirements

1404 (1) Trees required by this section:

(a) may be provided though the planting of new trees or the preservation of existing trees; and

(d) where approved by the ***Development Authority***, may be provided on a boulevard ***adjacent*** to the ***parcel***.

(2) A minimum of 1.0 tree and 3.0 shrubs must be provided for each 110.0 square meters of ***parcel area***.

(3) Shrubs must be a minimum height or spread of 0.6 metres at the time of planting.

(4) 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.

(5) 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.

(6) The requirement for the provision of 3.0 trees is met where an existing deciduous tree with a ***calliper*** greater than 100 millimeters is preserved.

(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) 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.

Amenity Space

1405 (1) Each ***unit*** and ***suite*** must have ***amenity space*** that is located outdoors and is labelled on the required landscape plan.

(2) ***Amenity space*** may be provided as ***common amenity space***, ***private amenity space*** or a combination of both.

Retaining Walls

1406 (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***.

Fences

1407 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.

Visibility Setback

1408 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***.

Decks and Patios

1409 **(1)** The height of a ***deck*** must not exceed 1.5 metres above ***grade*** at any point.

(2) A ***privacy wall*** located on a ***deck*** or ***patio***:

(a) must not exceed 2.0 metres in height when measured from the surface of the ***deck*** or ***patio***; and

(b) must not be located between the foremost front façade of the ***main residential building*** and the ***front property line***.

(3) The maximum height for an **Accessory Residential Building** is 5.0 metres measured from ***grade***.

Balconies

1410 **(1)** Unless otherwise referenced in subsection (2), an open ***balcony*** must not project more than 1.85 metres from the ***building*** façade to which it is attached.

(2) Where a ***balcony*** is located on the roof of the first or second ***storey*** and does not overhang any façade of the ***storey*** below the maximum area is equal to 50.0 per cent of the horizontal cross section of the ***storey*** below.

Motor Vehicle Parking Stalls

1411 The minimum number of ***motor vehicle parking stalls*** is calculated based on the sum of all ***units*** and ***suites*** at a rate of 0.5 stalls per ***unit*** or ***suite***.

61P2025

Mobility Storage

1412 *deleted*

61P2025

Bicycle Parking Stalls

1413 The minimum number of ***bicycle parking stalls – class 1*** is calculated based on the sum of all ***units*** and ***suites*** at a rate of 1.0 stall per ***unit*** or ***suite*** where a ***unit*** or ***suite*** is not provided a ***motor vehicle parking stall*** located in a ***private garage***.

Driveway Length and Parking Areas

1414 **(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) 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.

Waste, Recycling and Organics

1415 Garbage, recycling, and organics containers must be stored in a ***screened*** location shown on a site plan approved by the **Development Authority**.

SCHEDULE A

GROUPS OF USES

AGRICULTURE AND ANIMAL GROUP
Extensive Agriculture
Kennel
Tree Farm
Veterinary Clinic

AUTOMOTIVE SERVICE GROUP
Auto Body and Paint Shop
Auto Service – Major
Auto Service – Minor
Bulk Fuel Sales Depot
Car Wash – Multi-Vehicle
Car Wash – Single Vehicle
Fleet Service
Gas Bar
Large Vehicle Service
Large Vehicle Wash
Recreational Vehicle Service

CARE AND HEALTH GROUP
Addiction Treatment
Child Care Service
Custodial Care
Funeral Home
Health Care Service
Hospital
Residential Care

CULTURE AND LEISURE GROUP
Amusement Arcade
Billiard Parlour
Cinema
Community Recreation Facility
Computer Games Facility
Conference and Event Facility
Cultural Support
Fitness Centre
Gaming Establishment – Bingo
Indoor Recreation Facility
Library
Motion Picture Filming Location
Museum
Outdoor Recreation Area
Performing Arts Centre
Place of Worship – Large
Place of Worship – Medium
Place of Worship – Small
Radio and Television Studio
Social Organization
Spectator Sports Facility

DIRECT CONTROL USES
Adult Mini-Theatre
Campground
Emergency Shelter
Fertilizer Plant
Firing Range
Gaming Establishment – Casino
Hide Processing Plant
Intensive Agriculture
Inter-City Bus Terminal
Jail
Motorized Recreation
Natural Resource Extraction
Pits and Quarries
Power Generation Facility – Large
Race Track
Refinery
Salvage Processing – Heat and Chemicals
Saw Mill
Slaughter House
Stock Yard
Tire Recycling
Zoo

EATING AND DRINKING GROUP
Catering Service – Major
Catering Service – Minor
Dinner Theatre
Drinking Establishment – Large
Drinking Establishment – Medium
Drinking Establishment – Small
Food Kiosk
Night Club
Restaurant: Food Service Only
Restaurant: Licensed

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
Hazardous Waste Management Facility
Landfill
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 Storage Site
Water Treatment Plant
Wind Energy Conversion System – Type 1
Wind Energy Conversion System – Type 2

OFFICE GROUP
Office
Service Organization

Schedule A has been amended by the following bylaws: *13P2008, 15P2008, 51P2008,67P2008, 1P2009, 32P2009, 12P2010, 14P2010, 39P2010, 37P2010, 27P2011, 30P2011, 35P2011, 4P2013, 5P2013, 38P2013, 7P2014, 24P2014, 5P2015, 22P2016, 28P2016, 4P2017, 49P2017, 16P2018, 25P2018, 42P2019, 27P2021, 28P2021, 44P2022, 21P2024*

RESIDENTIAL GROUP
Assisted Living
Backyard Suite
Contextual Semi-detached Dwelling
Contextual Single Detached Dwelling
Cottage Housing Cluster
Duplex Dwelling
Dwelling Unit
Hotel
Live Work Unit
Manufactured Home
Manufactured Home Park
Multi-Residential Development
Multi-Residential Development – Minor
Rowhouse Building
Secondary Suite
Single Detached Dwelling
Semi-detached Dwelling
Temporary Shelter
Townhouse

SALES GROUP
Auction Market – Other Goods
Auction Market – Vehicles and Equipment
Cannabis Store
Convenience Food Store
Financial Institution
Information and Service Provider
Large Vehicle and Equipment Sales
Liquor Store
Pawn Shop
Payday Loan
Pet Care Service
Print Centre
Recreational Vehicle Sales
Restored Building Products Sales Yard
Retail Garden Centre
Retail and Consumer Service
Supermarket
Temporary Residential Sales Centre
Vehicle Rental – Major
Vehicle Rental – Minor
Vehicle Sales – Major
Vehicle Sales – Minor

SIGNS GROUP
Community Entrance Feature

Sign – Class A
Address Sign
Art Sign
Banner Sign
Construction Sign
Directional Sign
Election Sign
Flag Sign
Gas Bar Sign
Pedestrian Sign
Real Estate Sign
Show Home Sign
Special Event Sign
Temporary Sign
Window Sign
Any type of sign located in a building not intended to be viewed from outside

Sign – Class B
Fascia Sign

Sign – Class C
Freestanding Sign

Sign – Class D
Canopy Sign
Projecting Sign

Sign – Class E
Digital Message Sign
Flashing or Animated Sign
Inflatable Sign
Message Sign
Painted Wall Sign
Roof Sign
Rotating Sign
Temporary Sign Marker
Any type of sign that does not fit within any of the sign types listed in Classes A, B, C, D, F or G

Sign – Class F
Third Party Advertising Sign

Sign – Class G
Digital Third Party Advertising Sign

STORAGE GROUP
Distribution Centre
Freight Yard
Recyclable Construction Material Collection Depot (temporary)
Salvage Yard
Self Storage Facility
Storage Yard
Vehicle Storage

SUBORDINATE USE GROUP
Accessory Residential Building
Bed and Breakfast
Columbarium
Custodial Quarters
Drive Through
Home Based Child Care - Class 1
Home Occupation – Class 1
Home Occupation – Class 2
Outdoor Café
Seasonal Sales Area
Special Function – Class 1
Special Function – Class 2

TEACHING AND LEARNING GROUP
Instructional Facility
Post-secondary Learning Institution
School – Private
School Authority – School
School Authority Purpose – Major
School Authority Purpose – Minor

SCHEDULE B

Minimum and Specified Penalties

General Offences			
Section	**Offence**	**Minimum Penalty First Offence**	**Specified Penalty First Offence**
47(1)	Occupy or commence use prior to DCP	$1500	$3000
47(5)	Fail to allow inspection / hinder Inspector	$1500	$3000
47(8)	Fail to retain DCP on premises	$200	$400
49(2)	Fail to obtain DP	$1500	$3000
	Fail to comply with DP / DP conditions	$1500	$3000
Lighting Offences			
63	Fail to shield	$100	$200
65	Exceed mounting height	$100	$200
66	Fail to recess on canopy	$100	$200
Sign Offences			
70, 71	Fail to comply with Comprehensive Sign Program	$500	$1000
73(1)	Sign not located on a parcel	$100	$300
73(2)	Display Third Party Advertising	$500	$1000
73(6)	Sign too close to curb	$100	$500
73(8)	Sign in corner visibility triangle	$100	$500
73(9)	Sign in required road rights-of-way setback	$100	$300
73(11)	Unauthorized projection over sidewalks or road rights-of-way	$100	$200
73(12)	Damage landscaping	$100	$500
75	Fail to maintain sign	$100	$200
78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 90	Fail to comply with Rules for Sign – Class A	$100	$200
89	Fail to comply with Rules for Temporary Signs	$200	$400
92, 93	Fail to comply with Rules for Fascia Signs	$200	$400
95, 96, 97	Fail to comply with Rules for Freestanding Signs	$200	$400
99, 100	Fail to comply with Rules for Canopy Signs	$200	$400

Sign Offences cont'd			
Section	**Offence**	**Minimum Penalty First Offence**	**Specified Penalty First Offence**
101, 102	Fail to comply with Rules for Projecting Signs	$200	$400
74,104, 105,106, 107,108, 109,110, 111,112, 113,114, 115.1, 115.2, 115.3, 115.4 and 115.5	Fail to comply with Rules for Class E, Class F and Class G Signs and Rules for signs with Digital Displays	$500	$1000
117	Fail to identify stalls through signage	$500	$1000
119	Stalls used for Unauthorized Purpose	$500	$1000
122	Fail to comply with Parking Stall Standards	$500	$1000
123	Fail to comply with Loading Stall Standards	$500	$1000
125	Fail to comply with Bicycle Stall Standards	$500	$1000
Use Rules Offences			
Part 4	Fail to comply with Rules relating to Uses	$200	$400
Residential Offences			
342(1)	Retaining Wall Exceed Height	$500	$1000
342(2)	Retaining Wall not meet Separation Requirement	$500	$1000
343	Fail to comply with Fence Rules	$200	$400
344, 564, 1111, 1357	Have prohibited/restricted object	$200	$400
345, 346	Fail to comply with Accessory Building Rules	$200	$400
348	Fail to comply with Corner Visibility Rules	$200	$400
359	Fail to comply with Personal Sales Rules	$200	$400

Commercial Offences			
696	Fail to screen mechanical	$200	$1000
697	Fail to enclose garbage	$200	$1000
903, 1019	Fail to enclose garbage and materials	$500	$1000

Schedule B has been amended by the following bylaws: *30P2011, 35P2011, 16P2018, 46P2019, 44P2022, 34P2022*